# OFF

### T USFG

#### Our interpretation is the 1AC must include a defense of the federal government prohibiting anti-competitive business practices

#### A – Antirust ‘prohibitions’ are federal and legal and distinct from private action

Boner and Krueger, ‘91 (Roger Alan and Reinald, World Bank, “The Basics of Antitrust Policy”, *World Bank Technical Paper No 160,* <https://documents1.worldbank.org/curated/en/606101468764357774/pdf/multi-page.pdf>, DoA 5/31/2021, DVOG)

Of all nations, none has a longer history of active intervention in marketplace competition through antitrust policy than the United States. The statutory basis of antitrust policy in the U.S. rests on three federal laws--the Sherman Act of 1890, the Clayton Act of 1914, and the Federal Trade Commission Act of 1914. Significant amendments occurred in the Robinson Patman Act of 1936 and the Hart-Scott-Rodino Antitrust Improvements Act of 1976, which provided for pre-merger notification.A1 These antitrust statutes apply to interstate commerce and are enforced at the federal level by two agencies, the Department of Justice, an executive agency, and the Federal Trade Commission.0 In addition, enforcement actions can be brought by the attorneys general of the fifty states and by private parties who have suffered injury owing to violations of the antitrust laws. Approximately 96% of the civil antitrust suits in the U.S. are brought by private parties.YJ The antitrust statutes of the United States, reflecting a pattern often repeated elsewhere, were written into law following a period of marked economic expansion with numerous mergers and consolidations. A variety of restraints on competition, widely employed by large businesses, caused great popular resentment. In response, the Sherman Act was enacted in 1890 to inhibit a variety of practices viewed as injurious restraints on competition. Section 1 of the Act prohibits contracts, combinations, and conspiracies in restraint of trade, section 2 prohibits monopolization, attempts to monopolize, and combinations or conspiracies to monopolize, and section 7 (later superceded by Section 4 of the Clayton Act) permits private parties injured by Sherman Act violations to sue for recovery of three times the amount of damages. The ability of private parties to recover treble damages for antitrust violations is unusual among the surveyed jurisdictions and constitutes a comparatively strong deterrent to violating the antitrust law.9 Though the Sherman Act was designed to enjoin a broad variety of anticompetitive business practices, the Act was not effectively enforced for a number of years. Moreover, the Sherman Act applies strictly to the conduct of business, and the prosecution of violations requires that enforcers meet the high standard of showing that particular conduct was motivated by the restraint of competition or monopolization of a market. To broaden the scope of antitrust legislation, the Clayton Act was passed to cover other potentially anti competitive practices and to prohibit conduct likely to support the restraint of trade. Section 2 of the Clayton Act (later amended by the Robinson Patman Act) prohibits price discrimination in support of the restraint of trade or monopolization of a market, and Section 3 prohibits tying and exclusive dealing contracts in restraint of competition. More important, the Clayton Act serves to discourage the development of certain structural pre-conditions of anticompetitive behavior: Section 7 prohibits mergers tending to substantially lessen competition, and Section 8 prohibits interlocking directorates among competing firms.& The Federal Trade Commission Act was passed in part to streamline the procedures for enforcing the antitrust laws. Whereas the Department of Justice, as the primary federal law enforcement agency, has broad responsibilities to enforce federal law, the Federal Trade Commission Act created the Federal Trade Commission as an administrative agency with special expertise in business and commerce and with quasi-judicial authority to enforce the antitrust laws.!V Section 5 of the FTC Act prohibits "unfair methods of competition," which includes acts illegal under the Sherman and Clayton acts. In addition, judicial decisions have found section 5 to cover practices that offend public policy or cause substantial injury to consumers, potentially extending the applicability of the FTC Act beyond that of the other antitrust statutes. The Department of Justice and Federal Trade Commission have dual responsibility to enforce the federal antitrust laws, a situation unique among the surveyed jurisdictions. Both criminal and civil cases can be brought by the Department of Justice and decided in federal district courts, with appeal to the appellate courts and the Supreme Court. In contrast, the FTC can bring only civil cases and can adjudicate cases through independent administrative law judges, with appeal to the federal courts and the Supreme Court.§9 To some extent, the FTC and the Department of Justice coordinate their activities in areas of overlapping responsibility, as in merger review for which each agency has developed particular areas of expertise. Otherwise, the dual enforcement approach of the U.S. provides for a broad, interventionist application of antitrust laws, since potentially anticompetitive actions can be challenged by either the Department of Justice or the Federal Trade Commission. The 1936 Robinson-Patman Act, written to amend Section 2 of the Clayton Act, is a more complex and comprehensive statute prohibiting resale price maintenance. Section 2 of the Robinson-Patman Act prohibits discriminating in price between different buyers, limits the brokerage and other compensatory fees between a buyer and seller, and prohibits the use of discriminatory advertising or promotional allowances by sellers. Buyers as well as sellers are subject to the prohibitions, and Section 3 of the Act provides criminal sanctions for certain kinds of discriminatory pricing. 1 With respect to other surveyed economies, several features of U.S. antitrust law stand out. The U.S. is the only one maintaining separate government agencies that share parallel authority to enforce the antitrust laws; federal enforcement, shared by the Department of Justice and the Federal Trade Commission, operates alongside enforcement by the attorneys general of the fifty states and is substantially augmented by private enforcement**.** The treble damages available to private litigants constitute a very strong financial deterrent against antitrust violations as well as a strong incentive for private litigation. Finally, though a variety of activities are exempted from antitrust law, the selective granting of exemptions is used very seldom and is not an important feature of antitrust law enforcement in the USA.

#### B – ‘Its’ means possessive

Macmillan Dictionary

[“its”, Macmillan Dictionary, http://www.macmillandictionary.com/us/dictionary/american/its, accessed 8-15-15, AFB]

Its is the possessive form of it.

1 belonging or relating to a thing, idea, place, animal, etc. when it has already been mentioned or when it is obvious which one you are referring to

The chair lay on its side.

We were eager to see Las Vegas and all its many attractions.

The bull had a ring through its nose.

Synonyms and related words

Determiners: a, an, certain...

Explore Thesaurus

#### C – That means the aff must modify federal law

Jon M Ericson 3, Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action through governmental means. 4. A specification of directions or a limitation of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### The affirmative doesn’t propose a hypothetical government action – vote negative –

#### First is clash – stable ground and limits enable contestation and is vital to the neg effectively researching and refuting the 1AC, including by utilizing their 1AC on the negative. That turns any offense they can access because engagement is necessary for actualizing their strategy.

#### There’s no link to most Ks of framework – we are not defending the resolution as a ceiling, end point, or total limit, but as a floor and starting point to ensure the neg knows what to research and disprove.

#### Second is limits:

#### Some predictable limit is the only way to give the neg a chance to win – radical aff choice with no floor puts the aff too far ahead. Pre-tournament negative preparation is structured around disproving the resolution as a point of offense, and obviating that research structurally favors the affirmative.

