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#### “Prohibition” requires a declaration of per se illegality

Loevinger 61 (Honorable Lee Loevinger- Assistant Attorney General in charge of the Antitrust Division. “THE RULE OF REASON IN ANTITRUST LAW” , *Section of Antitrust Law* , 1961, Vol. 19, PROCEEDINGS AT THE ANNUAL MEETING, ST. LOUIS, MISSOURI, AUGUST 7 THROUGH 11, 1961 (1961), pp. 245-251, JSTOR accessed online via KU libraries, date accessed 9/13/21)

Running through the history of antitrust law are two contrapuntal themes: A prohibition of restraint of trade and a principle lately called the "rule of reason" which limits the prohibition. The legal rule against restraint of trade began in the 15th century in cases holding that a contract by which a man agreed not to practice his trade or profession was illegal.1 However, in the course of development of the common law, it became established that agreements which were ancillary to the sale or transfer of a trade or business and which were limited so as to impose a restriction no greater than reasonably necessary to protect the purchaser's interest.2

Thus, when the Sherman Act incorporated the common-law principles on this subject into federal statutory law 3 by adopting the concept of restraint of trade, it presumably imported both the principle that restrictions on competition are illegal and also the principle that in some circumstances a showing of reasonableness will legalize restrictions on competition. Nevertheless, when the question was first presented to the United States Supreme Court under the Sherman Act, it was clearly held (despite later disavowals4 ) that the justification of reasonableness was not available as a defense to a combination which had the effect of restraining trade.' Indeed, it was intimated that the question of reasonableness was not open to the courts in these actions at common law.6 However, when the Court reviewed this matter in Standard Oil Co. v. United States,7 it said in fairly explicit terms both that the Sherman Act prohibited only contracts or acts which unreasonably restrained competition and that the standard of reasonableness had been applied to all restraints of trade at the common law. The Court's assertion is somewhat weakened by the fact that it construed the rule of reason not as applying a standard for judging the character or consequences of the challenged conduct, but as a technique involving the application of human intelligence, or reason, to the problem of making a judgment about whether the conduct does restrain trade.'

#### The aff violates— they create a new legal standard for courts to decide whether a practice is “unreasonable” based on weighing evidence—not a declaration of illegality without inquiry

McKibben 85 (Michael D. McKibben-Vanderbilt University Law School, J.D., 1985, Vanderbilt Law Review, Associate Editor; Patrick Wilson Scholar. The Resale Price Maintenance Compromise: A Presumption of Illegality, 38 Vanderbilt Law Review 163 (1985), Available at: <https://scholarship.law.vanderbilt.edu/vlr/vol38/iss1/3> , date accessed 9/13/21)

In United States v. Colgate & Co." the Court developed a major exception to Dr. Miles. The Colgate doctrine allows a weak form of RPM by manufacturers or wholesalers that have attempted unilaterally to set prices.6 Although the Colgate doctrine has lost much of its vitality due to years of restrictive interpretation, in Russell Stover Candies, Inc. v. FTC7 the United States Court of Appeals for the Eighth Circuit upheld Colgate against a challenge by the Federal Trade Commission. In addition, the Supreme Court, in Monsanto Co. v. Spray-Rite Service Corp.," recently intimated new-found support for the Colgate doctrine and a possible willingness to reconsider the Dr. Miles per se prohibition against RPM.9

The outcome of vertical pricing cases under section 1 has depended upon the perceived effects of RPM on competition. Current RPM decisions, however, rest on the principles of stare decisis and, therefore, do not depend upon political and economic theories that have developed since Dr. Miles.10 Early courts denounced vertical restraints as analogous to horizontal price fixing, which courts have assumed the drafters of the Sherman Act intended to prohibit per se. 11 Later cases, however, illustrate that the analogy between vertical and horizontal trade restrictions is not analytically sound, and the Supreme Court's attempt to maintain the per se approach to RPM has led to serious theoretical and practical problems. 12

This Note explores several problems with recent RPM decisions: (1) the effect of the per se rule on producers' rights to control their marketing strategies; (2) inconsistent use of the plural action requirement as a foil for avoiding or invoking the per se rule; (3) the suppression of benign or procompetitive activities because of the rule; (4) the difficulties with free rider marketing; and (5) the obstacles to advice and planning that recent decisions have created. This Note contends that a new standard, a rebuttable presumption13 against legality, would alleviate most, if not all, problems that the inflexible per se rule causes.

A rebuttable presumption, followed by rule of reason analysis 14 [[BEGIN FOOTNOTE 14]] 14. Under the rule of reason "the factfinder weighs all of the circumstances of a case in deciding whether a restrictive practice should be prohibited as imposing an unreasonable restraint on competition." Sylvania, 433 U.S. at 49. [[END FOOTNOTE 14]] in cases in which the defendant satisfies the threshold inquiry,15 would restore certainty and intellectual honesty to RPM cases. The rebuttable presumption would eliminate the need to reconcile contrary cases and the need to consider issues that parties now must address under the rule of reason. While the rebuttable presumption does not require that courts maintain or reject the Colgate doctrine,16 this Note argues that the Court could retain Colgate but primarily rely upon the guidelines and safeguards of the rebuttable presumption. This new line of inquiry would retain the benefits of the per se rule-efficiency and certainty-and would remain flexible enough to accommodate special cases in which RPM may be beneficial to the market. In many cases, the rebuttable presumption also would save society, courts, and litigants the protracted costs of rule of reason analysis.

Part II of this Note considers major RPM cases since the early 1900s, with special focus on Russell Stover and Filco v. Amana Refrigeration, Inc.,'17 cases which protect the defendant under the Colgate doctrine. Part III analyzes the weaknesses of the per se rule and the benefits that could inure to manufacturers and the marketplace under the rebuttable presumption. Part IV examines the strengths and weaknesses of the rule of reason and offers an improved rule of reason approach as the second part of the rebuttable presumption standard. Finally, Part V outlines a suggested analysis for RPM disputes using a rebuttable presumption of illegality. Part V also considers the effects of the presumption on federal antitrust laws.

II. THE CURRENT CONTROVERSY

A. Minimum Price Restrictions in the Supreme Court

Vertical price restrictions are written or oral directives setting a price above or below which a manufacturer wishes its distributors to sell. If the manufacturer establishes a price below which a distributor should not resell a product, the manufacturer is imposing minimum price RPM. Maximum price RPM-the setting of price ceilings- and minimum RPM are per se violations of section 1 of the Sherman Act."' Nonprice vertical restrictions, however, which include primarily territorial distributorship limitations, generally are reviewed under the rule of reason. 19

1. Dr. Miles: The Per Se Rule

Dr. Miles Medical Co. v. John D. Park & Sons Co.20 is the basis of much of the current academic criticism of the Supreme Court's RPM approach.2 ' The plaintiff Dr. Miles, a medicine manufacturer, required its wholesalers and retailers to adhere to a minimum resale price schedule. The plaintiff also required its wholesalers to maintain control over the retailers' subsequent resale prices. The defendant Park & Sons, a wholesaler that refused to purchase from Dr. Miles under the minimum price contract, bought Dr. Miles' medicines from third parties and resold them below the plaintiff's price schedule. The plaintiff charged the defendant with inducing the plaintiff's distributors to breach their contracts by reselling to a price cutter.22 The Court denied the plaintiff's request for relief and held that the plaintiff's contract provision was void under common law and the Sherman Act. 3

After determining that the agreement between Dr. Miles and its vendees fulfilled the duality requirement of the Sherman Act,24 the Court found that the plaintiff's resale price schedule eliminated competition by controlling the price at which all purchasers received the product.25 The Court refused to accept the defendant's argument that producers of patented products have a right ordinary sellers do not have-the right to dictate the destiny of their products.26 The Court inquired whether the plaintiff had a right to restrain trade. The Court held that generally a right to control alienation does not exist without an agreement.2 7 Applying the common-law rule that contractual restraints on alienation must be reasonable and limited to the necessity of the circumstances, 2 the Court found that Dr. Miles' agreement did not fit any of the common forms of acceptable restraints.29

The Court's final inquiry was whether the benefits that the plaintiff gained from its pricing restrictions were entitled to more protection than the property rights that the defendants had in the medicine.30 The Court's response to this issue forms the heart of the per se rule.31 [[BEGIN FOOTNOTE 31]] 31. Per se rules prohibit certain conduct without inquiry into possible justifications for the conduct. Courts impose per se rules when the interests of judicial economy outweigh other interests. See Note, Fixing the Price Fixing Confusion: A Rule of Reason Approach, 92 YALE L.J. 706, 708 (1983). [[END FOOTNOTE 31]] Although the Court never explicitly condemned all vertical price fixing agreements, it found that the effects of the Dr. Miles scheme were the same as the effects that could result from horizontal price fixing at the dealer level. The Court, therefore, held that both kinds of price fixing were illegal.3 2 The Supreme Court's focus on the effects of the alleged violative activity, without regard to its purposes or benefits, is characteristic of other Supreme Court per se decisions. 3

The breadth of the Dr. Miles decision is still unclear.3 4 A narrow interpretation of the holding is that express contractual provisions restraining resale prices violate the Sherman Act. The decision left open many further questions, the first of which the Court answered by creating the Colgate exception.

2. The Colgate Exception

The Court's 1919 decision in United States v. Colgate & Co.35 is still difficult for courts and commentators to harmonize with the Dr. Miles rule of per se illegality.3 6 In Colgate the prosecution charged the defendant under the Sherman Act 37 with forming an illegal combination to fix resale prices among the wholesalers and retailers of the defendant's soap and toilet products.3 8 Colgate circulated price lists, along with provisions for penalties to distributors that did not adhere to the defendant's price lists. Colgate also engaged in policing activities, such as obtaining information from other distributors concerning noncomplying dealers, and requesting assurances from nonuniform pricers that they would comply with the defendant's guidelines. 39

The trial court sustained the defendant's demurrer 40 and the Supreme Court affirmed on direct appeal. The Court permitted the defendant's pricing structure based on the trial court's finding that Colgate reserved no contractual rights in the goods after their sale to dealers. Colgate could enforce the price restrictions only by later refusing to deal with wholesalers and retailers that breached their contracts.41 According to the Court, because the contracts in Dr. Miles "undertook to prevent dealers from freely exercising the right to sell," Dr. Miles was distinguishable from Colgate.42 The Court then laid out the Colgate doctrine: "In the absence of any purpose to create or maintain a monopoly, the [Sherman Act] does not restrict the long recognized right of a trader or manufacturer engaged in an entirely private business, freely to exercise his own independent discretion as to parties with whom he will deal. 43 If the Court had employed the "effects only" logic that it used in Dr. Miles, Colgate would have been an inconsequential extension of the Dr. Miles progeny. By blending the section 1 duality requirement with common-law business principles, however, the Court created an exception to the per se rule.44

3. Narrowing Colgate

The Court quickly issued three decisions reaffirming the viability of Colgate, but in increasingly narrow circumstances. 45 Less than one year after Colgate, the Court decided United States v. A. Schrader's Son, Inc.46 Schrader's Son was factually similar to Dr. Miles,47 but the district court initially held for the defendant, reasoning that Colgate implicitly had overruled Dr. Miles.48 The Supreme Court reversed, stressing that its intent in Colgate was only to preserve the manufacturer's right to announce its pricing policy and cease to do business with dealers that failed to comply. 49

Based on this narrow interpretation of Colgate, the Court extended the scope of Dr. Miles to implicit agreements that attempt to make resale rates binding, including agreements "implied from a course of dealing or other circumstances." 0 The Court contrasted Colgate's holding with situations in which "the parties are combined through agreements designed to take away dealers' control of their own affairs and thereby destroy competition." 51 This language created a major expansion of the per se rule by shifting the Court's inquiry from "contract" to the less restrictive term "agreement." The Court's characterization of implicit agreements as section 1 violations is the basis of most criticism of the per se rule.52 Schrader's Son did not resolve the open distinction between implicit agreements that derive from dealer acceptance of fixed prices and unilateral declarations of terms that originate from a manufacturer's normal course of dealing.

The Supreme Court was quick to quell rumors of Colgate's early demise. In Frey & Son, Inc. v. Cudahy Packing Co.53 the trial court instructed the jury that the plaintiff could prevail despite the lack of an express or implied agreement or objections to the seller's pricing demands.5 4 The Supreme Court held that the jury instruction was insufficient to establish the defendant's liability under section 1. 55 Despite the Court's inability to draw a clear distinction between Dr. Miles and Colgate, the Court refused to extend the per se rule to prohibit inferential agreements.

#### VOTE NEG

#### FIRST---Ground---balancing tests devastate core links, because they allow the practice when it’s beneficial. AND, creates a moving target, because the disallowed behavior is context-dependent.

#### SECOND---Bidirectionality---rule of reason creates legally protected practices

Graglia 8 (Lino A. Graglia is the A. Dalton Cross Professor of Law at the University of Texas. “The Antitrust Revolution”, *Engage* Vol. 9, Issue 3, <https://fedsoc-cms-public.s3.amazonaws.com/update/pdf/HfSHUKp1jnxxov80FkGORMCD5eojoela0HkiRejm.pdf> , October 2008, date accessed 9/14/21)

Although Section 1 of the Sherman Act prohibits “every contract, combination…, or conspiracy, in restraint of trade,”7 it was early and necessarily—since the purpose of every contract is to restrain—decided that it prohibited only “unreasonable” restraints on trade.8 Under the resulting “Rule of Reason,” only business practices found to be net anticompetitive and without efficiency justification were (and are) illegal. Some practices, however, have been declared to be always or almost always anticompetitive and without justification—and therefore are said to be illegal per se. Because a challenged practice’s anticompetitive effects and lack of justification are typically very difficult to show—largely because they characterize few business practices—the Rule of Reason tends to become a rule of legal per se.9 The Rule of Reason means that antitrust plaintiff s will rarely win and, therefore, that few antitrust suits will be brought. Th e liberal justices of the Warren Court dealt with the “problem” by tending to declare nearly all challenged practices illegal per se.

#### Voter for fairness and education

### 1NC — K

#### The world is structured by the World Computer. An intangible machine that runs the protocols of reality which operates through the commodification of life.

This means that information is never neutral but a formation of the “real abstraction” only to recreate the operational mechanism of the world computer. The “real abstraction” of the computer executes the machine of racial capitalism without us knowing.

It codifies social differentiation of race, sexuality, gender, and class through the manifestation of slavery, settler colonialism, genocide, and capital accumulation.

**Beller 21** (Jonathan Beller - Professor of Humanities and Media Studies and Critical and Visual Studies at Pratt Institute, “*The World Computer: Derivative Conditions of Racial Capitalism”*, Duke University Press, pp. 6-17)

