# 1NC

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### 1NC — T

#### Prohibit means preclude

Supreme Court of Minnesota 99 (PAUL H. ANDERSON, Justice. Opinion in Gully v. Gully, 599 N.W.2d 814 (Minn. 1999). Google scholar caselaw. Date accessed 7/13/21).

The next issue, and possibly the most difficult issue to resolve, is whether the district court abused its discretion when it concluded that Fjerstad was precluded from bringing a motion for modification at an earlier time than she did. Minnesota Statutes § 518.64, subd. 2(d)(1) states that retroactive modification is appropriate only when "the party seeking modification was precluded from serving a motion" at an earlier time. We have not previously addressed the issue of preclusion in the context of child support statutes. The legislature has not provided a definition for the term in the statutes governing child support, and legislative history provides no assistance to our inquiry. Black's Law Dictionary defines the term as "[t]o prohibit or prevent from doing something; e.g. injunction." Black's Law Dictionary 1177 (6th ed.1990). The term "prohibit" is defined as "[t]o prevent," id. at 1212, and the term "prevent" is defined as "[t]o hinder, frustrate, prohibit, impede, or preclude; to obstruct; to intercept." Id. at 1188.

#### Anticompetitive business practices mean restriction of competition

Kagame et al 1 (The President of the Republic-Paul KAGAME. The Prime Minister-Bernard MAKUZA. The Minister for Finance and Economic Planning-Donald KABERUKA. The Minister of Public Works, Transport and Communications-Silas KAAMUGIRE. The Minister for Energy, Water and Natural Resources-BAHUDE MIVUMBI Marcel. The Minister of Commerce, Industry and Tourism-Dr. Alexandre LYAMBABAJE. “LAW °39/2001 OF 13/09/2001 ESTABLISHIG AGENCY FOR THE REGULATION OF CERTAIN PUBLIC UTILITIES.” , <https://www.rura.rw/fileadmin/laws/LawAgencyforRegul.pdf> , 9/13/2001, date accessed 8/26/21)

Anti-competitive practices refer to any agreements by providers of public utilities or decisions by associations of utility providers, or concerted practices which have as their object or effect, the prevention, restriction of competition in a given public utility sector based within the country.

#### The “core” antitrust laws are the Sherman Act, Clayton Act, and FTC Act—from the topic paper

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U.S. antitrust law is defined by federal and state statutes, as interpreted by the courts. The core federal statutes are the Sherman Act,1 passed by Congress in 1890, and the Federal Trade Commission2 and Clayton Acts,3 both passed in 1914. The United States Department of Justice (“DOJ”) and the Federal Trade Commission (“FTC” or “Commission”) (together the “agencies”) share enforcement of most areas of federal antitrust law but with some differences in the scope of their authority. The FTC has sole authority to enforce Section 5 of FTC Act, which prohibits (1) unfair methods of competition and (2) unfair or deceptive acts or practices. The FTC almost always pursues claims for anticompetitive conduct as unfair methods of competition and reserves charges of unfair or deceptive acts or practices for consumer protection violations. Though the FTC's authority to challenge unfair methods of competition goes beyond conduct prohibited by the Sherman and Clayton Acts, in practice the FTC brings most unfair methods of competition cases under the same standards that courts apply to Sherman Act claims. The most prominent exception is the invitation to collude offense, which falls outside the scope of the Sherman Act (if the invitation is not accepted, there is no agreement). The FTC challenges invitations to collude as so-called “standalone” violations of Section 5.4 The DOJ has sole authority to pursue criminal violations of the antitrust laws. Most states have their own state antitrust and unfair competition statutes. State law follows federal law to some extent, though as discussed below, may differ from federal law in meaningful ways that vary state to state. State attorneys general and private parties can also typically file suit to enforce both federal and state antitrust law.

#### Violation: The aff doesn’t prohibit anticompetitive business practices by the private sector.

#### Explodes limit — government action over anything

#### Destroys Ground — lose core topic disads and CPs

#### Voter for fairness and education

### 1NC — PIC

#### The USFG should formally legalize recreational cannabis cultivation and use and release and expunge the records of those convicted for cannabis-related reasons.

**\*The choice to use the word is part of a legacy of racialization**

**Greenslit 14**

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How Neuroscience Reinforces Racist Drug Policy

HEALTH / JUN 12, 2014, <http://www.theatlantic.com/health/archive/2014/06/how-bad-neuroscience-reinforces-racist-drug-policy/371378/>

Even the very word “marijuana”—a Mexican Spanish word—was a strategic choice on Anslinger's part. This word recast cannabis—already in the lexicon of physicians who for decades had been using its tinctures to treat pain and incontinence—as a specifically **ethnic plant**. The American Medical Association (AMA), which opposed the proposed tax, felt blindsided and duped by the 1937 hearings.¶ The AMA’s legal representative at the hearings, Dr. William Woodward, decried the language game in particular: “The term ‘marihuana’ is a mongrel word that has crept into this country over the Mexican border and has no general meaning, except as it relates to the use of Cannabis preparations for smoking. It is not recognized in medicine, and I might say that it is hardly recognized even in the Treasury Department.”

**\*This is not historic revisionism—At the time of passage of the original law professionals advocated using the word Cannabis instead**