#### Fairness is an intrinsic good – debate can be more than a game and also a game, and games always requires effective competition expectations – the only way for any benefit to be produced from debate is if the judge can make an objective decision between two sides who have had a relatively equal chance to research.

#### This precedes substance – our ability to refute any argument cannot be disentangled from our inability to research it – be skeptical of whether an argument of was ‘dropped’ or whether it was simply impossible to prepare to defeat.

#### Third is antitrust debates – studying antitrust law via switch-side debate is vital to interdisciplinary skills that both spill up *and* allow us to better understand the historical and social foundations of antitrust

Biester, 11 – Edward, partner in the Philadelphia office of the law firm of Duane Morris LLP, and co-chair of the firm’s Antitrust and Competition Practice Group. “Understanding Antitrust Laws, Competition, the Economy, and Their Impact on Our Everyday Lives,” Social Education 75(2), pp 68–72, <https://www.americanbar.org/content/dam/aba/images/public_education/lookingatthelaw_marapril.pdf> -- Iowa

Looking at the Law: Why should antitrust law and economic regulation be important parts of a high school social studies curriculum?

E.B.: These topics bring together many disciplines and allow students to imagine and experience their application to real world scenarios, at a time when students are learning and questioning just how the world works. Studying antitrust law and economic regulation will introduce students to concepts like the branches of government and how laws are made, enforced, and effect social policy. They allow students to take an historical view and observe how certain economic principles have emerged as economies and markets evolved. Students can decide why one rule or another would be positive or negative in scenarios that deal with their individual economic interests. These concepts also introduce students to the globalization of markets, trade, and legal governance, which will only become more important with time.

#### T is best evaluated under competing interpretations to reduce judge intervention.

#### Here’s a TVA: The United States federal government should expand the scope of antitrust law to prohibit the anticompetitive business practice of classifying workers in the gig economy as independent contractors rather than employees.

#### The TVA solves – current antitrust law allows for the exploitation of Black and brown workers because antitrust shields companies from paying fair wages.

Kennedy 21 (Brendan Kennedy, public relations and communications specialist at NYSBA, “Yes America, Antitrust Laws Do perpetuate structural racism but they don’t have to,” <https://nysba.org/yes-america-antitrust-laws-do-perpetuate-structural-racism-but-they-dont-have-to/>, published 1/27/2021, accessed 1/30/2022)

The recently named acting commissioner of the U.S. Federal Trade Commission has been very public about her desire to have antitrust enforcement become antiracist. While on maternity leave this summer, Rebecca Kelly Slaughter made her personal opinion known in a [public Twitter thread](https://twitter.com/RKSlaughterFTC/status/1303762105431207947) that sparked further discussion about equity within the antitrust community. Slaughter, along with panelists, Eleanor M. Fox, Deona T. Kalala, Leslie C. Overton and Sandeep Vaheesen, dispelled the notion that antitrust policies were neutral during a session held Jan. 25 by the Antitrust Law Section at the New York State Bar Association’s Annual Meeting. They suggested ways that antitrust laws can stop perpetuating inequality on communities of color. “There really isn’t such a thing as value-neutral enforcement,” Slaughter said. “All of our enforcement actions have consequences and I would rather have our system be clear-eyed about what these consequences are.” When talking specifically about racism, Slaughter explained that antitrust laws and enforcement are going to reinforce the structural inequities in our system, specifically in the gig economy. “We need to think very carefully in all of our cases about whether the actions we take or do not take will reinforce the structural inequities or break them down and make our markets more equitable,” Slaughter said. According to Vaheesen, the legal director at the Open Markets Institute in Washington D.C., surveys have indicated that the work being done in the gig economy is disproportionately done by people of color. On a larger scale, he believes that antitrust laws have been used to the detriment of Black and brown workers in ways that make our society more racist. The gig economy is made up of workers like Uber and Lyft drivers, Instacart shoppers and Doordash delivery drivers, whose businesses mainly run on apps. These tech companies have classified their workers as independent contractors, and this can lead to their workers losing some very basic rights. “These platforms can control and dictate things like rate of pay and commissions and direct trips and routes drivers take,” Vaheesen said. “Due to antitrust laws, these companies have the power of employers without the duty of them, so they don’t have to pay a minimum wage, overtime, workers compensation or healthcare benefits.” Vaheesen believes that this rise of the gig economy can be tied directly to changes in antitrust law that were enacted in the 1970s and 1980s under Republican administrations and left unchallenged by subsequent Democratic administrations in the 1990s and 2000s. “Antitrust laws say that workers who are classified as independent contractors cannot organize,” Vaheesen said. “Workers cannot come together and build power through unions, collective bargaining, or striking. So this gives a largely white group of business owners and venture capitalists the ability to control groups of Black and brown workers and prevent them from organizing.” Slaughter, who has sat on the FTC as a commissioner since 2018, agrees that the law has been used in this way but said that doesn’t have to be the case. “I have been vocal to the Department of Labor on the very topic of classifying gig economy workers as independent contractors,” Slaughter said. “From a competition perspective, misclassifying gig workers as non-employees inhibits their ability to compete for better wages and benefits and when viewed through this lens, it’s very problematic.” According to Fox, the Walter J. Derenberg Professor of Trade Regulation at NYU School of Law, it wasn’t always true that markets would benefit those with money and power. In fact, it was welcoming to outsiders until the 1970s. “We’ve skewed antitrust laws to benefit the insiders and free up incumbents so they can be more innovative,” Fox said. “Our laws don’t have to be this way and our economics are biased because assumptions are biased.” Data collection according to Overton, a partner at Axinn, Veltrop & Harkrider in Washington D.C., and a former senior official in the Antitrust Division of the Department of Labor, is one way we can begin to end structural racism in our antitrust laws. “There is room for data collection that is more sensitized to these antiracism issues in order to make sure we’re identifying the full range of implications of conduct and company mergers so that we’re not marginalizing already marginalized groups,” Overton said. The consensus among the panelists coalesced around the notion that antitrust laws could use a reset and restating of their guiding principles. That would include determining whether the goals of such laws is to disperse power or consolidate it.