Information as Real Abstraction Taking the **notion that Capital was always a computer as a starting point** (Dyer-Witheford, 2013), The World Computer understands the **history of the commodification** of life as a process of encrypting the world’s myriad qualities as quantities. Formal and informal techniques, from double-entry bookkeeping and racialization, **to the rise of information and** discrete **state machines**, imposed **and extended the tyranny of racial capital’s relentless calculus of profit.** By means of the coercive **colonization of almost all social spaces, categories, and representations**—where **today language, image, music, and communication** all **depend upon a computational substrate** that is an outgrowth of fixed capital—all, or nearly all, expressivity has been captured in the dialectic of massive capital accumulation on the one side and radical dispossession on the other. **Currently the money-likeness of expression**—**visible as “likes”** and in other attention metrics that treat attention and affect as currency—is symptomatic of the financialization of daily life (Martin, 2015a). **All expression,** no matter what its valence, **is conscripted by algorithms of profit** that intensify **inequality by being put in the service of racial capitalism**; consequently, we are experiencing a near- apocalyptic, world-scale failure to be able to address global crises including migration for reparations, carceral systems, genocide, militarism, climate racism, racism, pandemic, anti-Blackness, extinction, and other geopolitical ills. The colonization of semiotics by racial capital has rendered **all “democratic” modes of governance outmoded** save those designed for the violent purpose of extracting profits for the enfranchised. Culturally these modes of extraction take the form of fractal fascism. An **understanding that informationalized semiotic practices** function as financial derivatives may **allow for a reimagining of the relationship between** language, visuality, and that other economic medium, namely **money, in an attempt to reprogram economy** and therefore the creation and distribution of value**—and thus also the politics and potentials of representation.** In what would amount to an end to postmodernism understood as the cultural logic of late capitalism, our revolutionary politics require, as did the communisms of the early twentieth century, a new type of economic program. In the age of computation, putting political economy back on the table implies a reprogramming of our cultural logics as economic media for the radical redress of the ills of exploitation and the democratization of the distribution of the world social product. **Sustainable communism requires the decolonizaton of abstraction** and the remaking of the protocols of social practice that give rise to real abstraction. **Though in this section we will more narrowly address the issues of money, race, and information as “real abstraction,” and their role in computational racial capitalism**, we note the overarching argument for the larger study: **1 Commodification inaugurates the global transformation** of qualities into quantities and gives rise to the world computer. **2 “Information” is not a naturally occurring** reality but emerges in the footprint of price and is always a means to posit the price of a possible or actual product. 3 **The general formula for capita**l, M-C-Mʹ, where M is money, C is commodity, and Mʹ is more money) can be **rewritten M-I-Mʹ,** where I is information. 4 “Labor,” Attention, Cognition, Metabolism, **Life converge as “Informatic Labor” whose purpose,** with respect to Capital, **is to create state changes in the Universal Turing Machine** that is the World Computer— racial capital’s relentless, granular, and planetary computation of its accounts**. 5 Semiotics, representation, and categories of social difference** function as financial derivatives—as wagers on the economic value of their underliers and as means of structuring risk for capital. 6 **Only a direct engagement with the computational colonization** of the life-world through a reprogramming (remaking) of the material processes of abstraction that constitute real abstraction can secure victory—in the form of a definitive step out of and away from racial capitalism—for the progressive movements of our times. Such a definitive movement requires an occupation and decolonization of information, and therefore of computation, and therefore of money. Only through a remaking of social relations at the molecular level of their calculus, informed by struggle against oppression, can the beauty of living and the fugitive legacies of creativity, community, and care prevail. The mode of comprehension, analysis, and transformation proposed here will require an expanded notion of racial capitalism. It interrogates the existence of deep continuities and long-term emergences—what one could correctly call algorithms of extractive violence—in the history of capitalism. These algorithms of violence include the reading and writing of code(s) on bodies, their surveillance and overcoding by informatic abstraction. Such algorithms of epidermalization or “the imposition of race on the body” (Browne: 113) are inscribed and executed on the flesh (Spillers 1987); and they are executed by means of codification processes that violently impose both a metaphysical and physical reformatting of bodies. As Simone Browne shows, epidermalization is given “its alphanumeric form” (99) through a vast array tools of marking, scarification, discipline, and surveillance that include branding irons, implements of torture, auction blocks, ship design, insurance policies, newspaper ads for runaway “property,” photographs in postcard form and a panoply of other media of dehumanization. Executable code is imposed as social categories of race, gender, religion and property, as ideologies, psychologies, contracts, brands, communication theories, game theories, and quantities of money—these abstractions work their ways into and are indeed imposed by the machines of calculation—and their avatars. We confront a continuous process of unmaking and remaking using all means available; it is violently inscribed on bodies. Sylvia Wynter, in her post– Rodney King piece “No Humans Involved: An Open Letter to My Colleagues” writes, “Both W. E. B. Du Bois and Elsa Goveia have emphasized the way in which the code of ‘Race’ or the Color Line, functions to systemically predetermine the sharply unequal re-distribution of the collectively produced global resources; and therefore, the correlation of the racial ranking rule with the Rich/Poor rule. Goveia pointed out **that all American societies are integrated on the basis of a central cultural belief** in which all share. This belief, that of **the genetic-racial inferiority** of Black people to all others, functions to enable our social hierarchies, including those of rich and poor determined directly by the economic system, to be perceived as having been as pre-determined by ‘that great crap game called life,’ as have also ostensibly been the invariant hierarchy between White and Black. Consequently in the Caribbean and Latin America, within the terms of this sociosymbolic calculus, to be ‘rich’ was also to be ‘White,’ to be poor was also to be ‘Black’ ” (Wynter: 52). “To be ‘rich’ was also to be ‘White,’ to be poor was also to be ‘Black.’ ” The real abstraction imposed by executable code—the “**code of ‘Race’ ” that “functions to systematically predetermine** the structurally **unequal redistribution of global resources**” is olden to mediating capitalist exchange while embarking on a radical reformatting of ontology. This reformatting, the supposed result of “that great crap game called life,” brutally correlates race and value, but not entirely by chance, while racial capitalism embarks on imposing this calculus globally. Racial abstraction is endemic to what we will further explore as “real abstraction”; the evacuation of quality by abstract categories and quantities is, as we shall see in more detail, a “necessary” correlate to a world overrun by the calculus of money. Such algorithms of violence encode social difference, and although they may begin as heuristics (“rules of thumb”), they are none the less crucial to the **calculated and calculating expansion of racial capital**. Its processes and processing structures the meanings that can be ascribed to— and, as importantly, what can be done to—those of us whose data profiles constitute us as “illegal,” “Mexican,” “Black,” “[Roma] Gypsy,” “Jew,” and a lexicon of thousands of other actionable signs. This codification process draws from the histories of slavery, of colonialism, of state formation, of genocide, of gender oppression, of religious pogroms, of normativity, and again from the militarization and policing and the apparatuses of calculation that have developed within states and parastates in their own biometric pursuit of capital—power. Their violent destruction and remaking of the world. The **internalization of these codes**, including the struggles with them and the ways in which they license and/or foreclose various actions, exists in a recursive relationship to their perilous refinement. **Their analysis, a code-breaking of sorts,** will therefore demand some drastic modifications in many of the various anticapitalist, antistate warrior-stances practiced to date, particularly in a large number of their European and U.S. incarnations that until very recently remained blind to their own imperial violence and are too often complicit with hegemonic codes of masculine, unraced agency, imperialist nationalism, and default liberal assumptions in relation to questions of race, gender, sexuality, coloniality, and other forms of historically institutionalized oppression.3 The analytic, **computational racial capital**, would **identify the field of operations** that emerges around the embryonic form of the commodity and coarticulates with racial abstraction to formalize its code, code **that serves as operating system for the virtual machine here hypostasized as “the world computer”** and by inscribing itself on bodies and everything else. The commodity, the analysis of which famously begins volume 1 of Marx’s Capital, expressed the dual being and indeed dual registration of the humanly informed object as both quality of matter and quantity of exchange-value, along with the global generalization of this form. “The wealth of societies in which the capitalist mode of production prevails appears as an immense collection of commodities” (125). Commodities were (and with some modifications to be discussed further on, still are) humanly informed materials with a **use-value and an exchange-value— humanly informed qualities indexed by quantities**. “Computational racial capital,” as a heuristic device, stages an analysis of the convergence of what on the one side often appeared as universal: **the economic, abstract, and machinic** operating **systems of** global **production** and reproduction endemic to the commodity form and its calculus, with what on another side, sometimes appeared as particular or even incidental: racism, colonialism, slavery, imperialism, and racialization. The concept organizes this dramaturgy of analytically reunifying elements that were never materially separate in light of the study that the late Cedric Robinson conducted and recorded as Black Marxism. Robinson writes, “The development, organization and expansion of capitalist society pursued essentially racial directions, so too did social ideology. As a material force, then, it could be expected that racialism would inevitably permeate the social structures emergent from capitalism. I have used the term ‘racial capitalism’ to refer to the development and to the subsequent structure as an historical agency” (1983: 2–3). The World Computer takes what Robinson saw as “civilizational racism,” and its central role in the development of capital as axiomatic,—and sees that this role extends to and deeply into capitalist calculation and machinery during the entire period in which the world economic system seems to have moved form the paradigm of the commodity to a paradigm of information. “**Computational racial capitalism” would** **thus understand** the generalization of **computation** as an extension of capital logics and practices that include and indeed require the economic calculus of the dialectics of social difference. These differences, both economic and semiotic, would include those plied by slavery, anti- Blackness and other forms of racism during the past centuries. Computation must **therefore be recognized** as not a mere technical emergence but the **practical result of an ongoing and bloody struggle** between the would-have- it-alls and the to-be-dispossessed. Developed both consciously and unconsciously, computational racial capitalism is, when seen in the light of ongoing racialization and value extraction, “the subsequent structure as an historical agency.” The racial logic of computation must be pursued when considering finance, surveillance, population management, policing, social systems, social media, or any of the vast suite of protocols plying difference for capital. The local instance of computation, a specific 1 or 0, may seem value neutral, a matter as indifferent as lead for a bullet or uranium for a bomb. But we are looking at computation as the modality of a world- system. Computation emerges as **the result of struggles that informed “class struggle**” in all its forms, recognized or not by the often spotty tradition(s) of Marxism, including those struggles specific to the antagonisms of colonialism, slavery, imperialism, and white supremacist heteropatriarchal capitalism more generally. It is the result of struggles indexed by race, gender, sexuality, nationality, and ethnicity, along with additional terms indexing social differentiation too numerous to incant here but that together form a lexicon and a grammar of extractive oppression—and as we have said and as must always be remembered, also of struggle. The lexicon includes compressions that result in many of history’s abstractions including a perhaps singularly pointed abstraction: “a history whose shorthand is race” (Spillers 1997: 142). The grammar for that lexicon depends upon the deployment and execution of forms of differentiating abstraction that are lived—lived processes of abstraction and lived abstraction organized by the increasingly complex and variegated calculus of profit and thus of domination. “**Real abstraction,”** then**, emerges** not just as money in Sohn-Rethel’s sense, but **as the codification of race, gender, sexuality, geography, credit and time**—and gives rise to a “grammar,” in Hortense Spillers’s (1987) use of the term, that not only structures meaning and redounds to the deepest crevices of being smelted by social practices, but also, and not incidentally, prices differentials indexed to social difference.4 “Real abstraction,” as Sohn-Rethel spent his life deciphering, takes place “ ind [our] backs” as the practical and historical working out of the exchange of equivalents within the process of the exchange of goods (33). For him, the development of the money-form, of the real abstraction that is money, is Exhibit A of the abstraction process mediating object exchange. This capacity for abstraction, realized first in “the money commodity” and then as money provided the template for further abstraction, not least in the conceptual formations of Western philosophy itself (1978). Sohn-Rethel develops this argument that practices of exchange precede the abstraction of value in Intellectual and Manual Labour, providing the full quotation from Marx: “Men do not therefore bring the product of their labour into relation with each other as value because they see these objects merely as the material integuments of homogeneous human labour. The reverse is true: by equating their different products to each other in exchange as values, they equate their different kinds of labour as human labour. They do this without being aware of it. (Marx 1990: 166 in Sohn-Rethel 1978: 32). Here is Sohn- Rethel’s commentary: People become aware of the exchange abstraction only when they come face to face with the result which their own actions have engendered “ ind their backs” as Marx says. In **money the exchange abstraction achieves concentrated representation**, but a mere functional one— embodied in a coin. It is not recognizable in its true identity as abstract form, but disguised as a thing one carries about in one’s pocket, hands out to others, or receives from them. Marx says explicitly that the value abstraction never assumes a representation as such, since the only expression it ever finds is the equation of one commodity with the use- value of another. The gold or silver or other matter which lends to money its palpable and visible body is merely a metaphor of the value abstraction it embodies, not this abstraction itself. (33–34) Exchange-value is “in our heads” but is not the creation of any individual. Alongside use-value it is the other, abstract component of the “double being” of the commodity-form. Like Norbert Wiener’s (1961: 132) definition of information but, strictly speaking, emerging long before the idea of information proper, real abstraction is “not matter or energy.” There is not an atom of matter in exchange-value, or, as Marx puts it, “Not an atom of matter enters into the objectivity of commodities as values; in this it is the direct opposite of the coarsely sensuous objectivity of commodities as physical objects” (1990: 138). And a bit on, “So far no chemist has ever discovered exchange-value in a pearl or diamond” (177). But unlike in Wiener’s naturalist definition of information, exchange-value is an index of a social relation, an historical outcome. It indexes “abstract universal labor time,” a third term that forms the basis of comparison between two ostensibly incomparable and therefore incommensurable commodities, and, because common to both, creates the ratio of value that renders them quantitatively commensurable. **This distinction between the social basis of exchange-value and the universal character** of information should give us pause. As we shall have occasion to observe, information, as it is today (mis)understood, is thought to be a naturally occurring additional property of things—neither matter nor energy—rather than a domain of expression constituted by means of a technological and economic repression of its social dimension. Notably, Sohn-Rethel “set[s] out to argue that the **abstractness operating in exchange and reflected in value does nevertheless find an identical expression**, namely the abstract intellect, or the so-called pure understanding—the cognitive source of scientific knowledge” (34). For him, it gives rise to the abstract capacities of the subject of philosophy as well as the quantitative capacities of the subject of science and mathematics that in the twentieth century move toward a paradigm of information. Echoing Sohn-Rethel, we could say then that information is in our machines but not the creation of any individual machine. Not an atom of matter enters into information, though, like value, it is platformed on matter and requires energy for creation. This thesis will take on particular importance as we consider social differences whose descriptors, it turns out, are executable in a computational sense, at least from the point of view of financial calculus, but platformed on matter, and indeed, on living matter, on life. Beyond the intention of any individual, abstraction as “exchange-value” in “money” occurs in and as the process and processing of exchange in accord with an emerging standard. This standard, which economists call “exchange-value,” and which, in Marx is based on abstract universal labor time (the historically variable, socially necessary average time required to produce a commodity), persists alongside and within the specific qualities of the commodity (its use-value) and creates the commodity’s dual being. Though without chemical or material basis, **this standard, exchange-value, is a social relation**—a social relation as an abstraction—that inheres in the commodity-form itself and is formalized with the rise of the money commodity. The money commodity, in becoming a general equivalent, standardizes and thus renders fully quantifiable the exchange-value of commodities—exchange-values denominated in quantities of money. The quantification of value in a measure of money is an abstraction enabled by money itself which, as we have seen, is a real abstraction. It is a calculation that has occurred ind our backs, and indeed produces what Hayek (1945) identifies as the price system. When we recognize the differences in wages among people who are raced, gendered, nationed, and classed by various matrices of valuation, we also recognize that the calculus performed by and as real abstraction includes racial abstraction and gender abstraction. It is part of the calculus of **capital that provides it with an account of and discounts on the rate of exchange** with the labor power of marked people(s) —by discounting people(s) (Beller 2017b; see also Bhandar and Toscano 2015: 8–17). Racial abstraction provides capital with an index that measures a deviation from the average value of human life (itself historically driven down by the falling rate of profit). In this, computational racial capitalism is not merely a heuristic or a metaphor for the processes of a virtual machine; it is a historical-material condition. As we shall see, and as is obvious at least in the general case to anyone who has thought seriously about it, whiteness (and the fascist masculinity endemic to it) is not only operating where one finds “race”: it is operating everywhere in the imperium that it can be imagined (by some) that race is not a factor—**in medicine, in science, in statistics, in computation, in information**. As I wrote—resituating Bateson’s (1972) definition of information—in The Message Is Murder, **information is not merely “a difference that makes a difference”; it is a difference that makes a social difference**. **This slight difference in expression situates information historically.** While in keeping with Bateson’s far reaching ideas regarding an ecology of mind **(“If I am right, the whole thinking about what we are** and what other people are **has got to be restructured”;** 468), ideas that at **once problematize any distinction between inside and outside** and that make him dubious of any thought that presupposes sovereign subjectivity, my interpolation of “social” in his formulation “a difference that makes a social difference” **shifts the emphasis somewhat by insisting on the always already sociohistoricity** of any possible knowledge. Bateson believed that his understanding of information and systems ecology promised a new mode of thinking that he himself, as a twentieth-century bourgeois white man, did not feel capable of really embodying. Thus our interpolation, in keeping with Bateson but made compatible with Marx is, in keeping with Marx, designed to “transform ... the problem of knowledge into one of social theory” (Postone 2003: 216). Such a transformation **situates knowledge and now also information in the sociohistorical milieu**, the ecology such that it is, of racial capitalism, and therein finds information’s historical conditions of possibility. Here we advance the argument for the ultimately determining instance of social difference (and up the ante for the bet against whiteness) by **proposing that information is the elaboration of real abstraction**, of abstraction that results from collective practices of economic exchange and therefore from the general management of value as a social relation. I argue that set out in logical sequence, information is posited by, then posits and then presupposes the human processes of exchange that Sohn-Rethel, following Marx, argues are the practices that first give rise to the money- form and to real abstraction. For Sohn-Rethel the result of the activities of comparison, adequation, and trading of specific things that have qualities— which are, strictly speaking, incomparable—resulted over time in a process of finding a relation of equivalence and then general equivalence indexed to abstract labor time, what was in effect socially average human labor time. Exchange-value was a quantitative measure of that abstract time—the average socially necessary time to create commodity X denominated in money. This real abstraction was no one’s invention but was the practical result of exchange—of people’s activity—and thus emerged as a nonconscious result that nonetheless interceded on conscious process. Consequently, real abstraction was for Sohn-Rethel also the precursor to conceptual abstraction, including philosophy, science and mathematics. He writes: **The essence of commodity abstraction, however, is that it is not thought-induced**; it does not originate in ~~men’s~~(people’s) minds but in their actions. And yet this **does not give “abstraction” a merely metaphorical meaning. It is abstraction in its precise, literal sense.** The economic concept of value resulting from it is characterized by a complete absence of quality, a differentiation purely by quantity and by applicability to every kind of commodity and service which can occur on the market. These qualities of the economic value abstraction indeed display a striking similarity with fundamental categories of quantifying natural science without, admittedly, the slightest inner relationship between these heterogeneous spheres being as yet recognizable. While **the concepts of natural science are thought abstractions, the economic concept of value is a real one**. It exists nowhere other than in the human mind but it does not spring from it. Rather it is purely social in character, arising in the spatio-temporal sphere of human interrelations. It is not people who originate these abstractions but their actions. “They do this without being aware of it.”5 The practical rise of a form of abstraction indifferent to particular qualities is key here and is to be understood as a precursor to the content- indifferent abstractions of a variety of types. As Simmel notes in The Philosophy of Money, law, intellectuality, and money “have the power to lay down forms and directions to which they are content indifferent” (441–2). Without doubt, such power informed the racial categories of the Humanism of Ernst Renan, Roger Caillois, and others so brilliantly excoriated by Aimé Césaire in his Discourse on Colonialism. We add here the hypothesis that **the rise of information as the content-indifferent assignation of numerical index to any social relation** whatever, is a development of the abstraction necessary for economic exchange to persist under the intensive “developmental” pressure of global racial capitalism—information is derived from the increasingly complex things that people do through and as exchange and as such is both precursor and corollary to financialization— **the social conditions that sustain what is fetishistically apprehended as “finance capital”** and its seeming capacity to derive wealth from pure speculation and risk management in ways that (incorrectly) appear to be fully detached from labor and labor time. In this light, information reveals itself as **neither naturally occurring nor the creation of anyone in particular**, but, in keeping with Sohn-Rethel’s Marxian formulation of real abstraction, is likewise invented “ **ind our backs” as a result of ~~“man’s”~~ “People’s” practical activity**. Information enables a complexification and further generalization of what will turn out to be monetary media, media that would be adequate to, and indeed are adequate (from the perspective of capital) to contemporary forms of exchange—what people do when they interact with one another in what is now the social factory. In brief, information is the extension of a monetary **calculus adequate to the** increasingly **abstract character of social relations and** social **exigencies**. It is an interstitial, materially platformed, calculative fabric of abstraction that through its coordinated capillary actions orchestrates social practice and provides interface for the uptake of value production. Once this idea is fully grasped, it becomes pointless to look for any other origin to the information age. Just as for Marx there is not a single atom of matter in exchange value (1990: 138), we say that there is not a single atom of matter in information.6 “All the phenomenon of the universe, whether produced by the hand of man or indeed by the universal laws of physics, are not to be conceived as acts of creation but solely as a reordering of matter” (Pietro Verri 1771, cited in Marx 1990: 133; note 13). Value is the socially valid informing of matter, so too is information. Economy then is society’s matter compiler and, approximately simultaneously with the advent of “man,” “history,” and “the world market,” “exchange value” emerges as a quantitative measure of the social value of material state changes indexed to human labour posited as “abstract universal labour time.” Marx’s famous example of the simple wooden table in Chapter 1 of Capital, which “transcends sensuousness” when leaving the clear-cut framework of use value and becoming a commodity and thus an exchange value, registers as “fetishism,” the “metaphysical subtleties,” “theological niceties,” and “grotesque ideas” (1990: 163), endemic in the table’s computability as value. In brief, just as **discreet states of matter embodying value as a network of commodities** mediated by markets and tied to labor give rise historically to the discrete state machine, otherwise known as the computer, exchange value gives rise to computable information and then to computation itself, becoming interoperable with it. Even before the rise of information proper, **exchange value operates as information** (and thus, necessarily information processing) —and then, as synthetic finance and contemporary forms of computer- mediated accounting and production readily testify, by means of it. Computation is the extension, development, **and formalization of the calculus of exchange value**—the ramification of its fetish character—and becomes in spirit and in practice, a **command control layer for the management of the profitable calculus of value**. Platformed on states of matter, information, not matter but rather difference between and among states of matter, extends, grammartizes, and granularizes the calculus of value regarding the organization of matter. **Commodities and computation thus run the same basic operating system**—state changes in matter driven by human practices—the value of which in any given state is expressed in the context of an informatic network and indexed to labor time. As such, information is the processing power of money itself and is inexorably olden to abstract labor time and thus to racial capitalism. It is, in brief, an outgrowth of the money form. The cost of computation, the **arrival at a discrete state, is a derivative operation**, indicating an investment, that is explicitly a risk on the future value of an underlier, that is, on value itself. This argument for understanding the social as the ultimate referent and ground for any and all information, further advanced in chapter 1, is not content to serve **as a mere heuristic for cultural theorists to express a modicum of suspicion** with respect to truth claims backed by statistics and information. It is a **thoroughgoing indictment of information as a technique of value extraction**, racialization, and instrumental social differentiation. As a first approximation, actually existing information, like actually existing money, can indeed be said to be the root of all evil—in as much as the fact of its existence is a symptom of a far more complex historical process than what would seem to be discernible from the fact of the coin or the bit. The problem, of course, is that your metabolism (and mine), cannot easily extend into the future without access to both. I develop this idea here to say that everywhere computation operates, so too does racial capitalism—at least until proven otherwise. The repressive apparatus of capital clearly assumes this role for information, even if it does so at a level that most often exceeds ordinary default “human” (white) understanding: **the net result to date of the number crunch of “the world computer**” is a hierarchy of valuations inseparable from the violence of racialization and its attendant dispossession, and inseparable again from what Ruth Wilson Gilmore (2007: 28) in her classic and statistically attuned definition of racism calls “the state-sanctioned or extralegal production and exploitation of group- differentiated vulnerability to premature death.” Today, we argue, no calculation**, networked as it is with the world computer, is fully separable from informatics and its basis in racial capitalism.** We will argue for this logical and also horrific history of abstraction in more detail below as we explore the interoperability of digital systems and their colonization of the semiotic, corporeal and material domains. The global learning curve of revolutionary praxis must attend to this modal innovation of systemic oppression, an oppression which is at once beyond all calculation and one with it.7