**Martin & Rashidian 14**

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Google books

What is unclear is why the United States would declare one prohibition a failure and then choose to embark on another. Perhaps drug prohibition was considered dissimilar because it dealt with unfamiliar substances and, in minorities, unfamiliar targets. Temperance, while it had some racist roots (it was argued that alcohol turned a black man into a "beast" or a violent rapist), was primarily built on religious rhetoric meant to save whites from themselves.16 The new state and national drug laws, on the other hand, were framed as saving whites from minorities and righteously saving minorities from their own supposed lack of self-control. The narrative behind these early laws was that blacks, Mexicans, and Chinese were going mad, turning murderous, and luring whites with cocaine, "marihuana,"\* and opiates.1'¶ In addition to race, panic played into the misunderstanding around certain drugs. It's now known, for example, that cannabis doesn't turn people into murderous lunatics. Did people truly¶ believe that then and, if so, why.' Was it racism gone rampant, an irrational hysteria among the misinformed? Evidence suggests it was both.¶ Certainly, at the sensationalist height of yellow journalism, horror stories about "loco weed" proliferated. As early as 1901 the New York Times wrote that cannabis "sends its victims running amuck."18 In 1905, the Los Angeles Times reprinted an article that claimed cannabis made smokers' "brains dry up and they die, most of the time suddenly." A cannabis user in El Paso, Texas, killed a policeman.19 A California man decapitated his friend in a cannabis-induced craze. A young boy in Florida axed his parents and three siblings to death. On the streets of New Orleans, a man killed his wife while under the influence. Word from Colorado was that "Mexicans" were cultivating and selling "the weed" to "white school students" Floyd K. Baskette, city editor of the Alamosa Daily Courier in Colorado, wrote to the Federal Bureau of Narcotics about hundreds of "murders, rapes, petty crimes, insanity" that he linked to cannabis. "I wish I could show you what a small marihuana cigarete [sic] can do to one of our degenerate Spanish-speaking residents," Baskecte wrote. "That's why our problem is so great; the greatest percentage of our population is composed of Spanish-speaking persons, most of whom are low mentally, because of social and racial conditions."¶ Most of these tales about cannabis were brought to national attention by Harry J. Anslinger, who in 1930 became the first commissioner of the U.S. Treasury Department's Federal Bureau of Narcotics.20 If the story of cannabis prohibition were told in a comic book, Anslinger would be a formidable villain. Anslinger didn't investigate the panicked rumors. Instead, he became a federal megaphone for these accounts during his exaggerated and impassioned testimonies against the "killer weed." Already tasked with enforcing the Harrison Act, Anslinger pushed for similar legislation for cannabis.¶ The proposed law was closely modeled after the Harrison Act. Instead of prohibiting cannabis outright, HR 6385, better known as the Marihuana Tax Act of 1937, aimed to tax the plant out of existence.21 An annual tax of $50 was imposed on manufacturers, compounders, and importers; $15 for dealers; $25 for produc¬ers (growers); and $1 for researchers and medical professionals who sought to prescribe it. All of the above were required to register and file returns to "the collector of internal revenue." Additionally, the transfer of cannabis to a registered user required an additional $1 tax per ounce and transfer to a nonreg-istered user $100 per ounce. For perspective, fair market value of one ounce of cannabis was $1. Dealers had to self-incriminate and pay the taxman out of pocket to sell cannabis at a loss. The Marihuana Tax Act passed within a year of the release of the propaganda film Reefer Madness. The rationale behind the act as well as the mind-set of the time can be summed up by a statement Anslinger gave during hearings for the act: "The deleterious, even vicious, qualities of the drug render it highly dangerous to the mind and body upon which it operates to destroy the will, cause one to lose the power of connected thought, producing imaginary delectable situations and gradually weakening the physical powers. Its use frequently leads to insanity."¶ So began the wrongful banishment of cannabis. It may be tempting to excuse the missteps of the time with the reasoning that no one knew better. But Anslinger was presented with alternative views; he chose to ignore them. The American Medical Association's legislative counsel Dr. William C. Woodward, expressed particularly vocal opposition during hearings for the act. Importantly, he noted that using the term "marihuana" in the¶ name of the act, instead of the scientifically correct "cannabis," led to misconceptions. In his words, "It was the use of the term 'marihuana' rather than the use of the term 'Cannabis\* or the use of the term 'Indian hemp' that was responsible ... for the failure of the dealers in Indian hempseed to connect up this bill with their business until rather late in the day. So, if you will permit me, I shall use the word 'Cannabis,' and I should certainly suggest that if any legislation is enacted, the term used be 'Cannabis' and not the mongrel word 'marihuana.'" The word "marihuana" remained in the act—and therefore in American vernacular for decades to come, maintaining a stigma that "cannabis" did not carry.

**\*The shift to the word Cannabis is vital to remove the racialization**

**Harborside Health Center 13**

http://www.harborsidehealthcenter.com/the-M-word.html

We prefer to use the the word cannabis, because it is a respectful, scientific term that encompasses all the many different uses of the plant. The word "marijuana" is an emotional, **pejorative term** that has played a key role in creating the negative stigma that still tragically clings to cannabis. Most cannabis users recognize the "M word" as offensive, once they learn its history. ¶ The term started off life as a Mexican folk name for cannabis, but was first popularized in the US by the notorious yellow press publisher, William Randolph Hearst. Hearst was a racist, as well as being committed to the prohibition of cannabis, which threatened his timber investments. He used his control of hundreds of newspapers to orchestrate a vicious propaganda campaign against cannabis, which featured lurid (and false) stories about black and brown men committing outrageous acts of murder and mayhem. That campaign played on then-predominantly racist public opinion to make cannabis illegal at the federal level in 1937. Since then, the M word has come to be associated with the idea that cannabis is a dangerous and addictive intoxicant-- and thereby helped continue the prohibition of cannabis.¶ ¶ **Language is important** because it defines our ideas. Words have a power that transcends their formal meaning. When we **change words**, we can also change the thoughts that underlie them. By changing the words we use to describe cannabis, we can help our fellow citizens understand the truth about it, and see through the decades of propaganda. That understanding will convert cannabis opponents into supporters, and bring closer the day when all our prisoners go free, and nobody else is ever again arrested for cannabis.

**You should reject every instance of racism—it’s a D-Rule**

**Memmi 2K**

(Albert, Professor Emeritus of Sociology @ U of Paris, Naiteire, Racism, Translated by Steve Martinot, p. 163-165)