# Case

### Rahman – 1NC

#### Even if every K of fiat is true, studying and challenging the details of public policy creates a portable toolkit for policymaking as power-building – only our model solves this – teaching debaters to repurpose existing literatures towards radical change is key

Rahman, 18 – K. Sabeel, Assistant Professor of Law, Brooklyn Law School; Visiting Professor of Law, Harvard Law School. “Policymaking as Power-Building,” Southern California Interdisciplinary Law Journal, Winter, 27 S. Cal. Interdis. L.J. 315, p. Lexis – Klab21

The problem of power - and in particular, balancing the differential power of different factions to preserve effective, accountable, and responsive republican government - has always been a central concern of constitutional and public law. In today's era of growing economic inequality, these age-old concerns about how institutional structures allocate power and protect against potentially excess influence of any one faction have become a renewed area of concern for scholars of constitutional law, public law, and law and inequality. n1 Indeed, a wide body of social science research has documented that economic wealth in particular generates troubling disparities in political power and influence, thereby skewing our ordinary processes of democratic governance: legislation is empirically more [\*318] responsive to the preferences of wealthier citizens; n2 legislators themselves are dependent on campaign funders and donors rather than constituents for winning office; n3 organized business interests have proven more resourced and sophisticated in building an influence ecosystem of lobbying, advocacy, and model legislation bodies that have major impact on state, local and federal legislatures, as well as regulatory bodies; n4 the shared social and cultural background among legislators, regulators, and economic elites induces more elite-friendly policies. n5 But the challenge of mitigating these disparities of political power is not just a question of macro-level constitutional or structural institutional design. Rather, public policy itself plays a role in shaping the balance of power between different constituencies in civil society - and their relative ability to exercise power and influence on public policy in the future. This power-shifting dimension of policy design is often overlooked in more substantively-oriented policy discussions. But a self-conscious use of policy design to balance disparities of political power can play an important role in these larger conversations about power, public law, and inequality today. This is what I call in this paper policymaking as power-building. I argue below that in an era of increasing (and increasingly interrelated) economic and political inequality, we must design public policies not only with an eye toward their substantive merits, but also in ways that rebalance disparities of power. In particular, public policy should be aimed at institutionalizing the countervailing power of constituencies that are often the beneficiaries of egalitarian economic policies, yet lack the durable, long-term political influence. Specifically, this paper makes three main arguments and contributions. First, the paper develops a theoretical framework for understanding power and power-building, drawing on and contributing to an overlapping set of literatures in public law, administrative law, social movements, and social science. In so doing, the paper develops implications for public law debates, policymakers, and social movement actors alike. Specifically, I suggest that [\*319] power distributions are not an intrinsic property of pure institutional design or of raw interest group resources. Rather, power is relational, emerging out from the dynamics of how civil society groups interface or interact with policymaking institutions. It is by altering and reshaping this state-society linkage that institutions create new forms and distributions of power. Second, I argue that this power-building orientation to policy and institutional design is of particular relevance in context of regulatory institutions and the administrative process. While we are accustomed to a long-standing debate about regulatory constraint and discretion, the relationship of administrative agencies to the separation of powers, and the balance between expertise and public input in regulatory policymaking, viewing the administrative process as a mode of constructing - and potentially remedying - power disparities suggests some valuable new approaches to policy and regulatory design. The administrative process is already one of more flexible and fluid public law arenas in which to experiment with approaches to balancing political power. n6 Nor is this administrative focus limited to the federal arena; arguably some of the most compelling experiments in administrative power-balancing has been taking place at the state and local level. n7 This orientation towards power provides a distinct lens that recasts and repurposes existing literatures in administrative law, to better address problems of inclusion, accountability, responsiveness, and above all, political power. Third, the paper outlines a more generalizable toolkit through which policies can be designed to empower key constituencies, and to mitigate disparities of political power. This toolkit is also portable - easily applied to policy contexts from federal, state, or local arenas - and trans-substantive - adaptable in different policy areas. Highlighting and developing this strategy of power-building through policy design offers several valuable implications. For policymakers, these ideas could inform regulatory policies and designs that help mitigate disparities of influence, particularly between more well-connected and resourced interest groups and more diffuse or disempowered constituencies. For advocacy groups, these ideas suggest a way to strategically design public policy and regulatory initiatives in ways that forge tighter links to constituencies that may benefit from key policies, but might otherwise be [\*320] politically ill-equipped to defend them from rollback. If legal and social science scholarship have documented how economic inequality and political inequality reinforce one another as politically-powerful actors push for policies that exacerbate inequality, this paper suggests a way towards the inverse dynamic: in which policies aimed at promoting economic equality are made more durable and effective through policy designs that help create more political equality. These arguments are of particular concern in light of both the growing importance of regulatory agencies in driving the larger policy debates, and how this increased centrality of regulation places previous waves of regulatory process reform under strain. As this paper will suggest, as an empirical matter, federal regulatory agencies are already central to major policy initiatives, even above and beyond formal actions of Congress. This is in part because of the accumulation of delegations of agency authority, and in part because of the political incentives to make policy through the Executive Branch in the face of either divided government where different parties control the White House and the Congress, or sclerosis and gridlock within Congress itself - or both. The administrative state has long been subject to waves of institutional process reform from the passage of the Administrative Procedure Act to more recent attempts at leveraging new technological and online tools to improve agency processes. But the practical and political stakes of regulatory judgment today suggests the need for more far-reaching institutional design approaches.

### Ballot Not Key – 1NC

#### Voting aff isn’t key – the 1AC says we should quote “participate in analyzing college policy debate’s current model as anti competitive” – voting neg and framework each do that, which means there’s no ballot key warrant that is intrinsic to the aff and you can easily vote neg to fulfill the same goal while avoiding other DAs to the 1AC.

#### Proves framework debates are good!

### AT: Invitation – 1NC

#### The 1NC has both offered our own invitation to dialogue and responded to the 1AC’s – their 1AC says we should quote “find a place of influence in our common humanity that is not fraught with linguistic practices of power, as we explore possibility and potentiality (even a feminist potentiality) of mutual benefit that does not harm” – the entire 1NC is an attempt to discern MUTUAL BENEFIT from shared practices, i.e. more productive debates about the aff, not LESS debates about the aff.

#### Every framework internal link is a link turn – we are trying VERY hard to answer their invitation, and any failure on our end to do so just reflects that it’s vague and ill-fitted to a competitive format like debate and not that the 1NC didn’t attempt to genuinely engage

### AT: Gumbs – 1NC

#### Every Gumbs poem in the 1NC can be mutually additive with a policy affirmative, just like it is a great addition to their 1AC – the 1NC interp doesn’t exclude any oral form of story-telling, and if they’re right that poetry is radically disruptive it proves that even a few constrains on a model could never constrain the 1AC’s poetic potential. If they’re right that the TVA stifles the radical potential of poetry then it’s proof their model can never solve unless it broadly spills over to effect all debate, which is an impossible reach

### AT: Reid-Brinkley – 1NC

#### Reid-Brinkley is definitely offense vs some version of framework, but not our’s – their Reid-Brinkley evidence speaks about a world of forced assimilation or a ceiling on which argument approaches are allowed, but our interp is the opposite – it’s not built on the value of EXCLUDING the 1AC, it’s built on the value of INCLUDING study about antitrust law and a variety of means to study and challenge it

#### Challenging racialized violence requires concrete political planning – their metaphysical poetic approach makes political resistance impossible

Haider, 18 – Asad, PhD candidate in the History of Consciousness at UC Santa Cruz, “Mistaking Identity Politics: A Conversation with Asad Haider (Part II),” Verso Books, Aug 16, <https://www.versobooks.com/blogs/3974-mistaking-identity-politics-a-conversation-with-asad-haider-part-ii> -- Iowa