**The aff enshrines competition as it’s deity, acting as a resolve for extinction. This envisioning of competition is one of digital- capitalist intent which ushers in the new era of continual war.**

**Dyer-Witheford and Matviyenko 19** (Nick Dyer-Witherford - Associate Professor in the Faculty of Information and Media Studies at University of Western Ontario & Svitlana Matviyenko - Assistant Professor of Critical Media Analysis in the School of Communication (SFU). "Cyberwar and Revolution: Digital Subterfuge in Global Capitalism." University of Minnesota Press, pp. 23-24)

The increasing frequency and intensity **of cyberwar reveal** that a **world dominated by the market is** not necessarily **peaceful or one from which** the prospect of catastrophic **conflict has been abolished**. While **neoliberalism** not only acknowledges but enthusiastically celebrates competition and its associated “disruptions” and “**creative destruction” as** a spur to innovation and wealth creation, its official message is that, ultimately, the invisible hand of the market anneals this into the greater good of optimal resource allocation. What is denied in such discourse is the possibility that the conflicts of an agonistic and increasingly ahuman system might **explode into noncreative destruction** and that the ultimate “disruption” is to be found in the horror of war. Cyberwar is a secretive but increasingly irruptive manifestation of this possibility, a partially contained yet now escalating expression of **the world market’s destructive tendencies.** **Its rise may be a** symptom of a new era of capitalist war, **a pattern of covert but escalating conflict** between great powers, and between these powers and the terrorist movements they have beckoned into existence, in a concatenation of conflicts running from Central Europe to the Middle East and the South China Sea. It is this situation that Étienne Balibar (2015) described when, writing in 2015 from a European context, he observed, Yes, we are at war. Or rather, henceforth, **we are all in war.** We deal blows, and we take blows in turn. We are in mourning, suffering the consequences of these terrible events, in the sad knowledge that others will occur. Each person killed is irreplaceable. But which war are we talking about? It is not an easy war to define because it is formed of various types which have been pushed together over time and which today appear inextricable. **Wars between states** (even a pseudo state like “ISIS”). National and international civil wars. Wars of “civilization” (or something that sees itself as such). Wars of interest and of imperialist patronage. **Wars of religions and sects** (or justified as such). **This is the great stasis** or “split city” **of the twenty first century**, which we will one day compare to its distant parallels (if indeed we escape intact): the Peloponnesian War; the Thirty Years War; or, more recently, the “European civil war” that raged from 1914 to 1945. And this prospect brings a terrifying ambiguity: that of a deep destabilization of the existing order, of the very type that has in the past created openings for new social protagonists and collective experiments, but also for disasters and atrocities whose potential scale today extends to nuclear species extinction. Any contemporary radical politics should be unsparing about the relation of revolution to war. The preface to the bourgeois revolutions of the seventeenth and eighteenth centuries was written in INTRODUCTION 25 the ledgers of war debts that bankrupted absolutist monarchies and in the main chapters inscribed in blood spilled on battlefields from Naseby to Valmy. In socialist revolutions, the prelude to successful armed uprising has been a period of sustained capitalist self-destruction: the Paris Commune, the October Revolution, and the Chinese communist revolution all demonstrate this; if there are exceptions, they are relatively minor. One can say that the lesson of the twentieth century for revolutionary politics is that only capital can destroy capital: nothing other than its own massive apparatus of destruction is adequate to the task of utterly disrupting a dominant, gargantuan, consolidated mode of production

**The world has entered an era of political instability. One in which disasters and chaos are no longer something that we wipe out in a history narrative, but becomes a foundation for cybernetic sciences. This world has become a mathematized vision in which future events are predicted through data.**

**Duffield 19** (Mark Duffield- Professor of Development Politics and Director of the Global Insecurities Centre at the University of Bristol, Post-Humanitarianism: Governing Precarity in the Digital World, Polity Press, pp 16-18)

At the time of writing, there is a consensus **among Western** security specialists that the world has entered a period of **uncertainty and political instability unprecedented** in recent times. One such source is the latest Munich Security Report (MSR 2017) provocatively entitled ‘Post-truth, post-West, post-order?’. Intended for policy and security professionals, the Report is a digest of the latest international trends and events. Like a breathless messenger, it describes the different flags and factions of the illiberal barbarians now massing at the gates. In concert with a clutch of new books,[1](http://127.0.0.1:5001/c01.xhtml#c1-note-0001) it depicts a groundswell of populist and fundamentalist movements, laying claim to local or cultural authenticities, which are now challenging and pushing back cosmopolitan values and libertarian identities. Expected since the mid-1990s, **it looks as if the ‘coming anarchy’** may now be arriving (Kaplan 1994). There are several factors, however, that give the present a new and distinct feel. Divisions and contradictions are appearing in the West. **Random terrorism is becoming routine,** while dissatisfaction is growing among those who feel left ind and abandoned. Apart from increasing security measures and orchestrating public displays of resilience, political elites are challenged for real answers. With Syria as a case in point, compared to the 1990s, **Western states have also lost their interventionary nerve**. Citizens of democracies believe less and less that their systems are able to deliver positive outcomes for them, and increasingly favour national solutions and closed borders over globalism and openness. Illiberal regimes, on the other hand, seem to be on solid footing and act with assertiveness, while the willingness and ability of Western democracies to shape international affairs and to defend the rules-based liberal order are declining (MSR 2017: 5). This book is not concerned with questioning whether this picture of international push-back and Western decline is accurate or not. That it exists and has credence is sufficient. **Our point of departure is the** stark contrast between this imaginary future–present and a different, earlier one – namely, how the **international scene looked a mere five or six decades ago.** Driven by frequently violent struggles for national liberation, decolonization and the dismantling of imperialism from below were in full swing. With its excess of youthful radicalism, for many commentators the 1960s were a volatile interregnum of emancipatory forces pushing towards world revolution (Mills 1960). Breaking with Victorian Marxism, the rash of anti-colonial struggles ushered in a New Left convinced that the peasantry was now the true heir of this revolution. As the colonial order eroded, continuing privation and exploitation meant that it was the peasantry, unlike most industrial workers, that now had nothing to gain from compromise: ‘In China and Vietnam, in Cuba, Kenya and Algeria, in Brazil’s North-east and in the back-country of Angola, the peasantry has emerged as the decisive force in revolutionary struggles’ (Buchanan 1963: 11). Contrary to an earlier Eurocentric left orthodoxy, while a radicalized intelligentsia and worker vanguard could prime the revolutionary fuse in the industrial countries, it was an emergent Third World that would now ignite it (Marcuse 1967). Moreover, without the active alignment and international solidarity between these spatially separated forces and struggles, the chance of world revolution would be lost. Whether such views were realistic or delusional should not detract from the fact that they were real enough to mobilize people on an international scale. The contrast between a revolutionary, anti-racist future–present, where the international appeared as a space of political optimism and fraternity, and today’s more pessimistic vista of rupture and political failure is striking. This book is a preliminary attempt to try to understand this shift and assess what we may have lost and, for good or ill, what **we** have gained. Methodologically attentive to history, it address(es) this question in relation to the changing understanding of the nature of humanitarian disaster. **How disasters are understood and communicated** shapes the nature of **the global North–South interface** (Chouliaraki 2013).[2](http://127.0.0.1:5001/c01.xhtml#c1-note-0002) Indeed, one could go further. Since the **1980s, disasters have become a new ontological force.** **From the crash of asteroids into** a primeval Earth, disasters have been given a pivotal **role in the evolution of life**, in the development of creativity and, not least, as key punctuation marks in the emergence and spread of human society (Homer-Dixon 2007). **This catastrophism** has accompanied the rise to dominance of an **ecology-based resilience thinking,** with its signature view that ‘authentic’ life exists in the jouissance that lies on the edge of extinction. Resilience is a measure of the probability of escaping disaster through socializing the smart moves that drive developmental evolution (Holling 1973). Disasters are thus a potent bridging mechanism that connects **humanitarian practice with wider ideological and societal change**. These changes, moreover, help illuminate the move from optimism to political pessimism. This shift, it will be argued, is integral to the rise of post-humanitarianism. However, in making a link from disasters to these broader questions, two additional and accompanying registers or sets of differences are important. Over the period in question, there has been a spatial shift from ‘circulation’ to ‘connectivity’, together with an interrelated ontological, epistemological and methodological transition from **deductive ‘knowledge’, framed by history and causation,** to an increasing **reliance on inductive mathematical ‘data’ and machine-thinking for sense-making.** The way we know the world and understand what it means to be human has fundamentally changed (Chandler 2018). Rather than seeing the emergence of a new post-human essence, this book grounds these shifts and registers **in the changing nature of capitalism**. While corporations, governments and the academy celebrate the age of connectivity, and regard the sort of international foreboding described in the Munich Security Report as a separate issue, we are more open to the possibility of their causal correlation. This Introduction unpacks these registers and gives the reader an indication of the structure of the book. Between the 1960s and the present, the nature and organization of international space have changed. Of primary importance has been the relative shift from ‘circulation’ to ‘connectivity’ (Reid 2009). As a factor of spatial organization, circulation involves the physical movement or flow of people and things within, across or around terrestrial milieus and topographies. Discussed more fully in [chapter 5](http://127.0.0.1:5001/c05.xhtml), Foucault has argued, that the principle of circulation was central to a liberal conception of security arising from the discovery of the early modern town in terms of its spatial and logistical dynamics. The problem of the town ‘was essentially and fundamentally a problem of circulation’ (Foucault 2007: 13). During the nineteenth century, improving the circulation of people, goods, sewage, light and air, together with managing the movement of disease, crime and political unrest, would become a key feature of modernist planning and urban design (Rabinow 1995). From the perspective of modern urban planning, the city was an infrastructure designed to maximize the circulatory potential of autonomous people and things, while controlling the bad and inimical. Through the opening-up achieved by roads, canals, sewers and railways, for example, people and things were enabled to move, change place and transact. While not without risks, and thus needing administrative, health and police oversight, the aim was to maximize circulation along such fixed conduits. Connectivity is similar but fundamentally different. Google’s notion of a data-based urbanism, for example, sees cities as **key sites for the conversion of data extracted from the electronic** interactions of individuals into continually adapting forms of **artificial urban intelligence**. A 12-acre site in Toronto’s waterfront area is currently being developed as a testbed. It envisions: ‘Modular buildings assembled quickly; sensors monitoring air quality; traffic lights prioritising pedestrians and cyclists; parking systems directing cars to available slots; delivery robots; advanced energy grids; automated waste sorting and self-driving cars’ (Morozov 2017). Here the city appears as a closed interactive milieu involving the continuous recording and exchange of information between people, things and computer interfaces in motion. Connectivity draws together different domains such as consumer needs, waste disposal, transport, parking and delivery requirements into an integrated real-**time information network**. While people and things still move, change place and transact, it is no longer autonomous circulation in the modernist sense. Without triggering a series of alerts, a person could not, for example, arrive unexpectedly at a railway station, and buy a ticket for destination A but leave instead at station B. Within the smart city, movement and aviour are constantly recorded, algorithmically analysed, optimized and directed (Halpern 2014b). Unlike the spontaneous circulation allowed by the modern city, movement within the smart city is essentially robotic. As a science of information, cybernetics requires the recording and storing of data on all past interactions as a **precondition for predicting future aviour and signalling the presence of anomalies** (Wiener 1954). Unlike free circulation, which always involves a potential threat to security (Foucault 2007: 19), connectivity uses the command and control functions made possible by data informatics **to avoid surprise**. To put this another way, while circulation is necessary it is also open to accidents, dangers and **unforeseen consequences**. Air travel, for example, can be a vector in the spread of disease. As a way of controlling the necessary risks of circulation, security has evolved as an expanding and invasive technology of connectivity (see chapter 5). There is another aspect of connectivity, however, that is also important for this book, and which further distinguishes it from the territorially grounded nature of circulation. Imagine a dozen computers scattered around the globe, networked together via a central hub and each machine being able to transmit and exchange data with the others instantaneously. Rather than having to flow through or circulate within frictive topographies, **connectivity has the power to leap directly across** them, bypassing terrestrial insecurity while rendering distance insignificant. Finance capital, for example, is not like physical money. The latter constantly circulates between pockets, cash registers and banks until it is worn out. As an example of connectivity, finance is capital encoded as data that travels at the speed of light between the vast territorially dispersed network of computers that constitute the global banking system (Lewis 2014): **‘[Connectivity] de-spatializes the real globe**, replacing the curved earth with an almost extensionless point, or **a network of intersection points** and lines that amount to nothing other than **connections between two computers any given distance apar**t’ (Sloterdijk 2013 [2005]: 13). Although different, circulation and connectivity are **not mutually exclusive**. They exist together, shape each other and, over time, exist in varying combinations. For this book, the relative shift from circulation to connectivity is implicated in the displacement of revolutionary optimism by political pessimism. In the 1960s, at the height of international expectation, the ability for people, their histories, experience and politics, to circulate internationally was greater than it is today. For a while, the circulation and flow of political praxis was possible as never before. During the period of decolonization, Western European countries were moved to accept permanent immigrants from their colonies and former colonies, together with allowing refugee settlement and recruiting significant numbers of migrant workers. Aspirational white settler colonies such as Australia, New Zealand and Canada also temporally lifted the ‘colour line’ that had earlier applied, especially toward Asian labour migrants (Meyers 2002). For Herbert Marcuse, as for other radicals exiled at some point in their lives, the ability for political praxis to circulate was taken for granted. At a time when journalists were not embedded (Page 1989), this ability was an essential condition of the international solidarity necessary for world revolution. By the mid-1970s, however, the near-universal curtailment of immigration was already underway. Driven by a mix of racial, social and security fears, the relative post-World War II openness to migration has narrowed and closed under successive waves **of immigration controls, nationality laws and refugee restrictions** (Hammerstad 2014). Since the end of the Cold War, as a visible register of this institutional move to closure and return, the number of physical border fences, demarcation walls or separation zones to contain the risk of autonomous movement has exploded globally (Brown 2010). Of course, the barriers and restrictions that now striate the globe have not prevented the urge to move. Indeed, as the upward track of numbers suggests (UNHCR 2017a), the pressure to escape poverty, disaster and war, even at the risk of an arduous and perilous passage, is as strong as ever. With millions in the queue, it shows few signs of abating. While offering no viable solution, the interdiction and return measures used to insulate the West have done little more than criminalize autonomous human circulation. Connectivity and remoteness As the legal circulation of migrants, refugees and other sans-papiers has **narrowed and closed, in terms of the data being stored and exchanged** between machines and screen interfaces, connectivity has expanded exponentially (Cortada 2012). At the same time, computational technologies including remote satellite sensing, computer modelling and Big Data informatics **have come to shape a dominant**, if particular, understanding of the world, how it works and the status of the humans that inhabit it (Halpern 2014a; Chandler 2018). Climate change, for example, was a key discovery **of predictive computer modelling** (Edwards 2010). The juxtaposition between the international closure to the circulation of political praxis and the expansion of data connectivity and its new remote sense-making tools is a formative tension that runs throughout this book. To put this another way, since the 1990s there has been an associated growth in physical and existential ‘remoteness’ from the world that is being compensated by the digital recoupment of distance. Remoteness, however, is ambiguous. It is negative, as in a loss of familiarity, while also being a positive condition – that is, as a challenge for technoscience to overcome. A negative remoteness is not only reflected in the erection of physical and technological barriers to stop the circulation of political praxis; it can be seen at many levels, including the fragmentation of nations. With examples spanning the globe, over the last three or four decades many erstwhile multicultural or mixed societies have been wrenched apart, fragmenting and polarizing along inimical ethnic, cultural and religious lines (Gregory 2008; Sorensen 2014; Mishra 2017a). Mid-level technological societies have been reduced to – or, should we say, ‘revealed’ as – a chimera of competing tribal amalgams (Usborne 2004). As if designed for it, the trend towards individuation, separation and polarization has taken to social media with alacrity (McBain 2014; O’Callaghan et al. 2014; Cadwalladr 2017). As discussed in chapter 7, through **a combination of risk aversion and political push-back, a loss of familiarity can also be seen in the increasing absence of** grounded international aid workers, journalists and academics within ‘challenging environments’ (Healy & Tiller 2014). President Trump’s travel ban on selected Muslim countries, and the current uncertainty over the future of EU nationals in Brexit Britain, are symptoms of this pervasive, and often violent and discriminatory, tendency towards distancing and a loss of familiarity. Remoteness, however, also has a positive dynamic that springs from the ability of connectivity to leap across, sidestep or pass beneath the ground friction3 of a dangerous world productively, while simultaneously creating new ways of knowing and appropriating that world. First identified over fifty years ago, the inverse relationship that technoscience establishes between familiarity and distance is what Hannah Arendt called ‘world alienation’ (Arendt 1998 [1958]: 48–254). The paradox of exploration is that, while its aim was to widen horizons, the maps and charts of the early modern age ‘anticipated the **technical inventions through which all earthly space has become small and close at hand’** (1998 [1958]: 251). This shrinking of the globe has continued through the surveying capacity of the human mind, ‘whose uses of numbers, symbols, and models condense and scale earthly physical distance down to the size of the human body’s natural sense and understanding’ (1998 [1958]: 251). The shrinkage of the Earth, however, has been compensated for by the objectivity that distance gives. **Objectivity necessitates a disentanglement ‘from all involvement in and concern with the close at hand’** (1998 [1958]: 251). For Arendt in the 1950s, the decisive technology of shrinkage was the aeroplane. The advent of satellites, geospatial technology and interactive broadband, however, redoubles her point. The ability to leave the Earth, either physically or as an Internaut,4 ‘is like a symbol for the general phenomenon that any decrease of terrestrial distance can be won only at the price of putting a decisive distance between man and earth, of alienating man from his immediate earthly surroundings’ (1998 [1958]: 251). World alienation is the hallmark of the modern age and is ‘inherent in the discovery and taking possession of the earth’ (1998 [1958]: 254). As the political history of maps suggests (Wood 2010), remoteness and distance call(s) forth new sense-making tools which furnish new ways to strategize and project power – and, thus, to appropriate and **reappropriate the Earth.**