The struggle against racism will be long, difficult, without intermission, without remission, probably never achieved. Yet, for this very reason, it is a struggle to be undertaken without surcease and without concessions. One cannot be indulgent toward racism; one must not even let the monster in the house, especially not in a mask. To give it merely a foothold means to augment the bestial part in us and in other people, which is to diminish what is human. To accept the racist universe to the slightest degree is to endorse fear, injustice, and violence. It is to accept the persistence of the dark history in which we still largely live. it is to agree that the outsider will always be a possible victim (and which man is not himself an outsider relative to someone else?. Racism illustrates, in sum, the inevitable negativity of the condition of the dominated that is, it illuminates in a certain sense the entire human condition. The anti-racist struggle, difficult though it is, and always in question, is nevertheless one of the prologues to the ultimate passage from animosity to humanity. In that sense, we cannot fail to rise to the racist challenge. However, it remains true that one’s moral conduit only emerges from a choice: one has to want it. It is a choice among other choices, and always debatable in its foundations and its consequences. Let us say, broadly speaking, that the choice to conduct oneself morally is the condition for the establishment of a human order, for which racism is the very negation. This is almost a redundancy. One cannot found a moral order, let alone a legislative order, on racism, because racism signifies the exclusion of the other, and his or her subjection to violence and domination. From an ethical point of view, if one can deploy a little religious language, racism is ‘the truly capital sin. It is not an accident that almost all of humanity’s spiritual traditions counsels respect for the weak, for orphans, widows, or strangers. It is not just a question of theoretical morality and disinterested commandments. Such unanimity in the safeguarding of the other suggests the real utility of such sentiments. All things considered, we have an interest in banishing injustice, because injustice engenders violence and death. Of course, this is debatable. There are those who think that if one is strong enough, the assault on and oppression of others is permissible. Bur no one is ever sure of remaining the strongest. One day, perhaps, the roles will be reversed. All unjust society contains within itself the seeds of its own death. It is probably smarter to treat others with respect so that they treat you with respect. “Recall.” says the Bible, “that you were once a stranger in Egypt,” which means both that you ought to respect the stranger because you were a stranger yourself and that you risk becoming one again someday. It is an ethical and a practical appeal—indeed, it is a contract, however implicit it might be. In short, the refusal of racism is the condition for all theoretical and practical morality because, in the end, the ethical choice commands the political choice, a just society must be a society accepted by all. If this contractual principle is not accepted, then only conflict, violence, and destruction will be our lot. If it is accepted, we can hope someday to live in peace. True, it is a wager, but the stakes are irresistible.

### 1NC — K

#### Legalization is not a benign action but one that continues the ontic assumptions of neoliberalism – the market for marijuana will be McDonalized

Crawford 13 Seth S. Crawford, Professor of Sociology at Oregon State University, “THE POLITICAL ECONOMY OF MEDICAL MARIJUANA” March 2013.

The nature and history of capitalism, as developed through ToP theory, suggests that the legalization of marijuana will wrest control from small artisan producers and turn it over to large firms (Heffernan 2000; Baran and Sweezy 1966; Foster, McChesney, and Jonna 2011). The legalization of marijuana—in this lens—is both an economic and social loss for many communities, but especially those with long traditions of illegal growing; even if traditional “hot spots” of production (Northern California and Southern Oregon, for example) become legal cannabis production centers, the economic benefits will disproportionately accrue in the hands of corporate owners and politically disenfranchise small marijuana farmers (Lewontin 2000). ToP theory, in addition to highlighting the inevitable capture of surplus generated from marijuana production by large firms, suggests that legalization will follow a path of profit maximization to the detriment of nature; the loss of genomic diversity is of particular concern with marijuana, as a capitalist approach to its production will focus on yield, maturation time, and ease of harvest (and Glenna 2006). Many scholars of marijuana botany suggest that specific policy decisions during prohibition were already responsible for several radical changes in this domesticated plant (Clarke 1993; Hillig and Mahlberg 2004; Hillig 2005). In particular, the tall, long-flowering, narrow leaf cannabis indica varieties (known colloquially as “sativas”) were crossed with short, fast-flowering, broad leaf cannabis indica (“indicas”) to facilitate indoor growing after US and Mexican authorities adulterated outdoor crops in Mexico with Paraquat in the late 1970s (Clarke 1993; Landrigan et al. 1983). In addition to altering the physical stature and maturation time, this selective breeding regime led to significant changes in the chemical profile of commercially available marijuana; as predicted by the “iron law of drug prohibition,” THC concentrations and overall potency increased (Thornton 1991). Similarly, the infusion of broad leaf genes into narrow leaf varieties produced plants with much higher cannabidiol (CBD) ratios than previously seen in domestic marijuana (Clarke 1993). Other chemical changes—which, to this point, have been unelaborated—undoubtedly occurred, as users’ accounts of shifting phenomenological experiences induced by marijuana was altered; older varieties of the drug tended to influence perception, whereas newer varieties have a strong impact on motor coordination (Clarke 1993; King 2001). At this point, it is unknown whether or not legalization will have a more profound effect than prohibition did, but the prohibition years helped to demonstrate how versatile marijuana can be when subjected to the whims of human ingenuity (Pollan 2001)—ToP theory suggests that a legalized production regime will influence marijuana breeding efforts towards strictly profit-oriented goals (Gould et al. 2004). Steps must be made to preserve the remaining genetic diversity of this species before capitalism casts nonprofitable traits and expressions on the funeral pyre of progress. Consumers also stand to lose in some troubling ways. The modernization of marijuana production by industrial capitalism will—if it follows the rationalized developmental path (Weber 2002) of other products—be conducted according to the principles of efficiency, calculability, predictability, and control—or what Ritzer (1996) terms “McDonaldization”. “McDonaldized” marijuana and its production would adhere to the following principles: (1) production will occur at very large scales and with the use of advanced technology (farming combines, automated trimming machines, industrial vacuum-packing, genetically engineered seed, etc.) to achieve high efficiency in pursuit of maximum profitability (Ritzer 1996: 35); (2) production and sales will be dictated by the quantitative aspects (calculability) of profits, costs, and total volume sold, as opposed to qualitative considerations or for public benefit (Ritzer 1996: 59); (3) finished products will be predictable, both in physical consistency and, as much as possible, in phenomenological experience (Ritzer 1996: 80; Merleau-Ponty 2002); and (4) control over the individuals participating in the production process will be exercised to the point where their actions are vapidly machinelike (Ritzer 1996: 101). Marijuana users will have little choice in the matter, since oligopolic markets sell their goods through advertising rather than following actual consumer preference (Gould et al. 2004).

#### Legalization is done while holding onto the hand of the market – this allows neoliberal ontology to take control of the weed market

Calhoun 14 Ryan Calhoun, Philosophy, University at Buffalo “Weed Legalization As Privatization, Disempowerment” Center for a Stateless Society, January 12th, 2014.