One thing that I wanted to talk about that we haven't gotten to yet is Afro-pessimism. I'd like you to explain Frank Wilderson's argument. You write: "the 'antiblackness problematic' radicalizes and ontologizes a separatist, black exceptionalist perspective rejecting even the minimal gesture towards coalitions implied by the term 'people of color.'" Explain Afro-pessimism and how the term antiblackness has come to be a substitute for the concept of racism and what the implications of that move are. Frank Wilderson bases his understanding of slavery, first of all, on the argument of the sociologist Orlando Patterson, who defines slavery in terms of natal alienation — the fact that the slave was transferred away from the mother at birth — and social death. These categories for Patterson are about defining slavery in a comparative perspective, from ancient slavery up through modern plantation slavery. So they had no specific attachment to racial slavery. There were many practices of slavery which were not based on any kind of racial division or racial ideology, but had other ideologies attached to them. Wilderson takes these terms and concepts and attaches them specifically to the African slave trade and understands blackness as the kind of core void of what he calls white civil society. It becomes a kind of axis around which the entirety of the existing society is built, on the negation and destruction and annihilation of blackness. This is not just white [people]. I quote him in the book, in this very kind of surprising anti-Palestinian statement, I quoted him saying that Arabs and Jews have both equally participated in this kind of anti-blackness. That kind of argument is based on not only something which is politically completely contrary to the kinds of solidarities that were central to the Black Freedom Movement, but it's also a highly metaphysical way of speaking, which doesn't allow us to understand the specificity or contradictions and complications of the history of slavery. Another sort of key term in Afro-pessimism that went into wide circulation was "black bodies." That's a way to say that black people, through slavery, were excluded from the category of the human and excluded from the category of the subject. And that's a little complicated, because Saidiya Hartman, who Wilderson and other Afro-pessimists claim as a source, even though to my knowledge she has never claimed to be a participant in this tendency — she points out how there were ways in which slaves performed a particular kind of subjectivity and so on. It was a contradictory thing, it's not a simple in-or-out. Anyway, we're getting sort of technical. To me, what that kind of language does today is it takes all of the agency away and when people describe the Black Lives Matter movement in terms of black bodies, they suppress the fact that there were all of these people on the streets who had never read Frank Wilderson or even Coates, who were out there resisting death, who were saying they refuse to die, they refuse to be killed by the police. So for me, this was a serious misunderstanding and misrepresentation. It did a disservice to the mass movement that was emerging at that point. You quote Robin D.G. Kelley on this question of bodies and violence against black bodies. He writes: "In the argot of our day, 'bodies' — vulnerable and threatening bodies — increasingly stand in for actual people with names, experiences, dreams and desires." To me, this lack of particularity seems like it also serves to obscure the particular sorts of black people who are most often getting murdered by the police and incarcerated and suffering all sorts of other obscenities. It's obscuring the struggles — and the struggles to survive — that people are engaged in every day. And the resistance that people engage in every day, even if it's not recognized as such. This is something else that Robin D.G. Kelley has written very well about. Dragging your feet and taking extra time on your breaks at work — these are forms of resistance that are always at play. This rhetoric, this metaphysical rhetoric of victimhood as I was referring to earlier, takes that agency, that possibility of resistance away. The last thing I want to talk about is that this discussion: this debate that you're writing about is not just academic, to invoke an anti-intellectual colloquialism. These politics can concretely be quite destructive in organizing campaigns, for people doing political work. You write about your own experience organizing to fight tuition hikes at UC Santa Cruz. Explain what happened. We had the occupation of a building and successfully ejected the administration and had held that building for a couple days. The trajectory was not clear at that point, where things were going to go. But somehow the idea began to circulate that this was a movement of white anarchists or white Marxists. And that it was not a safe space for people of color. The primary organizers were just completely taken by surprise by this. I wasn't one of them, by the way. I was a supporter and participant, but it had been mainly undergraduate students who had organized it. Most of these primary organizers were people of color and they were just completely taken aback by this. There were attempts to respond, but what ultimately happened is that a group called itself The People of Color Caucus, it was a group of some people of color who had showed up, had not been involved in the previous organizing but had showed up to participate, and I went to one of their meetings; white people were not allowed. They basically planned out a split and they took about half of the remaining people at the occupation with them and sort of destroyed the reputation of the occupation. That's pretty much the experience that got me to start writing the materials that led to this book. Just by seeing just how destructive it was and how these particular languages circulated and were used in such de-politicizing ways. Before I let you go, I want to ask, in this current moment what path the left might have to break out of this ideological trap. There are a couple things. One is that people who consider themselves socialist should stop allowing there to be a division between problems of race and problems of class. They should stop making it possible for people to represent socialism as a white project and the same goes, by the way, for gender. It should not be possible to say that socialism is a male project. It should be fundamentally feminist. That means not only the issues of representation, who is in the leadership, who publishes in your magazines, and so on, but also the kinds of demands that you take up, the kinds of communities you decide to work in, the kinds of coalitions you decide to enter into. That is one fundamental thing. The second thing is that there should be a turn away from the endless cycle of debate, denunciation, and so on. The worst sort of manifestation of this is social media, in which you get the most attention for attacking someone else. That doesn't help build any kind of movement. The usefulness of social media for movement building is severely exaggerated. But it's not just social media: these kinds of things also happen, as I described in my own experience, in general assemblies and political meetings. The important thing to recognize is that the end goal is not to have a victorious discussion and it's not to win an argument. The arguments can last for seven hours. I have been in that seven-hour general assembly. The important thing is to move away from endless conversation towards practical activity and to work on concrete projects. When you work on concrete projects, you have to find a way to work with other people. You have to find a way to work with people who are different from you and whose views you may not share. And this is one of the fundamental lessons of the Black Freedom Movement, of the civil rights movement, just in terms of going and making coalitions to actually work on a project. You need to make a poster, you need to plan a rally, you need to whatever your project may be, you need to organize people to go canvassing for something. That's the way that people can bridge ideological divisions and it's also the way that, if you have understood the necessity of this, it's also the way that people can be politically educated. It's the way that white people can learn to question their own assumptions and prejudices. It is the way that men can learn to listen when women speak.

#### The aff is infrapolitics – it conflates expression of positionality with development of a political project – this depoliticizes resistance and short-circuits the development of a sustainable political mobilization

Adolph Reed 16, Professor of Political Science, University of Pennsylvania, “Splendors and Miseries of the Antiracist “Left”,” 11/6/16, http://nonsite.org/editorial/splendors-and-miseries-of-the-antiracist-left-2