**The World Computer has been the site of continual extraction and racialized violence. The 1ac forefronts a system that has been rendered terminally unstable through the targeting of the entire world due to a racial subconscious.**

Beller 21 (Jonathan Beller - Professor of Humanities and Media Studies and Critical and Visual Studies at Pratt Institute, The Message is Murder Substrates of Computational Capital, Pluto Press, pp. 145-148 )

This is an accurate statement except for the fact that the neo-liberal/fascist-populist subject is no longer really a subject in the sense that they are in sovereign possession of agency. Rather, their subjectivity (and yours) is an interface for informatic flows structured, in the last instance, by market forces of racial capitalism. Medea Benjamin in Drone Warfare: Killing By Remote Control, shows clearly how drone warfare is an effort to emasculate the enemy.19 The observation grafts the psychologistics of the drone directly in line with the cinematic gaze. She also cites a 2003 Department of Defense computer program designed to show the human cost of an attack.” “The dead show up as blob-like images, resembling squashed insects, which is why the program was called ‘Bugsplat.’ Bugsplat also became the “in-house” slang referring to drone deaths.”20 **The automation that renders targets castrated** or as vermin as a **means to annihilation and thus also as a means to corporate/imperial subjectivity** **damages,** as Benjamin points out, not just the thousands or tens of thousands of specific targets—whether **defined by** “personality,” “signature,” or “**collateral damage**”—but millions of Palestinians, Syrians, Somalians, and others for whom the fabric of life and time is destroyed. This destruction feeds back in the public relations **calculus as volatility**, and is used to further **legitimate and financialize** the drone vector. The **cybernetics** of machines, including industrial machines, photographic technologies, cinema, computation and drones **has been in a feedback loop** with the bios for centuries. **The technical** and logistical dimensions have been and remain **inseparable from racial capitalism**. In Control, Franklin says of Kittler’s cold technological determinism: After all, Kittler, whose technological a priori is in this book [Control] deformed into a subjective point of view that is intelligible as a double of that attributable to capital itself [a deformation I, as the author of Message, am sympathetic with], equates the displacement of the subject by the computer with a conflation of targeting and programmability or self-steering: ‘bees are projectiles, and humans, cruise missiles,’ Kittler writes, because ‘one is given objective data on angles and distances by a dance, the other a command of free will.’ What is critical about this claim is that its **ballistic conceptualization of sociality** rests on historical conditions under which ‘[e]lectronics … replaces discourse, and programmability replaces free will.’ Sociality, from an epistemic position that grounds the control era, **can be understood only as targeting** under the continued impression of free will—a conceptual frame underscored by the fact that the terms reticle (gun sight) and network share a root in the Latin reticulum, ‘net.’21 Franklin sums up, “Under the control episteme, targeting, the practice from which Weiner first developed the concepts of control and steering and which, for Kittler, equates to the conflation of free will and programmability—becomes the horizon for all possibility.”22 Because **all systems** (computation, financialization, visualization, militarization, national borders and migration, racialization, aestheticization, etc.) tend toward and **are shaped by** the logic **of financialized digitization**, subjectivity within these **programs relies on the instantiation of targets** (iconic or blurred as necessary). It is, as an experience, only to be found, or at least is primarily found, in the various positions organized by the logistics of an annihilating gaze. In this way **subjectivity has** itself become a program for murder; it renders a subject programmed for murder with all outsides **configured as zones of** noisy **crisis populated by targets**. This neo-liberal, cybernetic subjectification through active annihilation of the outsider is one real, if unconscious meaning of digital “convergence.” **Computational capital** instantiates its fractal subjects or dividuals as cruise missiles and all externalities as targets: the first person shooter game become world. Thus alongside the regular games or **risk management, we have war games, war porn,** food porn, fashion porn, news porn, reality porn, and regular porn. In fact, this is the regular fare, a sick tableau of degraded crap, and it is all part of the attention economy, **where everything we look at is emptied of essence** and stuffed with psychotic emphasis in an effort to help everyone keep reality at bay in the half-light of the digital imaginary that is simulation. This all-consuming production by mediated sensual labor organized by the dead labor of information is an always on expropriation of the libido and the sensual that might otherwise have been turned to other uses (love, sensuality, poetry, community, caring, erotic forms that redefine a relationship to violence by receding from it). The libidinal expropriation and reconfiguration characteristic of what is nothing short of fractal fascism in a network of dividualized nodes functions at a variety of levels, from the ratification of a particular screen prosthetics of whiteness . 147 image thorough to the game, blog, show, channel, platform or interface and all of their advertisers, shareholders, banks, militaries, and states. We man our dividualizing peepholes as best we can (for who among us is really a man, and given the terms, who would want to be?), cutting up worlds in accord **with an algorithmic function** beyond our ken, **while the bodies** **pile up** to a height equaled only by that of the profits. The engineering of fractal fascism bundles modes of attention by means of computerized systems of content delivery, value extraction and metrics of account. Platform “users” become conscious and unconscious organs of this vast automaton. We have, in short, **the programmatic simulation of reality**, the virtual mise-en-scène of all looking, without the **guarantee of any real event** beyond that orchestrated by the inexorable logic of advertising and value extraction. **The logistics** and indeed pathologistics of these increasingly formalized algorithmic processes preserve the basic **annihilation-function** of the gaze as operationalized in relation to race, gender and would-be intersubjective formations, but adds a new **layer of fungibility** that allows for the **targeting** of potentially **anyone**, anytime, anywhere with the proviso that the likelihood of a person being targeted is subject to prior encodings of their profile, their digitized identity. That our thoughts and perceptions **are programmed**, accumulated, and capitalized in relation to these fundamentally weaponized programs **for race, gender and financialization**, **testifies to the automation** and expropriation of the general intellect by racial capitalism. The overwhelming of the intellect by means of the algorithmic discrete state machine is the situation, and the irony that it was “humans,” who programmed the machines, does nothing to return sovereignty in any meaningful form. Racial capitalism achieves further autonomy and impunity by means of computational automation. **To be meaningful,** **that is to say in radical sense “political,” sovereignty would have to diverge from the programmatic** leveraged **accumulation of value** and its corollary murder, but few seem capable of offering a new way of organizing things—the white sovereignty of what Benjamin Bratton and others refer to as “the stack” maintains its stranglehold.23 The general intellect, distributed across media platforms and automated in various apparatuses, is not just part of the **means of production in the industrial sense,** that is, in the sense understood by traditional capitalists; **it is the means of production of sense perception and knowledge**. Neither is it an ideal or an immaterial formation. It is itself distributed among the bodies and machines that constitute the socio-historical domain—the 148 . the message is murder sociality of machines. The general intellect has been rendered as forms of sensuality that are themselves sites for value production that include modes of subjectivity at once fully automated and fully virtual. They are virtual in the sense **that the referent** that would anchor **the subject** in question—is strictly speaking a non-entity, that is, a computational entity, **a simulation**. Subjectivity is a contingent instantiation, a plug-in (and always was), but the mediatic **matrix of** its materialization, exceeds the pre-individual linguistic world detected by Freud, Lacan, structural linguistics and poststructuralism, as its local conditions of production and reproduction have been overtaken and absorbed computation. The unconscious is structured **like a language**: a computer language, and that language is **built on racial violence**.

**You should reject the affirmative in favor of a cognitive strike. This refuses the internalization of relations that structures the racial capital of the world computer and disrupts the functioning of capitalism by engendering futilities that creates noise.**

Beller 21 (Jonathan Beller - Professor of Humanities and Media Studies and Critical and Visual Studies at Pratt Institute, The Message is Murder Substrates of Computational Capital, Pluto Press).