The beginning of this year saw the first fully-fledged legal weed markets open in America in nearly a century. Lines formed, similar those for a midnight movie premiere. Giddy stoners stood in shops in amazement at the ease, variety and quality of the shopping experience. Of course, this is not the introduction of a free market in marijuana. Rather, it is the state-controlled dream of political progressives who have been pushing for a government overhaul of the weed market for quite some time. At the root of this movement is an ethos of paternalism and extortion. Weed must only be legal under the condition that the government can act as “partner” and that it be put in the hands of “responsible” retailers. And thus, Big Marijuana is born. Marijuana’s legalization seems much more like neoliberal privatization of markets than true liberation of them. While I do not question the decency of these first major marijuana retailers, there are legitimate concerns. Those most victimized by the state’s rabid oppression of marijuana markets will find themselves very often out of luck, as extensive background checks are required by law, and any drug felony charge is enough to exclude individuals from operating as vendors. TakePart magazine notes in an article that even as weed is legalized, those in prison for the crime of possessing or selling marijuana will remain there. While new businesses boom with customers, those who formerly tried to compete in this market remain locked up in cages. The drug war has affected millions during its hellish tear through Americans’ lives and culture, but it has always been particularly racialized and classist. This leaves many black, Hispanic and poor individuals with a permanent hex affixed to them that these laws do not address. Like with the beltway libertarian conception of privatization, legalization picks the winners of the weed market from those who were lucky enough to not find themselves on the wrong side of the law and who already have access to the capital to invest into this expensive business. Legalization, at its best, functions as an opposition to continued state violence against drug users and possessors. It is therefore troubling that we find even after this so-called legalization, many remain shackled both by the pre-existing landscape of the market and by new regulations which prohibit them from participating in it. It is never by the political means we realize our freedom, but only a hold-back of even worse oppression. We fight an uphill battle against the incredible damage the state does. And now facing the age of Big Marijuana, we might be shocked to find the sorts of restrictions many established pot shops favor. In order to delegitimize street dealers, we have to treat them as inherently dangerous and volatile.

**Capitalism causes existential climate change, nuclear war, democratic collapse, extreme inequality, and perpetual exploitation of the global south — try or die for a transition.**

**Foster 19**, Sociology Professor @ Oregon (John Bellamy, February 1st, “Capitalism Has Failed—What Next?” *The Monthly Review*, Volume 70, Issue 9, <https://monthlyreview.org/2019/02/01/capitalism-has-failed-what-next/>, Accessed 06-30-2021)

Less than two decades into the twenty-first century, it is evident that capitalism has failed as a social system. The world is mired in economic stagnation, **financialization**, and the most **extreme inequality** in human history, accompanied by mass unemployment and underemployment, precariousness, poverty, hunger, wasted output and lives, and what at this point can only be called a planetary **ecological “death spiral.”**1 The digital revolution, the greatest technological advance of our time, has rapidly mutated from a promise of free communication and liberated production into new means of surveillance, control, and displacement of the working population. The institutions of **liberal democracy** are at the point of **collapse**, while **fascism**, the rear guard of the capitalist system, is again on the march, along with **patriarchy**, **racism**, **imperialism**, and **war**.

To say that capitalism is a failed system is not, of course, to suggest that its breakdown and disintegration is imminent.2 It does, however, mean that it has passed from being a historically necessary and creative system at its inception to being a historically unnecessary and destructive one in the present century. Today, more than ever, the world is faced with the epochal choice between “the revolutionary reconstitution of society at large and the common ruin of the contending classes.”3

Indications of this failure of capitalism are everywhere. Stagnation of investment punctuated by **bubbles** of financial expansion, which then **inevitably burst**, now characterizes the so-called free market.4 **Soaring inequality** in income and wealth has its counterpart in the declining material circumstances of a majority of the population. Real wages for most workers in the United States have barely budged in forty years despite steadily rising productivity.5 Work intensity has increased, while work and safety protections on the job have been systematically jettisoned. Unemployment data has become more and more meaningless due to a new institutionalized underemployment in the form of contract labor in the gig economy.6 Unions have been reduced to mere shadows of their former glory as capitalism has asserted totalitarian control over workplaces. With the demise of Soviet-type societies, social democracy in Europe has perished in the new atmosphere of “liberated capitalism.”7

The capture of the surplus value produced by **overexploited populations in the poorest regions of the world**, via the global labor arbitrage instituted by multinational corporations, is leading to an unprecedented amassing of financial wealth at the center of the world economy and relative poverty in the periphery.8 Around $21 trillion of offshore funds are currently lodged in tax havens on islands mostly in the Caribbean, constituting “the fortified refuge of Big Finance.”9 Technologically driven monopolies resulting from the global-communications revolution, together with the rise to dominance of Wall Street-based financial capital geared to speculative asset creation, have further contributed to the riches of today’s “1 percent.” Forty-two billionaires now enjoy as much wealth as half the world’s population, while the three richest men in the United States—Jeff Bezos, Bill Gates, and Warren Buffett—have more wealth than half the U.S. population.10 In every region of the world, inequality has increased sharply in recent decades.11 The gap in per capita income and wealth between the richest and poorest nations, which has been the dominant trend for centuries, is rapidly widening once again.12 More than 60 percent of the world’s employed population, some two billion people, now work in the impoverished informal sector, forming a massive global proletariat. The global reserve army of labor is some 70 percent larger than the active labor army of formally employed workers.13

Adequate **health care**, housing, education, and clean water and air are increasingly out of reach for large sections of the population, even in wealthy countries in North America and Europe, while transportation is becoming more difficult in the United States and many other countries due to irrationally high levels of dependency on the automobile and disinvestment in public transportation. Urban structures are more and more characterized by gentrification and segregation, with cities becoming the playthings of the well-to-do while marginalized populations are shunted aside. About half a million people, most of them children, are homeless on any given night in the United States.14 New York City is experiencing a major rat infestation, attributed to warming temperatures, mirroring trends around the world.15

In the United States and other high-income countries, life expectancy is in decline, with a remarkable resurgence of Victorian illnesses related to poverty and exploitation. In Britain, gout, scarlet fever, whooping cough, and even scurvy are now resurgent, along with tuberculosis. With inadequate enforcement of work health and safety regulations, black lung disease has returned with a vengeance in U.S. coal country.16 Overuse of antibiotics, particularly by capitalist agribusiness, is leading to an **a**nti**b**iotic-**r**esistance **crisis**, with the dangerous growth of **superbugs** generating increasing numbers of deaths, which by mid–century could surpass annual cancer deaths, prompting the World Health Organization to declare a “global health emergency.”17 These dire conditions, arising from the workings of the system, are consistent with what Frederick Engels, in the Condition of the Working Class in England, called “social murder.”18

At the instigation of giant corporations, philanthrocapitalist foundations, and neoliberal governments, public education has been restructured around corporate-designed testing based on the implementation of robotic common-core standards. This is generating massive databases on the student population, much of which are now being surreptitiously marketed and sold.19 The corporatization and privatization of education is feeding the progressive subordination of children’s needs to the cash nexus of the commodity market. We are thus seeing a dramatic return of Thomas Gradgrind’s and Mr. M’Choakumchild’s crass utilitarian philosophy dramatized in Charles Dickens’s Hard Times: “Facts are alone wanted in life” and “You are never to fancy.”20 Having been reduced to intellectual dungeons, many of the poorest, most racially segregated schools in the United States are mere **pipelines for prisons** or the military.21

More than two million people in the United States are behind bars, a higher rate of incarceration than any other country in the world, constituting a new Jim Crow. The total population in prison is nearly equal to the number of people in Houston, Texas, the fourth largest U.S. city. African Americans and Latinos make up 56 percent of those incarcerated, while constituting only about 32 percent of the U.S. population. Nearly 50 percent of American adults, and a much higher percentage among African Americans and Native Americans, have an immediate family member who has spent or is currently spending time behind bars. Both black men and Native American men in the United States are nearly three times, Hispanic men nearly two times, more likely to die of police shootings than white men.22 Racial divides are now widening across the entire planet.