This move becomes pathological when it is an instance of what Rogers Brubaker, a sociologist I suspect Birch and Heideman could benefit from reading, describes as a tendency to conflate “categories of practice” and “categories of analysis”6 and what my father characterized as a tendency to be “victimized by one’s own propaganda.” That is, the interpretive pathology is the failure to distinguish the hortatory project of working to call a phenomenon into existence by asserting that it already exists and the more scrupulously descriptive project of examining the world as it currently is. This is a problem to which participants in insular, sectarian discourses are particularly susceptible, as are those who understand their academic work to be a program of political mobilization in itself. Theirs is a politics unconstrained by needing to think strategically because it is unconcerned with the imperative to build a deep and broad political base. No nominally insurgent expression in recent American political history illustrates this problem more clearly than the intermittent chatter concerning reparations for slavery, or slavery+, as the program of an authentically radical black politics. Advocacy of the issue has been driven exclusively by moralizing proclamations of what black Americans deserve or are “owed” (a frame of reference with decidedly non-left premises and implications7, a point to which I return below) and how elaborately the debt has accrued and been compounded across time and social contexts; at the same time proponents of reparations as a politics consistently evade discussion of how it might be possible to construct a political alliance capable of prevailing on the issue. At most, response to that pragmatic question has generated sophistries of the sort to which Birch and Heideman resort. There are too many other wrongheaded formulations of the familiar sort in the essay to bother cataloguing. For example, another prop supporting Birch and Heideman’s assertions regarding the radical, anti-capitalist potential of BLM is their belief that “protest movements the world over” follow a standard trajectory that leads from initial expression “with ideological tools fashioned from their society’s dominant ideology” to more radical or revolutionary programs as they are directed by “the course of struggle itself.” (They seem not to notice that the first instance of this pattern that they adduce – king and country mobilizations in peasant societies – typically did not culminate in radical movements.) They proffer that trajectory as a buttress, in lieu of concrete evidence, to their contention that Black Lives Matter is on course to realize a radicalism they posit, on the basis of that purported trajectory, as immanent within it. This contention depends on both post hoc, propter hoc thinking in interpretation of the past and the fallacy of circular reasoning vis-à-vis the present. More than a decade and a half ago I criticized similar formulations of a notion of “infrapolitics,” understood as the domain of pre-political acts of everyday “resistance” undertaken by subordinated populations, which was then all the rage in cultural studies programs. Proponents of the political importance of this domain insisted that, because insurgent movements emerge within such cultures of quotidian resistance, a) examining them could help in understanding the processes through which insurgencies develop and/or b) they therefore ought to be considered as expressions of an insurgent politics themselves. Several factors accounted for the popularity of that version of the argument, which mainly had to do to with the political economy of academic life, including the self-propulsion of academic trendiness and the atrophy of the left outside the academy, which encouraged flights into fantasy for the sake of optimism. The infrapolitics idea also resonated with the substantive but generally unadmitted group essentialism underlying claims that esoteric, insider knowledge is necessary to decipher the “hidden transcripts” of the subordinate populations; put more bluntly, elevating infrapolitics to the domain on which the oppressed express their politics most authentically increased its interpreters’ academic capital.8 I discussed those factors in my critique. However, the point in that argument most pertinent for evaluating Birch and Heideman’s confidence that the contradictions they acknowledge in BLM should be seen only as growing pains of a “new movement” is the following: At best, those who romanticize “everyday resistance” or “cultural politics” read the evolution of political movements teleologically; they presume that those conditions necessarily, or even typically, lead to political action. They don’t. Not any more than the presence of carbon and water necessarily leads to the evolution of Homo sapiens. Think about it: infrapolitics is ubiquitous, developed political movements are rare.9

#### The aff’s rejection of the specific details of political engagement is not radical but continues the prevailing mode of leftist cynicism that eviscerates our ability to construct alternatives to political domination. The alternative is engagement with macro-level institutions.

Burgum ‘15 (Samuel, PhD candidate in Sociology at the University of Warwick and has been conducting research with Occupy London since 2012, “The branding of the left: between spectacle and passivity in an era of cynicism,” *Journal for Cultural Research*, Volume 19, Issue 3)

Rather than the Situationist spectacle, then, I argue that the reason those on the left are rendered post-politically impotent to bring about change is not because we are deceived, but because we enact apathy despite ourselves. In other words, the relationship between the resistive subject and ideology is not one of false consciousness, but one of cynicism: we are not misdirected by shallow spectacles, but instead somehow distracted by our cynical belief that we are being “distracted”. In this section, I begin by outlining the concept of cynicism as it has been theorised by Peter Sloterdijk and Slavoj Žižek. This then leads us to an analysis of the cynical position adopted by Brand’s critics, which I argue actually demonstrates more political problems on the part of the left than those suggested by Brand himself.¶ For Sloterdijk, cynicism is an attitude that emerges right at the centre of the enlightenment project, where, in contrast to a modernist illumination of truth, “a twilight arises, a deep ambivalence” (1987, p. 22). Rather than the promised heightened consciousness of science that would allow us to see the hidden essential truths behind appearances, the very conception of truth as unconcealedness (aletheia)3 instead creates a widespread mistrust and suspicion of every appearance. Subsequently, “a new form of realism bursts forth, a form that is driven by the fear of becoming deceived or overpowered … everything that appears to us could be a deceptive manoeuvre of an overpowering evil enemy” (Sloterdijk, 1987, p. 330). The surface becomes suspect and the subject therefore retreats from all appearances: judging them to be spectacles that are seeking to oppress through falsity. The result is cynicism.