Given the sea change in the nature of **languages and images** themselves— their wholesale transposition and transformation from a means of **representation to a means of production**— the difficulty here is both with the substrate of communication (its bits) and with the us- versus- them perspective: we want to ban advertisers, but today we must also confront the disturbing possibility that we are them. Remember, “they” **program** “our” language and “our” imagination, “we” speak **“their” thought**— indeed, that is our work, or rather our labor. What to do with the fact that “we have seen the enemy and he is us?” One could say, one could want to say, “I don’t care who you are: if you live in the first world, if you live in the Global North, then fuck you! You ain’t no victim, even if you’re sick.” But who would be saying that? Probably some other Northerner, writing about how culture or the Venice Biennale, as if it were, could or should be more than a lavish spectacle of global suffering staged for a cosmopolitan elite. As capital’s nations, banks, armies, schools, languages, newspapers, and films did to its colonies and colonial subjects, the current **institutions from states to computer**- media companies do to “us”: they command us to make ourselves over **in capital’s image** for their own profit through networked strategies of **expropriation and dispossession**. “We” do it to ourselves, and our representations of **self and other are designed to sell** a version of ourselves back to ourselves so that we can perform further work on what is now the raw material for the next iteration of images. Therein lies our ontological lack, an ontological lack of solidarity and of even the possibility for solidarity. Therein lies the desire for and indeed necessity **to become a plantation manager** — the word is overseer. Though it is beyond the scope of this essay, this digital neocolonialism that practically commands global Northerners to in one way or another accept Nazism and genocide with their cappuccino could be understood as being on a continuum with the internal colonization of Europe by the German banks— which depends of course on the **distributed production of a kind of neoliberal “realism**” that Mark Fisher (2009) called “**capitalist realism,”** and was only ever a hair’s breadth away from fascism. This fact of our investment in and by advertising, the conversion of the sign to what I call the “advertisign,” poses a genuine problem for theory— indeed an unprecedented one. This problem is particularly evident considering the material conditions (class, nationality, education, race, language, et c.) of the participants in the would-be counterhegemonic theoretical discussions of culture and policy that presuppose the books, computers, schools, and institutions that sustain these. Those within the circuit of these discussions have already passed through a homogenization process which **programs them in compatible systems languages**. **Without submitting ourselves** and our own aspirations to radical critique, without conducting a Gramscian inventory of our ostensibly internal constitutions, we run the risk of merely trying to set up a **competing corporation** with a new business model. The revolution will not **be televised**; decolonization **will not be a brand.** Any would-be anticapitalist “we” runs this risk of coopting and cooptation from the get-go, particularly if it does not think about the materiality of **social production** from top to bottom: class, yes, but also race, nation, gender, sexuality, ability, geolocation, historical stratification. The world’s postmodern poor, the two billion– plus living on two dollars a day, also lab or to survive in the material landscape organized by the post- Fordist social factory its **anti- Blackness, its Islamophobia, its endless and mutating racism** and imperialism. However, from the standpoint of capital, **the role of those at the bottom is to serve as substrate** for image- production and semiosis; not only in factories, cottage- industries, subsistence farming, and informal economies, but also as starving Advertisarial Relationshordes; “irrational,” criminalized or surplused populations; subject- objects for policing, encampment, and bombing; desperate refugees; and even as voids in the idea of the world—as sites of social death. Forgive me, but I’d wager that no one capable of understanding these words can claim full exemption from the indictment they issue regarding structural complicity with the production and reproduction of everyday life. Humans **are troped (via discourse and the screen) to organize military production**, national policy, internment camps and prisons, bourgeois imaginations, museum shows, corporate strategy, and market projections. Let us clearly state here that **any program** that does not admit this excluded **planet into dialogues** **that vitiate** the **monologues imposed by capitalist** informatics and advertisigns is still floating in the realm of the ruling ideas **and therefore participant in murder.** These ruling ideas are the ones whose density and weight, whose material support and very machinery, threaten to further crush the late- capitalist poor out of not just representation but out of existence. This erasure and disposability, imposed by systems of informatic inscription designed to absorbe very output of sense, is the achievement of the advertisarial relations endemic to computational racial capitalism. When information is an advertisement for itself that presupposes the operating system of the world computer as virtual machine, **banning what we recognize as advertising on the internet, even if an excellent beginning,** is just not adequate to address these issues of representation, social justice, planetary and climate racism, and emancipation. To summarize: the forms of sociality which are the conditions of possibility for the online, informatically organized r elations— best characterized as advertisarial — run through e very sector and register of planetary life. The internet, while recognizable as an effect and a cause of the current form of **planetary production and reproduction**, cannot be considered in isolation as a **merely technical platform or set of platforms if its historical role is to be properly understood.** To take the internet as an autonomous technological force results in a species of platform **fetishism that disavows both the histories and material conditions** of its emergence, conditions that are, in short, those of screen culture and racial capitalism; this is to say that it, the internet, is the very means by which the capitalist suppression of global democracy (which is emphatically, economic democracy as well) has been accomplished and continues. If the internet is autonomous, it is because it expresses the autonomization of the value form. As noted previously, **with the hijacking of communications** and **semiotic infrastructures** by racial capitalism, the medium is the message and **the message is murder.** To ban advertising on the internet would be a good start— but what if the whole thing is advertising? **One reading of** what I have said thus far might suggest that, giv**en the expropriation of the cognitive- linguistic, our volition is overtaken by capital logic;** and given our inability to cogitate in any way that is genuinely resistant to capitalist expropriation, coercion, strictly speaking, **is no longer necessary to impose cooperation for capitalist production.** We “want” to cooperate productively, our desire— which, from the dispossession of even language and mind constitutes ourselves as subjects in the media ecology of the capital is t technical image, that is, in and through the organization of digital information—**is itself an iteration of capital, a script of becoming predestined to become capital**. The old language scored by the new image machines and their extractive algorithms locally organizes cooperative subjects who want to cooperate with vectoral capitalization. **We want to provide content in order to derive currency and survive.** Our solidarity on the internet produces more internet. Thus, in a certain way— and particularly since **we no longer properly have any thoughts of our own—we all collaborate in a world organized by images and screens, thereby participating more or less mindlessly in the seamless realization and triumphant apotheosis of the programming business.** However, I am sorry to have to report that the dystopian vision **here is not quite as bucolic as even this** already dreary picture of unwitting and irredeemable pulverization and servitude. While I do see that representation and semiotics have been increasingly flattened à la Orwell and Marcuse by a vast internalization of the apparatuses of oppression ( in which “**thought” is the** [productive] thought **of the [capitalist**] Party and “**repressive desublimation**” is an engine of capitalist- fascist **production)** the “old problems” like the hierarchy of class have not gone away; neither have racism, sexism, homophobia, transphobia, ableism, and fascist nationalisms ceased playing their roles to create vectors of privilege for white male– identifying aspiration. Indeed, most thought today, such that it is, is all about maintaining hierarchical society. **The thinking runs thus**: capital is nature, capital is eternal, capital is information is nature. Or, in a more pedestrian mode: **human beings are naturally acquisitive and competitive**, economic growth and technological advancement mean progress, **this tech provides**, **or almost provides,** a color- , gender- , and religion- blind society, and so on— and one must advance one’s place in it by any (crypto- or not- s o- cryptofascist**) means necessary.** Of course, there exists better thinking out there. Mia Mingus: “As organizers, we need to think of access with an understanding of disability justice, moving away from an equality based model of sameness and ‘we are just like you’ to a model of disability that embraces difference, confronts privilege and challenges what is considered ‘normal’ on every front. We don ’t want to simply join the ranks of the privileged; we want to dismantle those ranks and the systems that maintain them” (Mingus 2011, cited in Puar 2017: 16). However, there is **broad- band, ambient programming that facilitates assuming neo- liberal** and full-on **fascist subjective sovereignty**. This programming seeks triumphant brushes with plenitude (communion with the big Other, as distinct from the racial or otherwise other, becomes the ego- ideal) , and this same programming is violent, competitive, hateful, mean- spirited, and alienating when embraced—at the same time that it is also cooperative, simpering, and abject. Servitude, even when automatic and mostly unconscious, is unhappy and, as we can see any day from the daily news, utterly pathological and sick. Of course, this diagnosis represents a huge generalization, but despite its broad-brushing lack of subtlety we may find that such a schizoid oscillation between entitled adjudicator and abject supplicant sums up the contours of your average reality televisions how or comments section on YouTube. It is Bateson’s (2000) and Deleuze and Guattari’s (1977) schizophrenic, caught in the double- bind, who has become the capitalist norm— the one who struggles to negotiate in the form of contradictory signals the aporias of hierarchical society, while reproducing it, and all the while experiencing their own psychic dissolution as an injunction to create. 3 With this schizoid capture in mind, let me then develop my question about the internet— “ What if it is all advertising?”—in the framework of post- Fordist production. The argument is that, in the context of virtuosity and the expropriation of the cognitive- linguistic by computational racial capital, sociality itself has become advertisarial, a ceaseless waging of capitalized exploits designed to garner attention and value for oneself and one’s capitalistic. This situation represents— indeed imposes— a derivative logic, a logic **in which every action** is a hedge, a kind of risk management devoted to maximize a return. In addition to the fractalization of fascism, in which agency is manifest as a profile that has aggregated the attention of others, advertising has worked its way into the sign itself, into the image, and into data visualization, and it has generated the advertising . All signs become points of potential cathexis, derivative positions on the underlier that is social currency and ultimately value. This new type of sign is not simply the brand but also an element of vectoral language (Wark 2007): functionalized words in a production channel, engaging in the micromanagement of desire, the production of new needs, and the capturing of the imagination, all in order to induce linguistic and avioral shifts in the attention of others while aggregating their attention for oneself— t urning their heads with an interface. This combination of the manipulation of market conditions (that is, everyday life) through techniques of risk management is no longer merely the province of advertising but of so- called tuman interactivity 188 Chapter 4(what was once just communication and before that culture), now become adversarial through and through. From Smythe’s claim in the “Blindspot” essay (1977) that all leisure time has become lab or time, to Virno’s (2004) notion of virtuosity, we have seen aspects of this model for the capitalist overdetermination of apparently unremunerated time before. However, here— with the financialization of expression—we clearly grasp that the financialization of everyday life means also the convergence of semiotics and financial derivatives. Given the thoroughgoing intensification of vectoral, and in fact matrixial, signs, we need to investigate its implications in the context of a discussion of radical media practice. I will make two additional points here before shifting gears and turning at the end of this chapter to what I identify as an aesthetics of survival—an aesthetics that emerges from within the matrix of adversarial, schizoid capture. The final chapter of this volume will endeavor to extend aspects of such socio aesthetic forms, those resistant to computational racial capitalism, to new notions of radical finance and the possibility of platform communism. If, as was already becoming true in the cinematic mode of production, the dominant means of representation have become the dominant means of production, the questions of and models for political agency are radically transformed, and the urgent need to decolonize communication and decolonize finance presents itself. Future communication will require a cybernetic approach, and, as wes hall argue, this cybernetic approach will necessarily be financial, though it will be reaching toward a different order and different mode of production. Like communism, because it will need to be communist, it will see economic transformation of the material relations of production and reproduction as essential to the revolution. It will draw on the repressed and extracted cognitive- linguistic resource of the racialized and other wise marginalized and configure ways to make our voices matter both as meaning and as tools for the reorginzation of the material world and the social relations therein prescribed. Language and images are neither inside nor outside; they are part of the general intellect— currently they are at once media of thought and of capital. We also know that languages and images are not isolable, meaning that they are not and have never been stand- alone entities but rather exist in relation to their media, their platforms, which are again inseparable from society and its institutions. Furthermore, each platform relates to another platform. Paraphrasing McLuhan, we could even say that the “content” of a media platform is another platform. Thusly the general intellect is inseparable from its media platforms and their financials. We see that the general intellect, once largely held in common, is increasingly being privatized; the very media of our thought belong to someone else . This expropriation of the media commons is precisely the precondition of the real subsumption of society 189 Advertisarial Relationsby capital. It is an extension of the ongoing expropriation begun by primitive accumulation and money as capital, and it has been accomplished through the financialization of media as platforms of extraction. The ramification of mediation by computation and information has resulted in its convergence into formats offering derivative exposure to underliers that are the expressive vitality and futurity of our communication. We therefore no longer have any organic relation to the materials for thought itself (sincerity has become a myth, at least in the medium- term of most circles)— t he words, images, and machines we require to think, to express ourselves, to interact, and to know have been ripped from the species and privatized via the longue durée of dissymmetrical exchange. We work on the words and images, but as numbers they belong to someone else. The media themselves have become forms of capital— forms of racial capital— and our usage of these media means that we work to add value that valorizes capital, for the capitalist and within a relation designed as much as possible to guarantee that our creative acts necessarily occur as dissymmetrical exchange with capital. I write this book in a discourse that does not just not belong to me because it is shared, but in a discourse that is increasingly the property of a set of institutions— publishers, journals, universities— that all have their eye on the bottom line. The means by which we most intimately know the world, ourselves, and our desires (our images and words) are themselves vectors of capitalization intent upon converting our very life- process into surplus value (which is to say value for capital). We need strategies that will seize the means of production and create a reverse subsumption of affect, intellect**, knowledge**, **capability, communication, and community.** When all media have converged as economic media, it is **economic media that must be re- engineered**. When all media have converged as economic media, it is economic media that must be re- engineered. Again, I think this subsumption of cognitive and affective capacity, the quasi-automating (scripting) of productive labor for capital, is what Stiegler means by the proletarianization of the nervous system—which would include the proletarianization of the pathways of feeling and thought. Our affective capacities are put to alienated and alienating work in the social factory, and their product too is alienated, producing ever-intensifying and ever-accumulating dispossession and disempowerment as the dialectical antithesis of its simultaneous production of unprecedented wealth and power for the cyborg avatars of the great media conglomerates. Intellect and emotional intelligence, the product of thousands of years of species- becoming, is being strip-mined so that extraction machines may continue their furious innovation to further discount people. I write this book aware of the pressure to think it just right, to at once extend thinking in order to command attention and produce new needs, but also to delimit it, to control myself, and to put the reins on whatever counterpower may rage within my body, because academia can tolerate only so much “bullshit” and no more. Yes sir, I’ll be careful not to cross that line, but a word to the woke: the bullshit is the best part. From a historical perspective, this encroachment on the means of representation—that Banksy and I and a billion others join the silenced majority in opposing—indicates that the individual subjective agent, itself a platform for sociality that developed with the rise of capitalism (as the subject who relates to other subjects in the market, the bearer of the commodity and thus its thought), is nearly **defunct.** As has been noted previously, in a world where life processes are stripped, ripped apart, rebundled, and sold as derivative exposures, the individual subject is an outmoded technology despite the fact that it still appears as a skeuomorph in certain updated technosocial apparatuses—like the latest forms of films, games, influencers, and versions of national politics that proffer invitations to momentary individualistic identification for the dividual purpose of providing a sense of familiarity and orientation. While palliative for some in small doses, such individuality is no longer a viable (which is to say, sustainable) fantasy. The real thought is that of the infrastructure, of the AI that codes our meat and scripts our sheets. Sure I take up the mantle for a few moments each day to appear as the agent of this text, suiting up as the operator of an intellect that might be adequate to the informatic shit-storm of racist, capitalist, imperialist, patriarchal, for-profit assaults, but then I drop off into an ocean of petty concerns, food shopping, and home repairs. And even when I say “I,” to perform as the nexus of all this insight, I also know that it’s hardly me talking. I’m just curating at the gates of shit that needs to be said, and hopefully titrating to let the right stuff through. That’s part of my politics though Dog knows that I could create a more lucrative named-professor type profile with just a little more discipline, a bit more self-interested adherence to the protocols of the academy’s factory code. Instead, there is the effort to overturn, to be or at least to live something beyond being the scribe of the world computer, to at once witness the drama of the emergence of the intelligence of commodification, testify to its outrage, and intimate the possibility of its overthrow. Such would be the art of this text, practiced at the limits of disciplinarity and of subjectivity, guaranteed by nothing and no one. The expiration of the subject form, imminent since the subject’s first intimation of mortality—and made structurally mandatory by Freud and especially, with the full-blown rise of the sign at the moment of it radical marginalization by visuality, by Lacan—is not necessarily a cause for lament, despite the increasingly intense fading of its incalculable beauty, its sad reduction to cliché. From a political perspective, it means that within each concrete individual body the presumed continuity of the individual is riddled with contradictory and indeed unassimilable indicators; it means also that there exists in differing quantities and qualities capitalist and noncapitalist striations or sectors. Hallways of emptiness, but also hallways of love. Like bundled assets, the mind-body is tranched by executable logics organized by a calculus of risk available to investors. There are, to be a bit simplistic, **aspects of desire that are** programmed (indeed farmed) to produce practices that function in perfect accord with capitalist accumulation strategies (individualizing or schizoid) and aspects of **desire that are atavistic or collectivist**, utopian, communist, or maybe even just plain lonely, and, in short, subprime. In reality, of course, desire is more singular than even such formalizations might indicate. Insert your favorite snippet of poetry here. Hortense Spillers in “All the Things You Could Be by Now If Sigmund Freud’s Wife Was Your Mother” (1997) invokes “the Dozens” and the music of and like that of Charles Mingus (152–3), to make present an “interior intersubjectivity”(140) testifying to the rich unaudited psychic life of what might today be called Blackness. There are vast resources beyond the easy resolution of hegemonic hermeneutics whether deployed by institutionally validated psychoanalysis or compressed by current systems of informatic extraction. In agreeing with Freud that consciousness makes up a small part of mental life when compared to the preconscious, the unconscious, dreams, and so on, but in rejecting the normative assumptions and disavowals (including his own Jewishness) that situate Freud and the psychoanalytic discourse that will become part of European and U.S. bourgeois society, Spillers recognizes a vast store of mental life and the possibility of listening anew. However, when speaking of politics now, we therefore necessarily speak of the abstract forms available for the conceptualization and deployment of concrete emergences whether referring to haecceities that are innumerable or collective forms of existence and psychic life actively mediating between “the one” and “the ‘masses’ ” (141). Let us listen anew. Acknowledging that we ultimately and if possible immediately want to “marry our thought” (Wynter 1994b: 65) to the wealth of subaltern forms of life and the care of the bios, allow me then to put the situation of the post- Fordist subject thusly: in Imperialism, the Highest Stage of Capitalism, Lenin (1939) showed how imperialist dividends complicated class issues in England, since many people, otherwise part of the working class, got a share of the dividends of imperialism by clipping the coupons of their investments in racist, exploitative British enterprises across the globe. Today this race-based class fractionalization is fully internalized in the Global North; on our iPads built by Chinese slaves from blood metals extracted from the Congo, we may momentarily feel like biomorphically unmarked nobles in the global cosmopolis; while on the job market or when simply seen in our raced and gendered embodiments, we are abjects. Materially and intellectually we are nodal points on a global network. The signal oscillates between narcissistic megalomania and utter abjection and can be affected by a billion parameters taking us from melancholia to outrage. **Thus, even the concrete individual is composed of class fractions, race fractions, gender fractions.** In the form of signs, we clip coupons that validate our investments. The language of object-identification, we observe here, cannot really keep up with the fluctuations resulting from the throughput of code as we work to identify and disidentify our agency. Can we audit a different mode of emergence, a different futurity than one inexorably overcoded by capital? Of course this is still somewhat simplistic and also class-specific, as many (billions even) never get to participate as an enfranchised global citizen in any aspect or moment of life, even if the lived experience of these same billions is radically overdetermined by the class(es) from which they are excluded.4 The gilded poverty of the enfranchised, as opposed to the mere poverty of the rest, is now a measure of connectivity. A more complete view is that we are the product of the world system and thus everything we are has been produced vis-à-vis globalization, and therefore everything bears the trace of the system in its entirety (again, in varying proportions). This conceptualization of concrete individuals (bodies) as global communitarian products forced to varying degrees into templates of individualized risk by capitalist states, is not to erase class; however, it suggests that, just as Fanon saw the great European metropoles as the product of third world labor, we are all products of the worst conditions prevailing in the Global South and around the planet. Global inequality is internal to **our being**. It is us. How then does one (such a one who is relatively enfranchised by the derivative language of texts such as this one) inventory those relations and produce them as formations of solidarity rather than as disavowed residuum? Is there another data-sphere, a communist one? Can we build communist interfaces, networks, **and finance?** How would **we register,** track, amplify, and render actionable the communitarian affinities, **solidarities, obligations, and debts**, the resources in the wake of too many genocides to count, that in actual practice **underpin the official economy,** collective life, and whatever authentic hope is left to our species? Perhaps we have arrived at a question worthy of theory: Is there, could there be communist algorithms? Communist derivatives? Derivative communism? We are looking for that path. To add to my point about the shifting, distributed character of political actors—that goes so far as to suggest that we can no longer think only of actors but rather must think of vectors and fields in addition to thinking of the resources developed in cultures of survival—I will make a second observation. **A political intervention** in the advertisarial relations that have this planet heading toward environmental doomsday requires not only revolutionary policy but revolutionary culture. (I defer further discussion of a third requirement, revolutionary finance, to the final chapter.) This culture must take into account that, for many on this planet, Armageddon is not the future but an **ongoing constant**. My call here (which should not be entirely unfamiliar, as it gives petit bourgeois intellectuals something important to do) is to (re)politicize semiotic and affective structures and practices, including and perhaps especially those we might control, for example our own utterances—our expression. Of course, to call them “our own” seems to contradict what I’ve said about the expropriation of the cognitive- linguistic and the intensification of aphanisis by visual, verbal, and digital media derivatives, but it is here precisely that we confront one of the significant material contradictions of our time: who or what speaks in us? This question, which I shorthand using the phrase the politics of the utterance and which you can experience palpably right now (as you endeavor to think), seems to me to insist that **our idea-making** must actively produce its solidarity with the dispossessed. We must struggle for the **radical constellation.** The question concerning the politics of the utterance, asked here in a strange passage of this text through a beyond-academic terrain, a moonless forest the traversal of which may or may not at this point lead us back to the plot, also raises the question of becoming, as well as the questions of agency and of action within the capitalist image— programmable images, racializing and racist images that, in the terms we have set out, are functionally omnipresent. Continuous media throughput has generated a capitalist imaginary structuring both language function and imaging processes, coordinated at scales and by calculative logics that exceed individual comprehension. Though the occasion is upon us, **we must struggle for space and time to think. We must** open a spread on which to bet against the dominant order. We glimpse, and we feel, that to insist upon the unremitting relevance of both culture-making and of cross-cultural transnational solidarity helps **to avoid platform fetishism** because it sees the internet and its machines not as a set or collection of autonomous technologies but as a historically emergent system of value-expropriative communication and organization, built directly upon older but nonetheless contemporaneous forms of inequality, including but not limited to historically emergent techniques of gendering, racialization, and imperialism, and embedded in the living flesh of the world. All of this calculative interconnectivity and networked agency implies, contradictorily, in fact, that the internet is not all advertising—but neither is advertising all advertising. It is also murder and struggle. Banksy knows that. The advertisarial relation is the programmatic relation encrypted in the apparatuses of capital: the war of each against all, taken all the way from finance, computation, and surveillance to the speech act and the imagination in accord with the autopoietic algorithm of the distributed Leviathan. Marx himself saw capitalism as vampiric, and today’s processes of **capitalization are even more totalitarian**, more widely distributed, and more blood-, life-, and indeed soul-sucking than even in prior eras—though such comparisons **don’t do those killed by past iterations of capitalism any good.** Despite the disavowals to the contrary, we recognize that capital needs labor, needs metabolic time more desperately and more voraciously than ever before (what else is biopolitics?) and, furthermore, that it wages war on life-time on all fronts, in order to secure labor power, its product and basis, at a discount. The pyramids of inequality become internal fractals, and even as the base broadens, the tip with the all-seeing eye (that is not a subject) ascends ever higher. **We do not** yet **know what can be destroyed** or indeed built with the massive appropriation of Banksy’s rocks, but we do know that at present **there is** total war against our using them to build anticapitalist, nonhierarchical, horizontal, solidary sociality. The refusal or détournement **of capital’s encroachment** **is** itself a creative act. Perhaps we have only **begun to glimpse what** a total **refusal might achieve.**