Violence against women and the expropriation of their unpaid labor, as well as the higher level of exploitation of their paid labor, are integral to the way in which power is organized in capitalist society—and how it seeks to divide rather than unify the population. More than a third of women worldwide have experienced physical/sexual violence. Women’s bodies, in particular, are objectified, reified, and commodified as part of the normal workings of monopoly-capitalist marketing.23

The mass media-propaganda system, part of the larger corporate matrix, is now merging into a social media-based propaganda system that is more porous and seemingly anarchic, but more universal and more than ever favoring money and power. Utilizing modern marketing and surveillance techniques, which now dominate all digital interactions, vested interests are able to tailor their messages, largely unchecked, to individuals and their social networks, creating concerns about “fake news” on all sides.24 Numerous business entities promising technological manipulation of voters in countries across the world have now surfaced, auctioning off their services to the highest bidders.25 The elimination of net neutrality in the United States means further concentration, centralization, and control over the entire Internet by monopolistic service providers.

Elections are increasingly prey to unregulated “dark money” emanating from the coffers of corporations and the billionaire class. Although presenting itself as the world’s leading democracy, the United States, as Paul Baran and Paul Sweezy stated in Monopoly Capital in 1966, “is democratic in form and **plutocratic in content**.”26 In the Trump administration, following a long-established tradition, 72 percent of those appointed to the cabinet have come from the higher corporate echelons, while others have been drawn from the military.27

**War**, engineered by the United States and other major powers at the apex of the system, has become **perpetual in strategic oil regions** such as the Middle East, and **threatens to escalate into a global thermonuclear exchange**. During the Obama administration, the United States was engaged in wars/bombings in seven different countries—Afghanistan, Iraq, Syria, Libya, Yemen, Somalia, and Pakistan.28 Torture and assassinations have been reinstituted by Washington as acceptable instruments of war against those now innumerable individuals, group networks, and whole societies that are branded as terrorist. A new Cold War and **nuclear arms race** is in the making between the United States and **Russia**, while Washington is seeking to **place road blocks to the continued rise of China**. The Trump administration has created a new space force as a separate branch of the military in an attempt to ensure U.S. dominance in the militarization of space. Sounding the alarm on the increasing dangers of a nuclear war and of climate destabilization, the distinguished Bulletin of Atomic Scientists moved its doomsday clock in 2018 to two minutes to midnight, the closest since 1953, when it marked the advent of thermonuclear weapons.29

Increasingly severe economic sanctions are being imposed by the United States on countries like Venezuela and Nicaragua, despite their democratic elections—or because of them. Trade and currency wars are being actively promoted by core states, while racist barriers against immigration continue to be erected in Europe and the United States as some 60 million refugees and internally displaced peoples flee devastated environments. Migrant populations worldwide have risen to 250 million, with those residing in high-income countries constituting more than 14 percent of the populations of those countries, up from less than 10 percent in 2000. Meanwhile, ruling circles and wealthy countries seek to wall off islands of power and privilege from the mass of humanity, who are to be left to their fate.30

More than three-quarters of a billion people, over 10 percent of the world population, are chronically malnourished.31 Food stress in the United States keeps climbing, leading to the rapid growth of cheap dollar stores selling poor quality and toxic food. Around forty million Americans, representing one out of eight households, including nearly thirteen million children, are food insecure.32 Subsistence farmers are being pushed off their lands by agribusiness, private capital, and sovereign wealth funds in a global depeasantization process that constitutes the greatest movement of people in history.33 Urban overcrowding and poverty across much of the globe is so severe that one can now reasonably refer to a “planet of slums.”34 Meanwhile, the world housing market is estimated to be worth up to $163 trillion (as compared to the value of gold mined over all recorded history, estimated at $7.5 trillion).35

The Anthropocene epoch, first ushered in by the Great Acceleration of the world economy immediately after the Second World War, has generated enormous rifts in **planetary boundaries**, extending from **climate change** to **ocean acidification**, to the sixth extinction, to disruption of the global **nitrogen** and **phosphorus** cycles, to the loss of freshwater, to the **disappearance of forests**, to widespread toxic-chemical and radioactive pollution.36 It is now estimated that 60 percent of the world’s wildlife vertebrate population (including mammals, reptiles, amphibians, birds, and fish) have been wiped out since 1970, while the worldwide abundance of invertebrates has declined by 45 percent in recent decades.37 What climatologist James Hansen calls the “species exterminations” resulting from accelerating climate change and rapidly shifting climate zones are only compounding this general process of biodiversity loss. Biologists expect that half of all species will be facing extinction by the end of the century.38

If present climate-change trends continue, the “global carbon budget” associated with a 2°C increase in average global temperature will be **broken in sixteen years** (while a 1.5°C increase in global average temperature—staying beneath which is the key to long-term stabilization of the climate—will be reached in a decade). Earth System scientists warn that the world is now perilously close to a Hothouse Earth, in which catastrophic climate change will be **locked in and irreversible**.39 The ecological, social, and economic costs to humanity of continuing to increase carbon emissions by 2.0 percent a year as in recent decades (rising in 2018 by 2.7 percent—3.4 percent in the United States), and failing to meet the minimal 3.0 percent annual reductions in emissions currently needed to avoid a catastrophic destabilization of the earth’s energy balance, are simply **incalculable**.40

Nevertheless, major energy corporations continue to lie about climate change, promoting and bankrolling climate denialism—while admitting the truth in their internal documents. These corporations are working to accelerate the extraction and production of fossil fuels, including the dirtiest, most greenhouse gas-generating varieties, reaping enormous profits in the process. The melting of the Arctic ice from global warming is seen by capital as a new El Dorado, opening up massive additional oil and gas reserves to be exploited without regard to the consequences for the earth’s climate. In response to scientific reports on climate change, Exxon Mobil declared that it intends to extract and sell all of the fossil-fuel reserves at its disposal.41 Energy corporations continue to intervene in climate negotiations to ensure that any agreements to limit carbon emissions are defanged. Capitalist countries across the board are putting the accumulation of wealth for a few above combatting climate destabilization, **threatening the very future of humanity**.