¶ Subsequently, this leads Sloterdijk to his well-known paradoxical definition of cynicism as “enlightened false consciousness” which he describes as a “modernized, unhappy consciousness on which enlightenment has laboured both successfully and in vain … it has learned its lessons in enlightenment, but it has not, probably was not able to, put them into practice” (1987, p. 5). In other words, in the search for a higher consciousness behind appearances, the subject is paradoxically “duped” by their very suspicion of being duped. Furthermore, because the subject thinks they “know” that appearances are just a mask, they disbelieve the truth when it does appear. Like the story of the Emperor’s New Clothes, they fancy themselves to know what is right in front of their eyes (that the emperor is nude and vulnerable) yet they choose “not to know” and don’t act upon it (they still act as if the emperor is all-powerful). As such,¶ cynical reason is no longer naïve, but is a paradox of enlightened false consciousness: one knows the falsehood very well, one is well aware of a particular hidden interest hidden behind the ideological universality, but still one does not renounce it. (Žižek, 1989, p. 23)¶ The audience to the parade of power can see that the emperor is not divine – just a fragile human body like the rest of us – yet they cynically choose not to know and objectively retain his aura. They congratulate themselves on “knowing” that Brand is a trivial spectacle, yet they choose to remain apathetic towards his calls for action.¶ As such, the dismissive reaction to Brand reveals a regressive interpassive tendency of the left to subjectively treat ourselves as “enlightened” to authentic politics and yet objectively render ourselves passive. In a kind of defence mechanism, the left believes that it¶ can avoid becoming the dupe of the latest fashion or advertising trend by treating everything as a matter of fashion and advertising, reassuring ourselves as we flip through television channels or browse through the shopping mall that at least we know what’s really going on. (Stanley, 2007, p. 399)¶ The critics disbelieve Brand, distrusting his motives and seeing him as inauthentic, yet they continue to “believe” objectively in their own marginalisation. As such, the cynical left believe they are dismissing shallow spectacle in the direction of a stronger authentic radicalism, yet what their “doing believes” is the maintenance of their apathetic position. More precisely, it maintains the attitudes of left melancholy and anti-populism.¶ The problem of “left melancholy” points towards the forever-delayed search for authenticity on the part of a cynical left that is in mourning. Coined by Walter Benjamin (1998), the concept points towards “the revolutionary who is, finally, attached more to a particular political analysis or ideal – even to the failure of that ideal – than to seizing possibilities for radical change in the present” (Brown, 1999, p. 19). Suffering from a history of defeat and embarrassment, the left persist in a narcissistic identification with failure, fetishising the “good old days” and remaining faithful to lost causes. As Benjamin himself points out, the cynical kernel of this attitude is clear, as “melancholy betrays the world for the sake of knowledge … but in its tenacious self-absorption it embraces dead objects in its consumption in order to redeem them” (1998, p. 157). In other words, the sentiment is a deliberate self-sabotage that takes place even before politics proper has a chance to begin or “the paradox of an intention to mourn that precedes and anticipates the loss of the object” (Žižek, 2001, p. 146).¶ This then leads us to the second problem of leftist cynicism: anti-populism. As a result of melancholia, the left has developed the bad habit of prejudging all instances of popular radical expression (such as Brand’s) as necessarily flawed. However, to return to Dean again, she points out that this aversion to being popular and successful is a defining feature of a contemporary left, who prefer to adopt an “authentic” underdog position in advance than take risks towards political power. As she argues, “we” on the left see “ourselves” as “always morally correct but never politically responsible” (Dean, 2009, p. 6) prepositioned as righteous victims and proud political losers from the outset. What this cynicism towards instances of popular radicalism ultimately means, therefore, is that any concern for authenticity is ultimately a regressive one, a defence mechanism for a left that “as long as it sees itself as defeated victims, can refrain from having to admit is short on ideas” (Dean, 2009, p. 5). Such an attitude means never risking potential failure and residing in the safety of marginal righteousness.¶ It is the contention here, therefore, that both melancholia and anti-populism can be seen in the cynical reaction to Brand’s radicalism. Somewhat ironically, Brand (2013) even recognised these problems himself when he wrote in his *New Statesman* piece that¶ the right seeks converts while the left seeks traitors … this moral superiority that is peculiar to the left is a great impediment towards momentum … for an ideology that is defined by inclusiveness, socialism has become in practice quite exclusive.¶ Automatically, then, the left denounce Brand and self-proclaimed “radical left-wing thinkers and organisers” bitterly complain how he is getting so much attention for the arguments they have been making for years (for example, Park & Nastasia, 2013). The left maintain distance and label Brand trivial, yet such a distance only renders these critiques even more marginal and prevents them from becoming popular, effective or counter-hegemonic.¶ As Žižek has pointed out, the political issue of cynicism is “not that people ‘do not know what they want’ but rather that cynical resignation prevents them from acting upon it, with the result that a weird gap opens up between what people think and how they act”, adding that “today’s post-political silent majority is not stupid, but it is cynical and resigned” (2011, p. 390). In terms of Brand, this blanket cynical melancholy is typical of the left’s distrust of anything popular, rendering them “like the last men” whose “immediate reaction to idealism is mocking cynicism” (Winlow & Hall, 2012, p. 13). Proponents of a radical alternative immediately adopt caution with the effect of forever delaying change, holding out for that real and authentic (unbranded) struggle and therefore denying it indefinitely.