## Harmonization

### !D---AT: LIO

#### Liberal order resilient---assumes the internal link.

Mousseau 19, PhD, Professor @ the University of Central Florida. (Michael, 7/29/19, “The End of War: How a Robust Marketplace and Liberal Hegemony Are Leading to Perpetual World Peace”, *International Security*, Volume 44, Issue 1, <https://www.mitpressjournals.org/doi/full/10.1162/isec_a_00352?mobileUi=0&amp>) \*Contractualist societies = system in which individuals normally obtain securities, including incomes and financial securities, through contracts with strangers in a market; i.e. liberalism

Reports of the demise of the liberal order, however, are greatly exaggerated. First, Hungary and Poland are newly contractualist states. The sociological nature of economic norms theory means that contractualist values should be more firmly rooted in older contractualist societies than in newer ones. This is corroborated with the natural experiment of Germany: in 1962 West Germany embraced contractualism (see table 1), but it was only after 1991 that East Germany could have become contractualist, when massive investments from the Federal Republic caused incomes in the marketplace to become higher than incomes obtainable from status relationships. Today, Germany’s populist movement is concentrated in the eastern part of the country and is largely nonexistent in the western part,83 which corroborates the expectation that some newly contractualist societies retain some of their status values even after a generation of robust opportunity in the marketplace. Deeper changes in values may not occur until generational cohorts initially socialized into status or axial economies have passed on. Second, the electorates in most of the thirty-five contractualist states listed in table 1 in 2010 have not experienced substantial increases in populist sentiment. Italy’s Five Star movement is often called populist but largely because of its anti-immigrant stance. Although an embrace of immigrants would seem consistent with contractualist values, opposition to large numbers of immigrants is arguably a rational response to what is essentially a huge external shock that has intensified in recent years. Britons voted to leave the European Union, but largely because they believed they were being treated unfairly in it. The rejection of unfair terms of trade, whether perceived correctly or not, is consistent with contractualist values. Third, the strength of institutions far exceeds that of any one person, including the president of the United States. Liberal values and institutions are rooted in contractualist economic norms and will not disappear simply because some leaders choose not to abide by them. For instance, although Trump may want the United States to withdraw from the North Atlantic alliance, this is not a view shared by Congress and the American people. Even members of Trump’s administration have often restrained him in ways consistent with contractualist values and institutions.84 In economic norms theory, the only way the United States’ contractualist values could shift to status or axial values would be through radical economic change. As mentioned above, economics is ultimately at the mercy of politics, as an influential coalition of rent-seekers could potentially collapse a contractualist economy by failing to sustain the highly inclusive marketplace or uphold the state’s credibility in enforcing of contracts. In recent years, the U.S. economy has begun tilting toward rent-seekers, given the growing role of private money in electoral campaigns and the increasing sophistication of rent-seekers in masking their activities though the manipulation of public opinion, including through their concentrated ownership of media outlets. Such rentierism could precipitate a change in U.S. values if it results in a retraction of the market substantial enough that newer generations began to obtain higher wages in newfound status networks than in the marketplace. In this way, the Trump phenomenon may reflect a pathology in U.S. governing institutions; but at least so far, it arguably has not extended to the American people. Most of Trump’s supporters seem to be drawn to him not for his expressions of status values, but for his pledges to fight a “rigged” system and create well-paying jobs. Whether or not Trump means what he says, many of his supporters saw a vote for him as an act of protest against the increasing corruption occurring in the United States, a clear contractualist expression.85 Although a collapse of the U.S. economy and transition to an axial or a status economy is always possible, the feedback loop of popular insistence on economic growth and a highly inclusive marketplace makes this unlikely. Aside from an external shock (such as nuclear war or climate devastation), such a transition could happen only if the rentiers somehow manage to remain in power long enough to institutionalize a permanently underemployed underclass. Fourth, even if the U.S. economy were to collapse and the United States became an axial or a status power, the combined economic might of all the other contractualist countries in the world is nearly twice that of the United States. The soft power of the United States in world politics lies not in its power to persuade, but in it being the largest of the contractualist states, and in its willingness to provide the public good of global security since the collapse of the pound sterling in late 1946. If the United States withdrew from its leadership role, the remaining contractualist powers would fill the vacuum. None of them has an economy relatively large enough to enable it to act as a natural leader and principal provider of global security, but it is the temperament of these states that they can easily form an international organization to coordinate and act on their shared security interests, even if some may choose to free ride. Fifth, current events need to be viewed within a larger context. Fernand Braudel pinpoints the rise of the modern world economy as starting around the year 1450 in northwestern Europe.86 The first contractualist economy emerged more than two centuries ago. Since then, contractualist states have confronted numerous shocks and threats to their systems, including the American Civil War, the Great Depression, two world wars, and the Cold War. The present populist mini-wave and pathologies in U.S. democracy are mere trifling episodes in a larger historical frame.

### !D---AT: US Leadership

#### AND, no leadership impact.

Fettweis ’17 (Christopher J.; is Associate Professor of Political Science at Tulane University; May 8th; *Unipolarity, Hegemony, and the New Peace*; <https://www.tandfonline.com/doi/abs/10.1080/09636412.2017.1306394?journalCode=fsst20>; accessed 5/3/19; MSCOTT)

These assessments of conflict are by necessity relative, because there has not been a “high” level of conflict in any region outside the Middle East during the period of the New Peace. Putting aside for the moment that important caveat, some points become clear. The great powers of the world are clustered in the upper right quadrant, where US intervention has been high, but conflict levels low. US intervention is imperfectly correlated with stability, however. Indeed, it is conceivable that the relatively high level of US interest and activity has made the security situation in the Persian Gulf and broader Middle East worse. In recent years, substantial hard power investments (Somalia, Afghanistan, Iraq), moderate intervention (Libya), and reliance on diplomacy (Syria) have been equally ineffective in stabilizing states torn by conflict. While it is possible that the region is essentially unpacifiable and no amount of police work would bring peace to its people, it remains hard to make the case that the US presence has improved matters. In this “strong point,” at least, US hegemony has failed to bring peace.

In much of the rest of the world, the United States has not been especially eager to enforce any particular rules. Even rather incontrovertible evidence of genocide has not been enough to inspire action. Washington’s intervention choices have at best been erratic; Libya and Kosovo brought about action, but much more blood flowed uninterrupted in Rwanda, Darfur, Congo, Sri Lanka, and Syria. The US record of peacemaking is not exactly a long uninterrupted string of successes. During the turn-of-the-century conventional war between Ethiopia and Eritrea, a high-level US delegation containing former and future National Security Advisors (Anthony Lake and Susan Rice) made a half-dozen trips to the region but was unable to prevent either the outbreak or recurrence of the conflict. Lake and his team shuttled back and forth between the capitals with some frequency, and President Clinton made repeated phone calls to the leaders of the respective countries, offering to hold peace talks in the United States, all to no avail.67 The war ended in late 2000 when Ethiopia essentially won, and it controls the disputed territory to this day.

The Horn of Africa is hardly the only region where states are free to fight one another today without fear of serious US involvement. Since they are choosing not to do so with increasing frequency, something else is probably affecting their calculations. Stability exists even in those places where the potential for intervention by the sheriff is minimal. Hegemonic stability can only take credit for influencing those decisions that would have ended in war without the presence, whether physical or psychological, of the United States. It seems hard to make the case that the relative peace that has descended on so many regions is primarily due to the kind of heavy hand of the neoconservative leviathan, or its lighter, more liberal cousin. Something else appears to be at work.

Conflict and US Military Spending

How does one measure polarity? Power is traditionally considered to be some combination of military and economic strength, but despite scores of efforts, no widely accepted formula exists. Perhaps overall military spending might be thought of as a proxy for hard power capabilities; perhaps too the amount of money the United States devotes to hard power is a reflection of the strength of the unipole. When compared to conflict levels, however, there is no obvious correlation, and certainly not the kind of negative relationship between US spending and conflict that many hegemonic stability theorists would expect to see.

During the 1990s, the United States cut back on defense by about 25 percent, spending $100 billion less in real terms in 1998 that it did in 1990.68 To those believers in the neoconservative version of hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace,” argued Kristol and Kagan at the time.69 The world grew dramatically more peaceful while the United States cut its forces, however, and stayed just as peaceful while spending rebounded after the 9/11 terrorist attacks. The incidence and magnitude of global conflict declined while the military budget was cut under President Clinton, in other words, and kept declining (though more slowly, since levels were already low) as the Bush administration ramped it back up. Overall US military spending has varied during the period of the New Peace from a low in constant dollars of less than $400 billion to a high of more than $700 billion, but war does not seem to have noticed. The same nonrelationship exists between other potential proxy measurements for hegemony and conflict: there does not seem to be much connection between warfare and fluctuations in US GDP, alliance commitments, and forward military presence. There was very little fighting in Europe when there were 300,000 US troops stationed there, for example, and that has not changed as the number of Americans dwindled by 90 percent. Overall, there does not seem to be much correlation between US actions and systemic stability. Nothing the United States actually does seems to matter to the New Peace.

## Telecommunications

### 1NC---5G Advantage

#### US already has 5G leadership.

Woo 21, Wall Street Journal reporter. (Stu, 5-26-2021, "The U.S. Is Back in the 5G Game", *WSJ*, <https://www.wsj.com/articles/us-5g-companies-11621870061)---language> edited, brackets

The U.S. government has upended the $35 billion-a-year cellular-equipment industry, ushering in a new era of competition and giving U.S. companies a shot at re-entering a sector they vacated years ago. In the past five years, only China’s Huawei Technologies Co., Sweden’s Ericsson ERIC +0.24% AB and Finland’s Nokia Corp. NOK +4.30% captured more than a 20% share of revenue in the wireless-equipment market, according to Dell’Oro Group, a research firm. No other competitor consistently cracked even 10%. Now that landscape is changing. Pushed by Washington’s campaign to [undermine] cripple Huawei over cybersecurity concerns, countries representing more than 60% of the world’s cellular-equipment market are considering or have already enacted restrictions against Huawei, says Dell’Oro Group. And to take advantage of that opening, the U.S. government—as well as governments in the U.K. and European Union—are considering financial support and other measures to boost domestic cellular-equipment makers trying to crack the three incumbents’ stranglehold on the market. The result is a newly competitive market that is reminiscent of the 1990s, when bygone industry giants such as Lucent, Motorola, Nortel, Siemens and Alcatel fought for a piece of a growing telecom-equipment pie. “It’s got a Wild West feel to it,” says Bill Plummer, a former Nokia and Huawei executive now working at JMA Wireless, a Syracuse, N.Y., 5G company. “We haven’t seen this since probably the eve of the dot-com bust—this dynamic and thriving competitive environment in wireless.” That new environment could benefit everyone—other than, of course, Huawei, Ericsson and Nokia. It will give a host of competitors a chance to win business that only a couple of years ago seemed out of reach. And the new competitive fervor should increase innovation and lower costs for wireless carriers, which could pass on savings—and the fruits of those innovations—to customers. American officials further say the new competitive landscape is crucial to U.S. efforts to counter China’s influence in developing 5G technology, the next generation of wireless technology that will serve as the building blocks for all sorts of future technologies—whether in robot-run factories, heart-rate monitors, or any number of industries and products. The country that dominates 5G will be well-positioned to lead the technology industry in terms of profits and talent in the years ahead.

#### AVs don’t solve warming — Unknowns, no transition, increased emissions, and regulations

Fanta ‘18

(Alexander Fanta is a foreign affairs journalist and has reported from across Europe and the US, tracking elections, migration and the Eurozone debt crisis @netzpolitik. “Self-driving cars won’t save us from the climate abyss” 3/12/18. https://netzpolitik.org/2018/self-driving-cars-wont-save-us-from-the-climate-abyss/)**AB**

Calculation with many unknowns The companies swat away ecological concerns: Autonomous driving is safe, clean and inexpensive for the consumer, they insist. In their correspondence with the Commission, representatives of Uber refer to a calculation done by US researchers. Their study assumes that the use of vehicles will be mostly shared. Bundled with other positive effects of autonomous cars, such as driving at a fuel-optimal speed, the technology is set to dramatically reduce energy consumption. However, there are many unknowns. It is still unclear how quickly electric cars become dominant and how clean they really are. As environmentalists note, electric cars are not climate-neutral considering their CO2 emissions from production and power generation. An electric vehicle of the Tesla Model S type with a 100 kWh battery has a CO2 footprint comparable to that of a small petrol car, says traffic expert Le Petit in Brussels. Car companies switch to stubborn It is also still uncertain whose vision of autonomous driving will prevail. There are two completely different concepts among would-be market leaders. Driving services such as Uber and Google’s Waymo bet on fully autonomous taxis and shared mobility. Traditional car companies don’t think much of that. „Ford’s not planning on a future where it doesn’t sell more cars“, CEO Jim Hackett recently said. Although Ford might offer ride-sharing in cities, it wants to continue to sell cars for personal use. However, only shared mobility will be sustainable in the long run. Researchers believe that autonomous taxi services can reduce the demand for cars in the future. But how long will the transition period be? According to forecasts, we have at best one or two decades to take effective measures against catastrophic global warming. The NGO Transport Environment states in a recent report that emissions from transport in Europe must be reduced by at least 60 percent by 2030 if the Paris climate targets are to be met. So time is of the essence. Meanwhile, companies sell cars. Driving in circles Some studies suggest self-driving cars could actually increase traffic in the medium term. A Boston-based study concluded that autonomous taxis in cities are likely to hurt public transport and worsen congestion. A German researcher has similar concerns. „Old people, for example, will again dare to travel long distances by car,“ says Tilman Bracher of the German Institute of Urban Affairs. In the future, drivers will no longer have to be able to drive, whereas today at least one third of the population is too young to drive or does not have a driving license. The spread of autonomous cars could hurt transport infrastructure. „If autonomous cars are allowed to drive without a quota, public transport will certainly be cannibalised“, says Bracher. Individual journeys must therefore be limited by tolls and other means. Meanwhile, autonomous driving raises urban planning challenges. In test runs, the technology works well where cars are separated from the rest of traffic. This may be easy in US suburbs, but how does it work in the maze of alleys in European city centres? It is possible that autonomous cars will push to convert our cities along American lines – cities made for cars. The struggle for regulation Legislators already have set their sights on self-driving technology. In Brussels, the issue has been on the political agenda since 2015. The Commission has since supported research into autonomous driving and digitalisation of transport. Many questions remain unanswered, but the EU Commission plans to set the first technical standards by summer 2019. Further steps are in preparation. The EU Parliament plans to adopt a report on autonomous driving in January. The paper has no legislative weight, but it sets the direction for the coming years. It states that the EU must „encourage and develop autonomous mobility“. Environmental issues are mentioned only in passing, the word climate not at all. The paper only touches on other big questions: road safety of autonomous vehicles, data protection and IT security, but also the social impact of radical change. After all, autonomous cars could make thousands of taxi drivers and professional drivers in Europe redundant.