**Racial capitalism outweighs — Capitalism necessitates super-exploitation of the Global South, colonial dispossession, militaristic imperialism, and racial hierarchies to sustain itself. The system must be rejected on ethical grounds.**

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Drawing on the intellectual production of twentieth-century Black anticapitalists, I theorize modern U.S. racial capitalism as a **racially hierarchical** political economy constituting **war and militarism**, **imperialist accumulation**, **expropriation by domination**, and **labor superexploitation**.14 The racial here specifically refers to Blackness, defined as African descendants’ relationship to the capitalist mode of production—their structural location—and the condition, status, and material realities emanating therefrom.15 It is out of this structural location that the **irresolvable contradiction of value minus worth** arises. Stated differently, Blackness is a capacious category of **surplus value extraction essential to an array of political-economic functions**, including accumulation, disaccumulation, debt, planned obsolescence, and absorption of the burdens of economic crises.16 At the same time, Blackness is the quintessential condition of **disposability**, expendability, and devalorization.

Footnote 14: Another feature of modern U.S. racial capitalism is **property by dispossession**. In Theft Is Property! Dispossession and Critical Theory, Robert Nichols draws on the experience of Indigenous peoples in the United States, Canada, and New Zealand to theorize how the “system of landed property” was **fundamentally predicated on violent dispossession**. While the Anglo-derived legal-political regimes differed in these localities, the “intertwined and co-constitutive” material effects converged in the **legalized theft of indigenous territory** amounting in “approximately **6 percent of the total land on the surface of Earth**.” Such dispossession, Nichols notes, is recursive: “In a standard formulation one would assume that ‘property’ is logically, chronologically, and normatively prior to ‘theft.’ However, in this (colonial) context, **theft is the mechanism and means by which property is generated**: hence its recursivity. Recursive dispossession is effectively a form of property-generating theft.” As such, theft and dispossession, through property regimes, are an ongoing feature of the Indigenous reality of modern U.S. racial capitalism. Robert Nichols, Theft Is Property! Dispossession and Critical Theory (Durham: Duke University Press, 2020), 50–51.

Footnote 15: Borrowing from Karl Marx’s dictum that the labor process is the hidden abode of the capitalist production of value, and Nancy Fraser’s conceptualization of reproduction as the even more hidden abode, or background condition, for the possibility of capitalist production, I understand Blackness as the obfuscated abode. The immense value of Blackness is obscured and rendered unintelligible by its positioning as worthlessness, as something that does not amount to anything—but that does not equal nothing. As a **structural location at the intersection of indispensability and disposability, Blackness exceeds the category of race**, is not reducible to class, and does not fit the specifications of caste.

My operationalization of capitalism follows Oliver Cromwell Cox’s explication in Capitalism and American Leadership.17 Modern U.S. racial capitalism arose in the context of the First World War, when, as Cox explains, the United States took advantage of the conflict to **capture the markets** of South America, Asia, and Africa for its “over-expanded capacity.”18 Cox further expounds upon this auspicious moment of ascendant modern U.S. racial capitalism thus:

By 1914, the United States had brought its superb natural resources within reach of intensive exploitation. Under the stimulus of its foreign-trade outlets, the financial assistance of the older capitalist nations, and a flexible system of protective tariffs, the nation developed a magnificent work of transportation and communication so that its mines, factories, and farms became integrated into an effectively producing organism having easy access to its seaports.… [Likewise,] further internal expansion depended upon far greater emphasis on an ever widening foreign commerce.… Major entrepreneurs of the United States proceeded to step up their campaign for expansion abroad. The war accentuated this movement. It accelerated the growth of [modern] American [racial] capitalism and impressed upon its leaders as nothing had before the need for external markets.19

Relatedly, Peter James Hudson argues that the First World War fundamentally changed the terms of order of international finance, allowing New York to compete with London, Paris, and Berlin for the first time in the realm of global banking. This was not least because the Great War “drastically reordered global credit flows,” with the United States transforming from a debtor into a creditor nation.20 In addition to Latin American and Caribbean nations and businesses turning to the United States for financing and credit, domestic saving and investment patterns were altered to the benefit of imperial financial institutions like the City Bank.21

Although the United States is, to use Cox’s terminology, more a “lusty child of an already highly developed capitalism” than an exceptional capitalist power, the nation perfected its techniques of accumulation through its vast natural wealth, large domestic market, imbalance of Northern and Southern economies, and, importantly, through its **lack of concern** for the political and economic **welfare of the overwhelming masses of its population**, least of all the descendants of the enslaved.22 Modern U.S. racial capitalism is thus **sustained by military expenditure**, the maintenance of an **extremely low standard of living in “dependent” countries**, and the **domestic superexploitation of Black** toilers and **laborers**. Cox notes that Black labor has been the “chief human factor” in wealth production; as such, “the **dominant economic class has always been at the motivating center of the spreads of racial antagonism**. This is to be expected since the economic content of the antagonism, especially at its proliferating source in the South, has been precisely that of labor-capital relations.”23 In a general sense, racial capitalism in the United States constitutes “a peculiar variant of capitalist production” in which Blackness expresses a structural location at the bottom of the labor hierarchy characterized by depressed wages, working conditions, job opportunities, and widespread exclusion from labor unions.24

Furthermore, modern U.S. racial capitalism is rooted in the imbrication of anti-Blackness and antiradicalism. Anti-Blackness describes the reduction of Blackness to a category of abjection and subjection through narrations of absolute biological or cultural difference; ruling-class monopolization of political power; negative and derogatory mass media propaganda; the ascent of discriminatory legislation that maintains and reinscribes inequality, not least various modes of segregation; and social relations in which distrust and antipathy toward those racialized as Black is normalized and in which “interracial mass behavior involving violence assumes a continuously potential danger.”25 Anti-Blackness thus conceals the inherent contradiction of Blackness—value minus worth—obscuring and distorting its structural location by, as Ralph and Singhal remark, contorting it into only a “debilitated condition.”26 Antiradicalism can be understood as the physical and discursive repression and condemnation of anticapitalist and/or left-leaning ideas, politics, practices, and modes of organizing that are construed as subversive, seditious, and otherwise threatening to capitalist society. These include, but are not limited to, internationalism, anti-imperialism, anticolonialism, peace activism, and antisexism.