#### Claiming “debate space” as a site for politics sells out radical change to the private sphere of individual protest in the academy

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(Fall, David, “The Horizontalists”, <http://www.dissentmagazine.org/article/the-horizontalists>)

There is a much-recycled and certainly apocryphal tale told of an ethnographer traveling in India. Journeying up and down the Ganges Delta, he encounters a fisherman who claims to know the source of all truth. “The world,” the fisherman explains, “rests upon the back of an elephant.” “But what does the elephant stand on?” the ethnographer asks. “A turtle.” “And the turtle?” “Another turtle.” “And it?” “Ah, friend,” smiles the fisherman, “it is turtles all the way down.” As with most well-circulated apocrypha, it is a parable that lacks a clear provenance, but has a clear moral: that despite our ever-dialectical minds, we will never get to the bottom of things; that, in fact, ***there is nothing*** at the bottom of things. What we define as society is nothing more than a set of locally constructed practices and norms, and what we define as history is nothing more than the passage of one set to the next. Although we might “find the picture of our universe as an infinite tower of tortoises rather ridiculous,” as one reteller admitted, it only raises the question, “Why do we think we know better?” Since the early 1970s we have wondered—with increasing anxiety—why and if we know better. Social scientists, literary critics, philosophers, and jurists have all begun to turn from their particular disciplines to the more general question of interpretation. There has been an increasing uneasiness with universal categories of thought; a whispered suspicion and then a commonly held belief that the sum—societies, histories, identities—never amounts to more than its parts. New analytical frameworks have begun to emerge, sensitive to both the pluralities and localities of life. “What we need,” as Clifford Geertz argued, “are not enormous ideas” but “ways of thinking that are responsive to particularities, to individualities, oddities, discontinuities, contrasts, and singularities.” This growing anxiety over the precision of our interpretive powers has translated into a variety of political as well as epistemological concerns. Many have become uneasy with universal concepts of justice and equality. Simultaneous to—and in part because of—the ascendance of human rights, freedom has increasingly become understood as an individual entitlement instead of a collective possibility. The once prevalent conviction that a handful of centripetal values could bind society together has transformed into a deeply skeptical attitude toward general statements of value. If it is, indeed, turtles all the way down, then decisions can take place only on a local scale and on a horizontal plane. There is no overarching platform from which to legislate; only a “local knowledge.” As Michael Walzer argued in a 1985 lecture on social criticism, “We have to start from where we are,” we can only ask, “what is the right thing ***for us*** to do?” This shift in scale has had a significant impact on the Left over the past twenty to thirty years. Socialism, once the “name of our desire,” has all but disappeared; new desires have emerged in its place: situationism, autonomism, localism, communitarianism, environmentalism, anti-globalism. Often spatial in metaphor, they have been more concerned with where and how politics happen rather than at what pace and to what end. Often local in theory and in practice, they have come to represent a shift in scale: from the large to the small, from the vertical to the horizontal, and from—what Geertz has called—the “thin” to the “thick.” Class, race, and gender—those classic left themes—are, to be sure, still potent categories. But they have often been imagined as spectrums rather than binaries, varying shades rather than static lines of solidarity. Instead of society, there is now talk of communities and actor networks; instead of radical schemes to rework economic and political institutions, there is an emphasis on localized campaigns and everyday practices. The critique of capitalism—once heavily informed by intricate historical and social theories—has narrowed. The “ruthless criticism of all,” as Karl Marx once put it, has turned away from exploitative world systems to the pathologies of an over-regulated life. As post-Marxists Ernesto Laclau and Chantal Mouffe declared in 1985, Left-wing thought today stands at a crossroads. The “evident truths” of the past—the classical forms of analysis and political calculation, the nature of the forces in conflict, the very meaning of the Left’s struggles and objectives—have been seriously challenged….From Budapest to Prague and the Polish coup d’état, from Kabul to the sequels of Communist victory in Vietnam and Cambodia, a question-mark has fallen more and more heavily over the whole way of conceiving both socialism and the roads that should lead to it. In many ways, the Left has just been keeping up with the times. Over the last quarter-century, there has been a general fracturing of our social and economic relations, a “multiplication of,” what one sociologist has called, “partial societies—grouped by age, sex, ethnicity, and proximity.” This has not necessarily been a bad thing. Even as the old Left—the ***vertical*** Left—frequently bemoaned the growing differentiation and individuation, these new categories did, in fact, open the door for marginalized voices and communities. They created a space for more diversity, tolerance, and inclusion. They signaled a turn toward the language of recognition: a politics more sensitive to difference. But this turn was also not without its disadvantages. Gone was the Left’s hope for an emerging class consciousness, a movement of the “people” seeking greater realms of freedom. Instead of challenging the top-down structures of late capitalism, radicals now aspired to create—what post-Marxists were frequently calling—“spaces of freedom.” If one of the explicit targets of the global justice movement of the late 1990s was the exploitative trade policies of the World Trade Organization, then its underlying critique was the alienating patterns of its bureaucracy: the erosion of spaces for self-determination and expression. The crisis of globalization was that it stripped individuals of their rights to participate, to act as free agents in a society that was increasingly becoming shaped by a set of global institutions. What most troubled leftists over the past three or four decades was not the increasingly unequal distribution of goods and services in capitalist societies but the increasingly unequal distribution of power. As one frequently sighted placard from the 1999 Seattle protests read, “No globalization without participation!” Occupy Wall Street has come to represent the latest turn in this movement toward local and more horizontal spaces of freedom. Occupation was, itself, a matter of recovering local space: a way to repoliticize the square. And in a moment characterized by foreclosure, it was also symbolically, and sometimes literally, an attempt to reclaim lost homes and abandoned properties. But there was also a deeper notion of space at work. Occupy Wall Street sought out not only new political spaces but also new ways to relate to them. By resisting the top-down management of representative democracy as well as the bottom-up ideals of labor movements, Occupiers hoped to create a new politics in which decisions moved neither up nor down but horizontally. While embracing the new reach of globalization—linking arms and webcams with their encamped comrades in Madrid, Tel Aviv, Cairo, and Santiago—they were also rejecting its patterns of consolidation, its limits on personal freedom, its vertical and bureaucratic structures of decision-making. Time was also to be transformed. The general assemblies and general strikes were efforts to reconstruct, and make more autonomous, our experience of time as well as space. Seeking to escape from the Taylorist demands of productivity, the assemblies insisted that decision-making was an endless process. Who we are, what we do, what we want to be are categories of flexibility, and consensus is as much about repairing this sense of open-endedness as it is about agreeing on a particular set of demands. Life is a mystery, as one pop star fashionista has insisted, and Occupiers wanted to keep it that way. Likewise, general strikes were imagined as ways in which workers could take back time—regain those parts of life that had become routinized by work. Rather than attempts to achieve large-scale reforms, general strikes were improvisations, escapes from the daily calculations of production that demonstrated that we can still be happy, creative, even productive individuals without jobs. As one unfurled banner along New York’s Broadway read during this spring’s May Day protests, “Why work? Be happy.” In many ways, the Occupy movement was a rebellion against the institutionalized nature of twenty-first century capitalism and democracy. Equally skeptical of corporate monopolies as it was of the technocratic tendencies of the state, it was ultimately an insurgency against control, against the ways in which organized power and capital deprived the individual of the time and space needed to control his or her life. Just as the vertically inclined leftists of the twentieth century leveraged the public corporation—the welfare state—against the increasingly powerful number of private ones, so too were Occupy and, more generally, the horizontalist Left to embrace the age of the market: at the center of their politics was the anthropological “man” in both his forms—*homo faber* and *homo ludens*—who was capable of negotiating his interests outside the state. For this reason, the movement did not fit neatly into right or left, conservative or liberal, revolutionary or reformist categories. On the one hand, it was sympathetic to the most classic of left aspirations: to dismantle governing hierarchies. On the other, its language was imbued with a strident individualism: a politics of anti-institutionalism and personal freedom that has most often been affiliated with the Right. Seeking an alternative to the bureaucratic tendencies of capitalism and socialism, Occupiers were to frequently invoke the image of autonomy: of a world in which social and economic relations exist outside the institutions of the state. **Their aspiration was a society based on organic, decentralized circuits of exchange and deliberation—on voluntary associations, on local debate**, on loose networks of affinity groups. If political and economic life had become abstracted in the age of globalization and financialization, then Occupy activists wanted to re-politicize our everyday choices. As David Graeber, one of Occupy’s chief theoretical architects, explained two days after Zuccotti Park was occupied, “The idea is essentially that “the system is not going to save us,” so “we’re going to have to save ourselves.” Borrowing from the anarchist tradition, Graeber has called this work “direct action”: the practice of circumventing, even on occasion subverting, hierarchies through practical projects. Instead of attempting “to pressure the government to institute reforms” or “seize state power,” direct actions seek to “build a new society in the shell of the old.” By creating spaces in which individuals take control over their lives, it is a strategy of acting and thinking “as if one is already free.” Marina