#### No climate impact

**Cass 17**. (Oren Cass – B.A. in political economy from Williams College and a J.D. from Harvard Law School, senior fellow at the Manhattan Institute. “How to Worry about Climate Change,” National Affairs. Winter 2017. DOA: 4/22/19. <http://www.nationalaffairs.com/publications/detail/how-to-worry-about-climate-change>)

Even focusing within that range, estimates for the expected environmental impacts of warming vary widely. The IPCC represents the gold standard for synthesizing scientific estimates, and, crucially, its best guesses bear little resemblance to the apocalyptic predictions often repeated by activists and politicians. For instance, the IPCC estimates that sea levels have risen by half a foot over the past century and will rise by another two feet over the current century. At the high end of the 3-to-4-degree range, it reports the impact on ecosystems will be no worse than that of the land-use changes to which human civilization already subjects the natural world. The responsibility for translating these and other disruptions into economic costs falls to Integrated Assessment Models (IAMs). To create its "Social Cost of Carbon," the Obama administration surveyed this economic literature and focused specifically on three models whose forecasts themselves vary widely, even starting from a common level of warming. For warming of 3 to 4 degrees Celsius by 2100, the middle of the three models estimates an annual cost of 1% to 3% of GDP. The low case estimates 0 to 1%. The high case estimates 2% to 4%. While 4% is a large dollar amount, arriving at that impact over nearly 100 years implies almost imperceptibly small changes in economic growth. The specifics of this high-case model are informative: The Dynamic Integrated model of Climate and the Economy (known as the DICE model) developed by William Nordhaus at Yale University estimates 3.8 degrees Celsius of warming by 2100 costing an associated 3.9% of GDP in that year. But over time, this cost is the equivalent of slowing economic growth by less than one-tenth of one percentage point annually. By 2100, regardless of climate change, the world is more than six times wealthier than in 2015 under this model; global GDP is $500 trillion. The effect of climate change is to reduce that gain from a multiple of 6.7 to a multiple of 6.5. The economy also continues to grow, so that the climate-change-afflicted world of 2105 is already much wealthier than a world of 2100 facing no climate change at all. Such estimates might seem counterintuitively low, especially given the rhetoric often employed. Part of the explanation lies in the almost incomprehensible economic progress that human civilization is capable of making over the course of a century. The annual cost identified by Nordhaus in 2100 is $20 trillion — massive by the standards of 2015, manageable by the standards of 2100. Further, that cost repeats every year even as the impacts are spread over many years. Thus, over the 2090 to 2110 time period, Nordhaus envisions the world spending a stunning $350 trillion to cope with climate change. One might despair over what else such resources might accomplish over that time period. But one must also recognize that the economy of 2100 will likely be able to allocate those resources toward climate change while also allocating to every other facet of society far more resources than are available today. Corroborating these models, the IPCC concludes that "for most economic sectors, the impacts of drivers such as changes in population, age structure, income, technology, relative prices, lifestyle, regulation, and governance are projected to be large relative to the impacts of climate change." In other words, other worrying problems have a far greater capacity to influence progress. None of this means the dislocations from climate change would be painless or the disruptions cheap. It is merely to observe that the impacts expected from climate change over the next hundred years look similar to those through which both civilization and our planet have successfully muddled over the past hundred and continue to struggle with today. Other worrying problems have their own anticipated but less-severe analogs, too. Whether a global pandemic strikes, epidemics will inevitably occur like the 2014 Ebola outbreak in West Africa that claimed more than 10,000 lives and cost the three countries at its center more than a tenth of their GDP. Whether artificial intelligence makes humans superfluous, self-driving vehicles could throw millions out of work in the years to come. Some countries will default on their debt; some business cycles will spawn deep global recessions. These challenges are not existential threats or even ones that require analysis outside the standard policy process — that is, they are not really worrying problems at all. EXTREME CASES If expected climate change represents the most likely outcome, extreme climate change represents the worst case: Models could be underestimating the warming that emissions will cause; feedback loops could send a 3-degree increase suddenly careening higher; or even at the expected level the climate could hit a tripwire that collapses global ecosystems or ocean currents or ice sheets or some other prerequisite of modern civilization. Any of these things may be true — as is the nature of genuinely forecasted challenges, they are mostly non-falsifiable. But while extreme climate change is a quintessentially worrying problem, it is also one that has no guarantee or even likelihood of occurring. Certainly, the "scientific consensus" or even the "scientific mainstream" on climate change does not extend to confidence in such scenarios. To compare extreme climate change with other worrying problems, it is helpful to consider the dimensions that make a problem "worrying": that it is forecasted, irreversible, and pervasive. On all three, climate change appears less worrying than most. Consider, first, the magnitude of the forecasted impact. Many worrying problems

[Marked]

feature the credible prospect of killing a significant share of the human population or erasing modern civilization. Not extreme climate change. For instance, even considering higher temperature increases, the IPCC concludes that: Global climate change risks are high to very high with global mean temperature increase of 4°C or more above preindustrial levels in all reasons for concern, and include severe and widespread impacts on unique and threatened systems, substantial species extinction, large risks to global and regional food security, and the combination of high temperature and humidity compromising normal human activities, including growing food or working outdoors in some areas for parts of the year. Obviously, each of those effects would entail enormous economic costs, carry severe consequences for entire nations, and wreak havoc with the natural environment. But as a worst case, it nevertheless pales in comparison to catastrophes that might kill a significant share of the human population or erase the basic physical and economic infrastructure of modern civilization. Serious efforts to quantify existential threats concur. A 2016 report by the Global Priorities Project at Oxford offered as its example of a worst case that climate change could "render most of the tropics substantially less habitable than at present," as compared to hundreds of millions or billions of deaths associated with other challenges. Another Oxford study from 2008 asked conference participants to estimate the probability of various global catastrophes leading to human extinction in the coming century, and did not even see fit to include climate change as an option, while respondents gave molecular nanotechnology, super-intelligent artificial intelligence, and an engineered pandemic each at least a 2% chance of erasing humanity by 2100. Some analysts nonetheless place climate change among humanity's genuinely existential threats on the basis of its "fat tail," arguing that some unknowable but non-zero chance exists at the far-right end of the probability distribution for an outcome with essentially infinite cost. But this is true of all worrying problems — indeed, the characteristics of worrying problems might be viewed as those that generate such unknowable non-zero probabilities. Climate change cannot be distinguished from other worrying problems on that basis. Rather, the argument begs the question: What characteristics of climate change make its tail relatively fatter or thinner? The weight accorded to a worrying problem's forecasted effects depends greatly on the number of causal steps between the underlying phenomena and worst-case outcomes. Where fewer steps are necessary, or where steps are relatively more likely to occur, the probability of the worst case arising should increase. For instance, whether an engineered pandemic devastates humanity depends on development of the necessary technology (highly likely), its use by a malicious actor (indeterminate), and its spread defying efforts at containment (indeterminate). Generally speaking, technological threats will have the shortest chains while sociological threats will have the longest ones. Climate change would appear to sit somewhere in between. It has a very short chain to some impact — indeed, higher atmospheric concentrations of carbon dioxide are already having effects. But the connection from warmer temperatures to civilizational catastrophe is highly attenuated. The initial warming must cross thresholds that produce feedback loops. The ensuing warmth must produce environmental effects that cause unprecedented crises across societies. Those crises must in turn overwhelm the coping capacity of the entire global community, which must in turn produce wide-scale breakdowns in social order or trigger military conflict, which must in turn metastasize into...what? Certainly, one can invent a scenario. But the specifics quickly become hazy, and a worst case entirely outside of human experience difficult to articulate.

# 2NC

## K

**The aff’s basis in scenario planning is rooted in corporation’s extraction for profit by predicting and controlling possible outcomes, their model of analysis codifies existing relations and justifies military intervention.**

**Keeling 19** (Kara Keeling is an Associate Professor at the University of Southern California in the Critical Studies of Cinematic Arts and in the Department of American Studies and Ethnicity, “Queer Times, Black Futures,” *New York University Press*)

The mothership can’t save you so your ass is gonna get left. —Erykah Badu, “On and On” The future is “terra incognita”: although we may be able to guess the outcome of events that lie close to us, as we project beyond this we enter an unmapped zone full of uncertainty. **Paradoxically, the range of options this reveals can seem paralysing. No one can definitively map the future, but we can explore the possibilities in** ways that are specifically intended to support decision-making. At Shell we use scenario building to help us wrestle with the developments and aviours that shape what **the future** may hold and prepare ourselves more effectively. We also believe it can inspire individuals and organisations to play a more active role in shaping a better future—for themselves, or even on a global scale. In this book, we use a metaphor of exploration and map-making to describe how we think about building scenarios. Like a set of maps describing different aspects of a landscape, scenarios provide us with a range of perspectives on what might happen, helping us to navigate more successfully. Exploration—of a territory or the future—involves both analytical thinking rooted in whatever facts are clear, and also informed intuition. —Shell International BV, “Shell Scenarios: An Explorer’s Guide” Imagine that a man hails a taxi and instructs the driver to take him to a sustainable energy future. The taxi driver punches “sustainable energy” into the car’s GPS and steps on the gas pedal. Glancing at his passenger in the rearview mirror, the driver asks, “Do you believe in aliens?” For the rest of the ride, the taxi driver tells a tale of outer-space creatures who have been watching human development on earth. They notice that human actions have rendered the earth’s ecosystem increasingly tenuous and unsustainable and have depleted its energy supply. Speculating about the earth’s future and the potential of earthlings to participate in an intergalactic community, the space aliens in the driver’s tale determine that humans are “a bit too haphazard” to be “invited up to the intergalactic party.” The driver asserts, “We need to get better at seeing the bigger picture. We need to face the energy challenge.” He continues by explaining that, from his present vantage point, one of two likely futures will become manifest. The first is characterized by a disorganized and unsustainable “scramble” for resources, with governments prioritizing the day-to-day and delaying the big decisions necessary for long-term energy sustainability in an unceasing game of catch-up focused on producing more and more energy. The other entails the innovation of a cooperative “blueprint,” created by people all over the world taking action, agitating for their governments to change laws, imagining new paths for sustainable living, and working in harmony with the planet while “we all continue to profit and grow.” Clearly, the **cooperative “blueprint” is the better plan for the future that the “we” invoked here desire; and, according to the taxi driver, it would earn humans an invitation to the** aforementioned **intergalactic party.** This narrative is offered in an animated YouTube video produced by the future scenarios team at Royal Dutch Shell plc (aka Shell).1 “Join the Taxi Ride to a Sustainable Future” illustrates the multinational gas and oil company’s recent efforts to “look into the future” with their “Shell Energy Scenarios to 2050” project. A pioneer in the development of corporate **“future scenarios,” Shell’s investment in “the future”** involves forecasting into and speculating about that future in order to maximize their profits. It is an investment in maintaining its present status as a profitable multinational corporation. Attending to how and why they produce knowledge about that future offers insights into the temporality that sustains present relations. Royal Dutch Shell’s website not only showcases a set of future scenarios reports; it also includes documents that explain the process of producing scenarios and the benefits to corporations of doing so. According to the introduction to “People and Connections: Global Scenarios to 2020,” scenarios are “a tool for helping managers plan for . . . different possible futures.” They are “alternative stories of how the world may develop,” which “help us understand the limitations of our ‘mental maps’ of the world—and to think the unthinkable, anticipate the unknowable, and utilise both to make better strategic decisions.”2 The future scenarios offered in the 2050 project—“Scramble” and “Blueprints”—draw from the available quantitative and qualitative data that Royal Dutch Shell deems relevant to its present decision-making. Based on the literature accompanying the scenarios, including the ninety-eight-page publication “Scenarios: An Explorer’s Guide,” these speculative fictions inform decision-making aimed to maximize the corporation’s profits and ensure its survival. Contestations over “the future” and “futurity” have been central to formulations of time throughout the twentieth century and into the twenty-first: from the scientific inquiries into the relations of space and time carried out by physicists such as Neils Bohr, Albert Einstein, and others; to the theorizations of time offered by philosophers and artists such as Henri Bergson, Martin Heidegger, and Aimé Césaire (which often contradict those advanced by physicists); to the theories of modernity offered by political theorists; to the rise of financial derivatives as part of a shift away from the gold standard; and to the ways that film and other technologies have transformed lived experiences of temporality. Thus, the strategies and assumptions that inform Royal Dutch Shell’s futures scenarios are antagonistic to those that animate Queer Times, Black Futures, which centers some of the cultural logics of Afrofuturism. In 1994, Mark Dery tentatively defined Afrofuturism as “speculative fiction that treats African-American themes and addresses African-American concerns in the context of twentieth-century technoculture—and more generally, African American signification that appropriates images of technology and a prosthetically enhanced future.”3 Over the past ten years, an explosion of interest in Afrofuturism has transformed the category itself, pushing its cultural logics and political investments into the twenty-first century. Currently, Afrofuturism is a rich and growing area of critical inquiry and cultural production, which includes film and other visual cultural forms, literature, critical scholarship, and audio culture. Its early definition, which influential scholar Alondra Nelson, among others, credited to Dery, has been revised and debated. Recently, Ytasha L. Womack offered the following definition in her book Afrofuturism: The World of Black Sci-Fi and Fantasy Culture: “Afrofuturism is an intersection of imagination, technology, the future, and liberation.”4 One of the aims of Queer Times, Black Futures is to interrogate these four constitutive elements of Afrofuturism—imagination, technology, the future, and liberation—within the context of finance capital’s stances toward (and investments in) the future. Queer Times, Black Futures considers the implications of scholarly, artistic, and popular investments in the promises and pitfalls of imagination, technology, futurity, and liberation that have persisted in Euro-American culture since the beginning of the twentieth century. The Afrofuturisms of interest to Queer Times, Black Futures consist of cultural forms and logics through which creative engagements with Black existence, technology, space, and time might be accessed and analyzed. Their conceptualizations of futures differ from those through which Royal Dutch Shell and other transnational corporations like it aim to ensure their existence. The corporate use of scenarios to support profitable decision-making affirms Kodwo Eshun’s claim in his essay “Further Considerations on Afrofuturism” that “science fiction is now a research and development department **within a futures industry that dreams of the prediction and control of tomorrow.”**5 Eshun continues: **Corporate business seeks to manage the unknown through decisions based on scenarios**, while civil society responds to future shock through habits formatted by science fiction. Science fiction operates through the power of falsification, the drive to rewrite reality, and the will to deny plausibility, while the scenario operates through the **control and prediction of plausible alternative tomorrows.**6 For Eshun, the difference between the future scenarios produced through science fiction and speculative fiction genres and those produced by the interdisciplinary teams assembled by multinational corporations resides in the stance each takes toward the present. Science and speculative fiction writers often produce future scenarios that the range of data available today would deem impossible, or that fly in the face of reality and plausibility. **Multinational corporations, conversely, produce “credible, relevant, and challenging alternative stories” that help managers make long-term decisions rooted in present realities.**7 By combining “different fields of knowledge and ways of knowing,” corporate scenarios seek to ward off what John Maynard Keynes referred to as “uncertainty,” and thereby mitigate the vulnerability and risks of unanticipated events caused by blind spots, at least some of which, as I discuss below, the Shell scenarios team attribute to the epistemological limitations of disciplinary knowledge.8 Royal Dutch Shell’s existence is predicated on a system of racial capitalism that thrives on the dispossession and exploitation of Black people, Indigenous peoples (some of whom describe themselves as “Black”), and people of color. A future in which Royal Dutch Shell would continue to exist as such forecloses upon a future in which those groups of living beings we currently can identify as “Black people” and/or Indigenous peoples, have the resources to enjoy a sustainable and joyful existence on this planet. In order to grasp the significance of Shell’s speculative fictions about the future, it is helpful to have a sense of its history, including the environmental and human costs of its “strategic decisions.” Royal Dutch Shell was formed in 1907 after a merger between the British Shell and the Royal Dutch companies. Shell began as a venture between Marcus Samuel and his brother Samuel Samuel to control the oil trade in East Asia; it was formally launched in 1897 as the Shell Transport and Trading Company Limited.9 Royal Dutch was founded in 1890 by a Dutchman named Aeilko Jans Zijlker, who, as a manager of the East Sumatra Tobacco Company in the Dutch East Indies, found oil in northeast Sumatra in 1880 and convinced the Dutch authorities to support his efforts to extract it and bring it to market.10 While Zijlker founded Royal Dutch, it was Henri Deterding, another Dutchman, who later made it a profitable enterprise. Shell began operating in the United States in 1912 and claimed worldwide operation one year later with its expansion to Venezuela. Venezuelan oil became an especially significant aspect of Shell’s holdings, and it “was with mostly Venezuelan oils that the Allies fought the Second World War” on the European continent.11 The arrangement depended upon the oil company’s good relationship with Venezuela’s president at the time, a fascist dictator named Juan Vicente Gómez.12 Although the Royal Dutch/Shell Group (as it was then known) helped the Allies during World War II, even offering their dual headquarters in England and the Netherlands (which remained neutral during the war) to bolster the Allies’ war efforts, Deterding made no secret of his admiration for fascist dictators. He idolized Italy’s Mussolini and backed Spain’s Franco and Germany’s Hitler. Deterding reportedly offered to cooperate with Hitler, a decision that ultimately led to his ousting from his long-time leadership position.13 The history of Royal Dutch/Shell underscores the distance between the company’s stated purpose with its futures scenarios and the reality of how their profit-driven activities have impacted the peoples and ecologies they use in the name of ensuring the future of Shell Oil. The history of Shell’s flirtation and collaboration with fascist dictators is sediment within the present relations that sustain the oil giant’s profitability. These dealings contributed to Shell becoming one of the most profitable oil companies in the world after World War II. By the 1950s and 1960s, when post–World War II “economic growth throughout the industrial world was powered by cheap oil,” Europe was “the most competitive market in the world,” and “Shell was the leading European marketer.”14 During that time, Shell’s explorers found oil in Nigeria after a roughly fifteenyear search and set up an operation to extract it. The infamous events that followed reveal the extent to which Shell’s existence is predicated upon its ability to exploit land, lives, and labor. The future scenarios initiative at Shell began in 1970, **when Shell was causing** overwhelming **ecological destruction in the Niger Delta and perpetuating violence** against the Ogoni people who live there. Key staff on **Shell’s scenarios team explain** in a short video available on Shell’s website **that in the 1970s, they predicted “volatility in the world would rise”** as a possible result of the decision by Iran, Iraq, Kuwait, Saudi Arabia, Venezuela to form OPEC (the Organization of the Petroleum Exporting Countries) in 1960.15 Their speculation about a possible future **that came to pass enabled them to prepare for the** volatility ahead of time and thereby minimize its negative effects on their **operations. But the future scenarios did not prevent them from extracting resources** from the Niger Delta. Royal Dutch Shell’s operations in Nigeria demonstrate one example of how the company’s industrial practices have harmed the planet’s ecosystem across the world, especially on Black and other Indigenous people’s lands. Some of Shell’s “strategic decisions” over time have threatened the survival of both the land from which Shell extracts its oil and those who live on it. By 1995, the Ogoni people had organized themselves to use nonviolent means to achieve justice. One of the most visible and outspoken Ogoni leaders was writer, journalist, and leader of the Movement for the Survival of Ogoni People (MOSOP), Ken Saro-Wiwa. About MOSOP’s beliefs and motivations, Saro- Wiwa explained: MOSOP was intent on breaking new ground in the struggle for democracy and political, economic, social and environmental rights in Africa. We believe that mass-based, disciplined organizations can successfully revitalize moribund societies, and that relying upon their ancient values, mores, and cultures, such societies can successfully reestablish themselves as self-reliant communities and at the same time successfully and peacefully challenge tyrannical governments.16 MOSOP’s effective nonviolent campaign drew international attention in the early 1990s. In 1990, Saro-Wiwa wrote the first draft of the Ogoni bill of rights. As Bronwen Manby describes: “In October 1990, MOSOP sent the Ogoni Bill of Rights to then–military head of state General Ibrahim Babangida, but received no response. In December 1992, MOSOP sent its demands to Shell, Chevron, and NNPC [Nigerian National Petroleum Corporation], together with an ultimatum that they pay back royalties and compensation within 30 days or quit Ogoniland.”17 By 1993, citing intimidation and attacks on its staff, Shell’s operations in Ogoniland were suspended, and state-sponsored and extra-legal violence had been unleashed to stop MOSOP’s nonviolent protests of Shell Oil’s activities in the Ogoni area, which resulted in the deaths of “hundreds of unarmed Ogoni men, women, and children.”18 After several previous detentions, Saro-Wiwa and other members of MOSOP were forced into a detention center in Port Harcourt in 1993. Writing from there, Saro-Wiwa claimed that Shell was sponsoring the violent attacks against MOSOP. To this day, Shell denies any involvement. On November 10, 1995, after a trial that has been widely criticized as unfair, Saro-Wiwa and his eight codefendants were hanged in Port Harcourt Prison. Shell Oil condemned the executions. In 2009, “before the start of a trial in New York that was expected to reveal extensive details of Shell’s activities in the Niger Delta,” Shell settled with Saro-Wiwa’s son, Ken Saro-Wiwa Jr., for $15.5 million dollars, claiming that it was a humanitarian gesture.19 As of August 2018, Shell Oil is worth US$306.5 billion,20 and the company has been widely regarded as a leader in “corporate responsibility.”21 Yet, in 2004, Shell rocked the global financial market when it admitted that it had been overestimating its oil reserves by “2.1 billion barrels in Nigeria and Oman, 1.2 billion in Australia and Kazakhstan and 0.6 billion in other fields around the world.”22 Some commentators and observers placed partial blame for the deception on the company’s massive bureaucratic structure.23 The decision to overstate the reserves by 41 percent was attributed to the leadership at the time, and led to the replacement of three senior executives.24 Under international pressure from activists and humanitarians after the execution of “the Ogoni nine,” Shell conducted an internal review and updated its business principals to include “specific references to human rights.”25 In their first social responsibility report, published in 1998, the company stated: “We engage in discussion on human rights issues when making business decisions. We have established a regular dialogue with groups which defend human rights.”26 Yet, Royal Dutch Shell’s present existence has clearly depended upon their ability to wreak havoc on, if not destroy, the living conditions of those who inhabit the lands from which Shell extracts its profitable oil. “Corporate responsibility” is another calculation to increase profit since Shell by no means plans to redistribute its wealth to account for the history that made it the one of the richest companies in the world. Under these circumstances, any likely future for Shell justifies the violences it has inflicted. **The scenarios it predicts for the future,** therefore, embed these violences and obfuscate present **possibilities for redressing and preventing them.** Moreover, Shell’s futures assume that Shell will continue to extract whatever resources it needs. **Presently, Shell’s interest in futures and future scenarios evidences its investment in its survival as a corporate entity**. While the taxi driver’s tale blames government policies, Shell Oil’s own survival also jeopardizes the survival of the planet and all living things insofar as its profits continue to depend upon the exploitation and appropriation of land and living labor. Since Shell Oil’s future scenarios are of course designed to speculate on futures wherein the company will continue to generate profits, they do not include situations in which Shell Oil itself no longer exists, is rendered obsolete, or has redistributed its wealth. As such, Royal Dutch **Shell’s continued existence** (since its inception in the late 1800s**) can be understood as part of the longue durée of a modernity that**, as I will discuss later in this introduction, was inaugurated by the colonization of the so-called New World**, the attendant enclosure of land, and the transatlantic slave trade.** Their future scenarios are part of a knowledge project that has been calibrated to reproduce existing relations.