Anti-Blackness and antiradicalism function as the **legitimating architecture of modern U.S. racial capitalism**, which includes rationalizing discourses, cultural narratives, technologies of repression, legal structures, and social practices that inform and are informed by racial capitalism’s political economy.27 Throughout the twentieth century, anti-Blackness propelled the “Black Scare,” defined as the specter of racial, social, and economic domination of superior whites by inferior Black populations. Antiradicalism, in turn, was enunciated through the “Red Scare,” understood as the threat of communist takeover, infiltration, and disruption of the American way of life.28 For example, in the 1919 Justice Department Report, Radicalism and Sedition Among the Negroes, As Reflected in Their Publications, it was asserted that the radical antigovernment stance of a certain class of Negroes was manifested in their “ill-governed reaction toward race rioting,” “threat of retaliatory measures in connection with lynching,” open demand for social equality, identification with the Industrial Workers of the World (IWW), and “outspoken advocacy of the Bolshevik or Soviet doctrine.”29

Here, anti-Blackness, articulated through the fear of the “assertion of race consciousness,” was attached to the IWW and Bolshevism—in other words, to anticapitalism—to make it appear even more subversive and dangerous. Likewise, antiradicalism, expressed through the denigration of the IWW and Soviet Doctrine, was made to seem all the more threatening and antithetical to the social order in its linkage with Black insistence on equality and self-defense against racial terrorism. In this way, “defiance and insolently race-centered condemnation of the white race” and “the Negro seeing red” came to be understood as seditious in the context of modern U.S. racial capitalism.

The link between my theory of modern U.S. racial capitalism and Robinson’s catholic theory of racial capitalism, beyond his “suggest[ion] that it was there,” is vivified through the prison abolitionist and scholar Ruth Wilson Gilmore, who writes: “Capitalism…[is] never not racial.… Racial capitalism: a mode of production developed in agriculture, improved by enclosure in the Old World, and captive land and labor in the Americas, perfected in slavery’s time-motion, field factory choreography, its imperative forged on the anvils of imperial war-making monarchs.”30 Racial capitalism, she continues, “requires all kinds of scheming, including hard work by elites and their compradors in the overlapping and interlocking space-economies of the planet’s surface. They build and dismantle and reconfigure states, moving capacity into and out of the public realm. And they think very hard about money on the move.”31 Perhaps more than Gilmore, though, my approach aligns with that of Neville Alexander as described by Hudson.32 Like Alexander, who focused on South Africa, I offer a particularistic understanding of racial capitalism, mine being rooted in the political economy of Blackness and the legitimating architectures of anti-Blackness and antiradicalism in the United States. Gilmore qua Robinson offers a more universalist and transhistorical conception. Like Alexander, my theory of modern U.S. racial capitalism is primarily rooted in (Black) Marxist-Leninists and fellow travelers. This is an important epistemological distinction: whereas Robinson finds Marxism-Leninism to be, at best, inattentive to race, my theory of modern U.S. racial capitalism is rooted in the work of Black freedom fighters who, as Marxist-Leninists, were able to offer potent and enduring analyses and critiques of the conjunctural entanglements of racialism, white supremacy, and anti-Blackness, on the one hand, and capitalist exploitation and class antagonism on the other hand.33

Although Robinson draws on scholars like Fernand Braudel, Henri Pirenne, David Brion Davis, and Eli Heckscher to understand European history, socialist theory, and the European working class, the work of Black Marxists like James Ford, Walter Rodney, Amílcar Cabral, and Paul Robeson offer me those same intellectual, historical, and theoretical resources. Finally, I agree with Alexander that the resolution to racial capitalism is antiracist socialism, not a cultural-metaphysical Black radical tradition.

In what remains of this essay, I will draw on the work of Black Marxist-Leninists and anticapitalists to explicate the defining features of modern U.S. racial capitalism—war and militarism, imperialist accumulation, expropriation by domination, labor superexploitation, and property by dispossession. In this, I demonstrate that their critiques and analyses offer a blueprint for theorizing modern U.S. racial capitalism.

**War and militarism facilitate the endless drive for profit**. Military conflicts between imperial powers result in the reapportioning of boundaries, possessions, and **spheres of influence that often exacerbate racial and spatial economic subjection**. War and militarism also perpetuate the **endless construction of “threats,”** primarily in **racialized and socialist states**, against which to defend progress, prosperity, freedom, and security. The manufacturing of conflict **legitimates the mobilization of extraordinary violence to expropriate untold resources** that produce relations of underdevelopment, dependency, extraversion, and disarticulation in the **Global South**. Moreover, the ruling elite and labor aristocracy in imperialist countries, not least the United States, wage perpetual war to defend their way of life and standard of living against the racialized majority who, because they would benefit most from the redistribution of the world’s wealth and resources, represent a perpetual threat.

**The alternative is to reject the aff and critically interrogate the neoliberal discourse of the 1AC — resisting capitalist pedagogy in educational spaces is the first step towards a broader movement away from Capitalism; COVID provides a unique transition opportunity.**

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**As educators**, it is **crucial** for us to **examine how we talk, teach, and write** about inequality as an object of critique in an age of precarity, uncertainty and the current pandemic crisis. This is especially true at a time when a growing number of authoritarian regimes around the globe substitute replace thoughtful dialogue and critical engagement with the suppression of dissent and a culture of forgetting r. How do we situate our analysis of education as part of a broader discourse and mode of analysis that interrogates the promises, ideals, and claims of a substantive democracy? How do we fight against iniquitous relations of power and wealth that empty power of its emancipatory possibilities, and as Hannah Arendt has argued, “makes most people superfluous as human beings”? How might we **understand how neoliberal ideology**, with its appropriation of market-based values, regressive notions of freedom and agency, **uses language to infiltrate daily life**? How does a pandemic pedagogy in the service of neoliberalism produce identities defined by market values, and normalize a notion of responsibility and individuality that convinces people that whatever problem they face they have no one to blame but themselves? Repeated endlessly on right-wing media platforms, the underlying conditions that disproportionately produce chronic illness among poor people of color disappear among a public distracted, if not persuaded, by a pandemic pedagogy that celebrates unchecked self-interest, disdains social responsibility, and turns away from the reality of a society with deep-seated institutional rot and unravelling of social connections and the social contract.