Sitrin, another prominent Occupier, has offered another name for this politics—“horizontalism”: “the use of direct democracy, the striving for consensus” and “processes in which everyone is heard and new relationships are created.” It is a politics that not only refuses institutionalization but also imagines a new subjectivity from which one can project the future into the present. Direct action and horizontal democracy are new names, of course, for old ideas. They descend—most directly—from the ideas and tactics of the global justice movement of the 1990s and 2000s. Direct Action Network was founded in 1999 to help coordinate the anti-WTO protests in Seattle; *horizontalidad*, as it was called in Argentina, emerged as a way for often unemployed workers to organize during the financial crisis of 2001. Both emerged out of the theories and practices of a movement that was learning as it went along. The ad hoc working groups, the all-night bull sessions, the daylong actions, the decentralized planning were all as much by necessity as they were by design. They were not necessarily intended at first. But what emerged out of anti-globalization was a new vision of globalization. Local and horizontal in practice, direct action and democracy were to become catchphrases for a movement that was attempting to resist the often autocratic tendencies of a fast-globalizing capitalism. But direct action and horizontal democracy also tap into a longer, if often neglected, tradition on the left: the anarchism, syndicalism, and autonomist Marxism that stretch from Peter Kropotkin, Emma Goldman, and Rosa Luxemburg to C.L.R. James, Cornelius Castoriadis, and Antonio Negri. If revolutionary socialism was a theory about ideal possibilities, then anarchism and autonomism often focused on the revolutionary practices themselves. The way in which the revolution was organized was the primary act of revolution. Autonomy, as the Greco-French Castoriadis told *Le Monde* in 1977, demands not only “the elimination of dominant groups and of the institutions embodying and orchestrating that domination” but also new modes of what he calls “self-management and organization.” With direct action and horizontal democracy, the Occupy movement not only developed a set of new tactics but also a governing ideology, a theory of time and space that runs counter to many of the practices of earlier leftist movements. Unlike revolutionary socialism or evolutionary social democracy—Marx’s Esau and Jacob—Occupiers conceived of time as more cyclical than developmental, its understanding of space more local and horizontal than structural and vertical. The revolution was to come but only through everyday acts. It was to occur only through—what Castoriadis obliquely referred to as—“the self-institution of society.” The seemingly spontaneous movement that emerged after the first general assemblies in Zuccotti Park was not, then, sui generis but an elaboration of a much larger turn by the Left. As occupations spread across the country and as activists begin to exchange organizational tactics, it was easy to forget that what was happening was, in fact, a part of a much larger shift in the scale and plane of Western politics: a turn toward more local and horizontal patterns of life, a growing skepticism toward the institutions of the state, and an increasing desire to seek out greater realms of personal freedom. And although its hibernation over the summer has, perhaps, marked the end of the Occupy movement, OWS has also come to represent an important—and perhaps more lasting—break. In both its ideas and tactics, it has given us a new set of desires—autonomy, radical democracy, direct action—that look well beyond the ideological and tactical tropes of socialism. Its occupations and general assemblies, its flash mobs and street performances, its loose network of activists all suggest a bold new set of possibilities for the Left: a horizontalist ethos that believes that revolution will begin by transforming our everyday lives. It can be argued that horizontalism is, in many ways, a product of the growing disaggregation and individuation of Western society; that **it is a kind of free-market leftism: a politics jury-rigged out of the very culture it hopes to resist.** For not only does it emphasize the agency of the individual, but it draws one of its central inspirations from a neoclassical image: that of the self-managing society—the polity that functions best when the state is absent from everyday decisions. But one can also find in its anti-institutionalism an attempt to speak in today’s language for yesterday’s goals. If we must live in a society that neither trusts nor feels compelled by collectivist visions, then horizontalism offers us a leftism that attempts to be, at once, both individualist and egalitarian, anti-institutional and democratic, open to the possibilities of self-management and yet also concerned with the casualties born out of an age that has let capital manage itself for far too long. Horizontalism has absorbed the crisis of knowledge—what we often call “postmodernism”—and the crisis of collectivism—what we often call “neoliberalism.” But instead of seeking to return to some golden age before our current moment of fracture, it seeks—for better and worse—to find a way to make leftist politics conform to our current age of anti-foundationalism and institutionalism. As Graeber argued in the prescriptive last pages of his anthropological epic, *Debt: The First 5,000 Years*, “Capitalism has transformed the world in many ways that are clearly irreversible” and we therefore need to give up “the false choice between state and market that [has] so monopolized political ideology for the last centuries that it made it difficult to argue about anything else.” We need, in other words, to stop thinking like leftists. But herein lies the problem. Not all possible forms of human existence and social interaction, no matter how removed they are from the institutions of power and capital, are good forms of social organization. Although it is easy to look enthusiastically to those societies—ancient or modern, Western or non-Western—that exist beyond the structures of the state, they, too, have their own patterns of hierarchy, their own embittered lines of inequality and injustice. More important, to select one form of social organization over the other is **always an act of exclusion**. Instituting and then protecting a particular way of life will always require a normative commitment in which not every value system is respected—in which, in other words, there is a moral hierarchy. More problematically, by working outside structures of power one may circumvent coercive systems but one does not necessarily subvert them. Localizing politics—stripping it of its larger institutional ambitions—has, to be sure, its advantages. But without a larger structural vision, it does not go far enough. “Bubbles of freedom,” as Graeber calls them, may create a larger variety of non-institutional life. But they will always neglect other crucial avenues of freedom: in particular, those social and economic rights that can only be protected from the top down. In this way, the anti-institutionalism of horizontalism comes dangerously close to that of the libertarian Right. The turn to previous eras of social organization, the desire to locate and confine politics to a particular regional space, the deep skepticism toward all forms of institutional life not only mirror the aspirations of libertarianism but help cloak those hierarchies spawned from non-institutional forms of power and capital. This is a particularly pointed irony for a political ideology that claims to be opposed to the many injustices of a non-institutional market—in particular, its unregulated financial schemes. Perhaps this is an irony deeply woven into the theoretical quilt of autonomy: a vision that, as a result of its anti-institutionalism, is drawn to all sites of individual liberation—even those that are to be found in the marketplace. As Graeber concludes in *Debt*, “Markets, when allowed to drift entirely free from their violent origins, invariably begin to grow into something different, into networks of honor, trust, and mutual connectedness,” whereas “the maintenance of systems of coercion constantly do the opposite: turn the products of human cooperation, creativity, devotion, love and trust back into numbers once again.” In many ways, this is the result of a set of political ideas that have lost touch with their origins. The desire for autonomy was born out of the socialist—if not also often the Marxist—tradition and there was always a guarded sympathy for the structures needed to oppose organized systems of capital and power. Large-scale institutions were, for thinkers such as Castoriadis, Negri, and C.L.R. James, still essential if every cook was truly to govern. To only “try to create ‘spaces of freedom’ ‘alongside’ of the State” meant, as Castoriadis was to argue later in his life, to back “down from the problem of politics.” In fact, this was, he believed, the failure of 1968: “the inability to set up new, different institutions” and recognize that “there is no such thing as a society without institutions.” This is—and will be—a problem for the horizontalist Left as it moves forward. As a leftism ready-made for an age in which all sides of the political spectrum are arrayed against the regulatory state, it is always in danger of becoming absorbed into the very ideological apparatus it seeks to dismantle. For it aspires to a decentralized and organic politics that, in both principle and practice, shares a lot in common with its central target. Both it and the “free market” are anti-institutional. And the latter will remain so without larger vertical measures. Structures, not only everyday practices, need to be reformed. The revolution cannot happen only on the ground; it must also happen from above. A direct democracy still needs its indirect structures, individual freedoms still need to be measured by their collective consequences, and notions of social and economic equality still need to stand next to the desire for greater political participation. Deregulation is another regulatory regime, and to replace it requires new regulations: institutions that will limit the excesses of the market. As Castoriadis insisted in the years after 1968, the Left’s task is not only to abolish old institutions but to discover “new kinds of relationship between society and its institutions.” Horizontalism has come to serve as an important break from the static strategies and categories of analysis that have slowed an aging and vertically inclined Left. OWS was to represent its fullest expression yet, though it has a much longer back story and still—one hopes—a promising future. But horizontalists such as Graeber and Sitrin will struggle to establish spaces of freedom if they cannot formulate a larger vision for a society. Their vision is not—as several on the vertical left have suggested—too utopian but not utopian enough: in seeking out local spaces of freedom, they have confined their ambitions; they have, in fact, come, at times, to mirror the very ideology they hope to resist. In his famous retelling of the turtle parable, Clifford Geertz warned that in “the search of all-too-deep-lying turtles,” we have to be careful to not “lose touch with the hard surfaces of life—with the political, economic, stratificatory realities within which men are everywhere contained.” This is an ever-present temptation, and one that, in our age of ever more stratification, we must resist.