**cybernetic capitalism is terminally unsustainable – automation, cyclical shock, and inequality make social unrest inevitable and stifle innovation – turns all their cap good warrants – the only option forward is to remain deluded by the promise of capitalism’s perpetuity or to take the plunge**

**Dyer-Witheford 16** (Nick Dyer-Witheford; Associate Professor in the Faculty of Information and Media Studies, University of Western Ontario. "Cybernetics and the Making of a Global Proletariat" *The Political Economy of Communication* (Volume: 4 issue: 1)*,* 2016, http://www.polecom.org/index.php/polecom/article/view/63/253, pgs. 35-65)

Some seven years after the onset of the great recession the immediate high tide of revolt had ebbed. Global economic recovery was uneven and fitful. The extreme levels of unemployment widespread at the height of the crisis slowly subsided in some areas, including the US, though hardly at all in others. Under-employment and insecurity, or precarity, continued almost everywhere: a 2013 Gallup Poll investigation, based on 136,000 interviews in 136 countries shows that only one in four adults worldwide, or roughly 1.3 billion people, worked full time (defined as 30 or more hours a week) for an employer. The percentage of full time jobs varied from 43 percent in North America to 19 percent in the Middle East and North Africa and 11 percent in Sub-Saharan Africa. In all of these regions, much part time work was involuntary (Clifton and Ryan, 2014). Class divisions continued to intensify. As the Economist (2011a) observed: Globally, the rise of many people out of poverty has reduced income inequality, though many people in informal and illegal work have not benefited. But within most countries inequality . . . has increased in recent decades. In most countries inequality seems bound to keep growing. In North America and Europe, austerity regimes continued to press down on wages, public service workers and welfare provisions. Debt crises persisted from Greece to Puerto Rico. Capital’s accumulation and ejection of proletarians proceeded at yet higher cybernetic intensities, often in ways spurred by the revolt. Following the Foxconn worker suicides, Terry Gou, chief executive of the company, announced a plan to “hire” one million robots. As the Economist (2011b) observed “[r]obots are easier to manage”; they “don’t complain. Or demand higher wages, or kill themselves”. Gou’s plan has faced difficulties, but as wage rates rose Chinese companies more generally started to automate intensively (Durfee, 2012). US corporations, faced with rising off-shore labor costs, planned on ‘repatriating’ jobs, to be performed by new adept robot systems drawing on military research from the 9/11 wars (Markoff, 2012). At the same time, a new wave of algorithmic expert systems threatened not only routinized jobs, such as those of call centre operatives, but also the ‘white collar’ tasks of pharmacists, legal professionals, laboratory technicians and journalists, previously considered immune to automation (Steiner, 2012; Brynjolfsson and McAfee, 2014). Meanwhile, cybernetic capital continued globally scoping-out and scooping-in cheapened labor power. Supply chains were rendered yet more sinuous and scale-able by crowdsourcing and by using software to “carve a given task into microscopically small pieces” for digital execution at minimal Dyer-Witheford 51 skill levels (Stross, 2010). Such techniques were extended to the huge labor pools of low-income countries via mobile phone to become the new horizon of cybernetic piece work. In the advanced zones, Silicon Valley enterprises push to break down employment in regulated industries into software-coordinated micro-businesses through ventures such as Uber and Air B&B. Coming in the wake of the 2008 crisis, these activities were characteristically dressed with a revolutionary rhetoric of freedom, cooperation, and equalitarianism, promising ‘user empowerment’, ‘digital socialism’ or a ‘sharing economy’. Meanwhile their underlying reality was the lowering of wages, unmonitored work conditions and more precarity (Morozov, 2015). The high frontier of cybernetic innovation continued in a financial sector now run in almost human-free mode by algorithmic high frequency trading (HFT) programs operating near light speed (Seymour, 2011; Patterson, 2012; Toscano, 2013). The most dramatic demonstration of this activity came in the algorithmically induced “Flash Crash” of May 6, 2010. The Dow Jones Industrial Average fell 600 points in five minutes, the biggest one-day decline in its history. High frequency trading (HFT) is considered most advanced in derivatives markets. Their size is extremely difficult to measure, but is almost certainly now larger than before the 2008 crash and may be as much as 14 times bigger than world annual GDP (Sivy, 2013; Economist, 2013b). From capital’s point of view, this scale of operations inverts the conventional distinction between ‘real’ and ‘fictitious’ economies. The brief global synchronization of struggles apparent in the digital cascade of 2011 had broken up. On a more regional and national basis, however, experiments in political recomposition, including cybernetic re-appropriations, continued. In North America the impetus of Occupy, including its digital tactics, flowed into initiatives such as: the collective eco-disaster relief of Occupy Sandy; a student debt-strike; living wage campaigns; campus strikes by teaching assistants and contract instructors; and unionization drives in digital industries. In Ferguson, Baltimore and elsewhere, uprisings against the violence of racist policing were riots of the excluded driven by digital surveillance, live streaming of demonstrations, and social media solidarities including the broader protest forms of Black Lives Matter. Networks of alternative news and online publications provided a diaphanous connection amongst all these outbreaks, and social forum and common front projects attempted to knit them more closely together. However, they faced intractable problems of crosssegmentary cooperation and coordination. The collective weapon of synthesizing occupations, assemblies, strikes, blockades, and hacktivism around a core of common goals seemed at once very necessary, tantalizing close but as yet unrealizable An answer to these problems seemed to some to be promised by the revival of electoral antiausterity politics in Europe, with the emergence of new parliamentary parties such as Syriza in Greece and Podemos in Spain. These parties were created by activists from the 2011 cycle of struggle. Podemos in particular adapted the digital techniques of assembly movements to the building of a more durable organization, for example through the creation of digital ‘circles’ as organizational components (Tenhunen and Rodriguez, 2014). These initiatives raised many hopes amongst those disappointed by short-lived occupation movements. However, the capitulation inflicted on Syriza in its 2015 negotiations with Euro-bankers showed the limits of reformist strategies. To make real gains such electoral efforts would require radical militant base organization capable of propelling them to rupture with capital’s elites and sustaining the consequent social conflict.

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#### It’s the only shot at unique link

Crane 7 Daniel A. Crane is Assistant Professor, Benjamin N. Cardozo School of Law, Yeshiva University, Rules Versus Standards in Antitrust Adjudication, 64 Wash. & Lee L. Rev. 49 (2007), https://scholarlycommons.law.wlu.edu/wlulr/vol64/iss1/3

In recent years, there has been a marked transition away from rules and toward standards in collaborative conduct cases. This occurred in an obvious way beginning in the 1970s as the Burger and then Rehnquist courts overruled Warren court precedents that had condemned a variety of business agreements as per se illegal. As common business practices such as vertical territorial allocations, 37 maximum resale price setting, 38 expulsions of members from industry associations, 39 and manufacturer acquiescence in a retailer's demand to terminate a competing retailer that was deviating from the manufacturer's MSRP40 went from the per se rule to the rule of reason, the domain of rules shrunk and the domain of standards grew. Significantly, the Court declined the Chicago School's call to move vertical restraints from per se illegality to per se legality. In State Oil, Justice O'Connor-who is also fond of balancing tests in constitutional law 4 -went out of her way to make clear that the Court was not holding "that all vertical maximum price fixing is per se lawful.' 42 Vertical restraints would still require scrutiny, but under the multi-factored rule of reason. The transition from rules to standards did not take place solely due to a juridical shift of particular business practices from one category to another. Instead, the entire judicial rhetoric of antitrust has moved in a more nuanced, standard-based direction over the past few decades. With few exceptions, 43 the courts have stopped creating new categories of per se illegal conduct, even though commercial circumstances and practices evolve over time and litigation frequently explores new areas of commercial behavior. Since the mid-1970s, the Supreme Court seems to have frozen the canon of per se illegal practices, without necessarily pushing all other behavior into rule of reason. Instead, arguably beginning with National Society of Professional Engineers v. FTC'4 in 1978, the Court adopted what later became known as the "quick look" approach. In subsequent cases like NCAA v. Board ofRegents45 and California 46 Dental Ass'n v. FTC, the Court described the quick look approach as involving an initial court determination, based on a "rudimentary understanding of economics, ' , 47 that the practice at issue has obvious anticompetitive effects, which puts the defendant to the burden of immediately putting forth a 48 procompetitive justification for the practice.

#### The rule of reason is used *in place of* a per se prohibition, as a *distinct alternative*

De Vita 81 (Daniel F. De Vita-St. John's University, J.D., 1982. “The Facial Unreasonableness Theory: Filling the Void Per Se and Rule of Reason” , St. John’s Law Review, Number 4 Volume 55, Summer 1981, Number 4, <https://scholarship.law.stjohns.edu/cgi/viewcontent.cgi?article=2357&context=lawreview> , date accessed 9/13/21)

The Sylvania case represents the first clear attempt by the Supreme Court to limit application of the per se rule. In Sylvania, the defendant television manufacturer used restrictive franchise agreements to limit the locations in which its products could be sold by retailers.130 Although these agreements clearly were illegal under Schwinn because the manufacturer tried to exercise control over its products after title and risk of loss had passed to the buyer, the Supreme Court refused to hold such conduct presumptively violative of section 1 of the Act. 31 Rejecting the Ninth Circuit's attempt to distinguish Schwinn,13 2 the Court reconsidered the applicability of the per se standard to vertical restraints. 33 Noting at the outset that the per se rule should apply only to "manifestly anticompetitive" conduct, the Court assessed the competitive effects of nonprice vertical restrictions.' Notwithstanding that such restrictions reduce intrabrand competition, the Court noted that they tend to increase interbrand competition.'3 5 Thus, because these practices do not have a "pernicious effect on competition,"'3' the Court declined to apply the per se label137[[FOOTNOTE 137 BEGINS]] 137 Id. at 58-59. The Court noted that Schwinn's "per se rule for sale transactions reflected the view that vertical restrictions are 'so obviously destructive' of intrabrand competition that their use would 'open the door to exclusivity of outlets."' Id. at 52. Conversely, the continued application of the rule of reason to nonsale transactions "reflected the view that [vertical restrictions] have too great a potential for the promotion of interbrand competition to justify complete prohibition." Id. at 53. Reviewing the rationale underlying the Schwinn decision, the Sylvania Court was unable to find support for the sale-nonsale distinction. Id. at 54, 56. The Court concluded that the distinction drawn in Schwinn between sale and nonsale transactions is not sufficient to justify the application of the per se rule in one situation and the rule of reason in another. Id. at 57. [[FOOTNOTE 137 ENDS]] and held that the rule of reason is the proper standard by which the legality of vertical restraints is to be determined.138

### AT: W/M—TL

#### They don’t meet — their ev says the standard is determined in the circumstances of each case — they determine whether or not it affects each SSO based on the exact circumstances of the case via rule of reason. [KU reads yellow]

1AC Melamed and Shapiro, 18 – A. Douglas Melamed is Professor of the Practice of Law at Stanford Law School. Carl Shapiro is Professor of Business Strategy at the University of California at Berkeley. “How Antitrust Law Can Make FRAND Commitments More Effective,” Yale Law Journal 127:2110, <https://www.yalelawjournal.org/pdf/MelamedShapiro_12wf7fof.pdf> -- Iowa

As always, antitrust law can and should be flexible and attentive to the specific factual circumstances of each case. The best set of rules governing FRAND commitments for one SSO might not be best for another. Experience in the marketplace and the creativity of SSOs and their members can best determine which measures are most effective and efficient in any given case. Because one size does not fit all when it comes to FRAND rules, antitrust law should welcome competition among SSOs to solve the problem of ex post opportunism by SEP holders. The role of antitrust law is not to prescribe how SSOs should solve this problem, but simply to require that they solve it to the extent reasonably possible. Fundamental antitrust principles require SSOs and their members to implement effective solutions that minimize ex post opportunism based on market power they create, to the extent they can do so without sacrificing the many benefits associated with standard setting.

#### creating time, place and manner restrictions on behavior are not restrictions—they establish standards

Adelide Law Rev 64 "Potato Marketing Act - Statutory Interpretation - Ultra Vires - Prohibition as Distinct from Regulation" [1964] AdelLawRw 9; (1964) 2(2) Adelaide Law Review 252 <http://classic.austlii.edu.au/au/journals/AdelLawRw/1964/9.html>

The theoretical extent of the term has been defined in previous cases, allthough actual decision on the validity of any particular measure as a regulation may be difficult, since the distinction which must be drawn between regulation and prohibition is a subtle one, essentially a matter of degree. All regulation involves some measure of prohibition; but where the effect of the prohibition is to preclude the subject-matter of regulation from coming into existence will it be invalid. The authoritative statement of the rule in this context is contained in the judgment of Dixon J. (as he then was) in Su;anhill Corporation v. brad bur^.^ "Prima facie a power to make by-laws regulating a subject matter does not extend to prohibiting it altogether, or subject to a dis cretionary licence or consent. By-laws made under such a power may prescribe time, place, manner and circumstance, and they may impose conditions, but under the prima facie meaning of the word they must stop short of preventing or suppressing the thing or conduct to be regulated."

### AT: C/i

#### Our interpretation is reasonable—making behaviors per se prohibited is possible in antitrust—courts have expanded the scope of per se bans

Kovacic 21 William E. Kovacic Global Competition Professor of Law and Policy, George Washington University Law School, *COLUMBIA BUSINESS LAW REVIEW* [Vol. 2021 “THE FUTURE ADAPTATION OF THE PER SE RULE OF ILLEGALITY IN U.S. ANTITRUST LAW”, Lexis/Nexis

Judicial interpretation of § 1 of the Sherman Act has categorically forbidden certain forms of behavior. The characterization of conduct as “illegal per se” has powerful consequences in the government’s prosecution of civil and criminal cases under the Sherman Act and in the litigation of private claims for treble damages. The legitimacy and rationality of the U.S. antitrust system depend heavily upon the care and skill with which courts determine whether conduct is appropriate for summary condemnation or warrants a fuller assessment of its actual or likely effects. These determinations take place in a dynamic environment that features continuing adjustments in learning, in economics and law, about the competitive significance of specific practices. In light of antitrust law’s changing intellectual context, courts over time have made important additions to and subtractions from the category of conduct deemed to be illegal per se. This Article considers the process by which courts previously have performed this process of adaptation—to discern whether challenged behavior deserves abbreviated or more elaborate analysis. The Article suggests measures that could improve the quality of judicial efforts to adapt the application of the rule of per se illegality in the future. Among other steps, the Article describes how public antitrust agencies can use various policy tools (including guidelines, rules, research, public consultations, amicus briefs, and the selection of cases) to inform judicial judgments about whether to characterize behavior as illegal per se.

## Harmonization

## Telecomms