Pandemic pedagogy thrives on inequality and becomes a militarized and heartless normalizing tool to convince the broader public that the lives of the elderly, sick, and vulnerable should be valued according to how much they contribute to the economy. And if they are willing to die in order not to be a drain on the economy, all well and good. Nothing escapes the cruel logic of neoliberalism with its arrogance and hubris on full display as it bathes in the glow of right-wing populism, ultra-nationalism, and neofascism. Its accoutrements of dictatorship are everywhere and can be seen in the swagger of militia that storm state capitals, in police who punch and pepper spray protesters and push elderly men to the ground, and in military forces on the streets without badges reinforcing a climate of fear, repression, and unaccountability. There is more at work here than a lack of humanity on the part of the Trump administration. As the Irish journalist Fintan O’Toole observes, there is also the deepening grip of a culture of cruelty and dehumanization. He writes:

“As a society the American people are being **habituated into accepting cruelty on a wide scale**. Americans are being taught by Trump and his administration not to see other people as human beings whose lives are as important as their own. Once that line has been crossed – and it is not just Trump and the people around him, but many of Trump’s supporters as well – then we know where that all leads, what the ultimate destination is. There is no mystery about it. We know what happens when a government and its leaders dehumanize large numbers of people.”

Depoliticization and the Authoritarian Turn

Neoliberalism is not only an economic system, it is also an **ideological apparatus that relentlessly attempts to structure consciousness**, values, desires, and modes of identification in ways that **align individuals with its governing structures**. Central to this pedagogical project is the attempt to prevent individuals from translating private issues and troubles into broader systemic considerations. By doing this, it becomes difficult for individuals to grasp the historical, social, economic, and political forces at work in shaping a social order as a human activity deeply immersed in specific relations of power. Neoliberalism’s attempt to erase or rewrite historical and social forces makes it **difficult for individuals to imagine alternative notions of society**, with themselves as **collective actors**, or view their problems as more than the limitations of faulty character, moral failure, or a problem of personal responsibility. Reducing individuals to isolated, discrete, hermetically-sealed human beings whose lives are shaped only by notions of self-reliance and self-sufficiency is a **pedagogical strategy that utterly depoliticizes people, leading them to believe that however a society is shaped, it is part of a natural order**. President Trump echoed this “no alternative” narrative when asked about celebrities and rich people having special access to being tested for the coronavirus while few others had access. He replied, “Perhaps that’s been the story of life.”

This individualization of the social with its mounting privatization, gated communities, and social atomization **undermines collective action**, any viable notion of **solidarity**, and weakens the notion of global connectivity. The philosopher Byung-Chul Han has rightly argued that contemporary neoliberal society is shaped by a dysfunctional notion of solitude and hermitically-sealed notions of agency, all of which undermine the values and social connections vital to a democracy. He writes:

“Those subject to the neoliberal economy do not constitute a we that is capable of collective action. The mounting egoization and atomization of society is making the space for collective action shrink… The general collapse of the collective and the communal has engulfed it. Solidarity is vanishing. Privatization now reaches into the depths of the soul itself. The erosion of the communal is making all collective efforts more and more unlikely.”

This panoptical nature of hyper-individualism is more aligned with shared fears than shared responsibilities. Under such circumstances, trust and the notion that all life is related become difficult to grasp as the myopic language of private self-interest inures individuals to wider social problems such as extreme inequality. There is no understanding in this discourse of the damage fanatical entrepreneurialism does to our embodied collectivity. Nor is there any value attributed to the important responsibilities, social values, and notion of the common good that exceeds who we are as individuals, or how we have been shaped by diverse social forces in particular ways.

It should be clear that questions of economic and social justice cannot be addressed by a neoliberal pedagogy that enshrines self-interest and privatization while converting every social problem into individualized market solutions or regressive matters of personal responsibility. Under neoliberalism’s disimagination machine, individual responsibility is coupled with an ethos of greed, avarice, and personal gain. One consequence is the tearing up of social solidarities, public values, and an almost pathological disdain for democracy. This radical form of privatization is also a powerful force for the rise of fascist politics because it depoliticizes individuals, immerses them in the logic of social Darwinism, and makes them susceptible to the dehumanization of those considered a threat or disposable.

Just as the spread of the pandemic virus in the United States was not an innocent act of nature, neither is the rise and pervasive grip of inequality. What is clear is that **neoliberal** support for unbridled individualism has weakened democratic pressures and eroded democracy and equality as governing principles. Moreover, as a mode of public **pedagogy**, it has undercut social provisions, the social contract, and **support for public goods** such as education, public health, essential infrastructure, public transportation, and the most basic elements of the welfare state. As a form of pedagogical practice, neoliberalism has morphed into a form of pandemic pedagogy that sacrifices social needs and human life in the name of an economic rationality that values reviving economic growth over human rights. As a lived system of meaning and values, self-reliance and rugged individualism are the only categories available for shaping how individuals view themselves, and their relationship to others and to the planet. The individualization of everyone and the reduction of social problems to private troubles is paralleled by sanctioning a world marked by borders, walls, racism, hate, and a rejection of government intervention in the interest of the common good. Most importantly, neoliberal individualization personalizes power, creating a depoliticized subject whose only obligation as a citizen is defined by consuming and living in a world free from ethical and social responsibilities. In many ways, it does not just empty politics of any substance, it **destroys its emancipatory prospects**.

The neoliberal strategists use education not only to mask their abuses and the effects of their criminogenic policies, they also – in a time of crisis, when dissatisfaction of the masses might lead to chaos, revolts, and dangerous levels of resistance – move dangerously close to creating the conditions for a fascist politics. The noted theologian Frei Betto is right in stating that under such conditions, “…they cover up the causes of social ills and cover up their effects with ideologies that, by obscuring causes, fuel mood in the face of the effects. That’s why neoliberalism is now showing its authoritarian face – building walls that divide countries and ethnic groups, executive power over legislature and judiciary, disinformation about digital networks, the cult of the homeland, the brazen offensive against human rights.”

Neoliberalism and its regressive notion of individualism and individual responsibility has undermined the belief that human beings both **make the world and can change it**. The pandemic has ushered in a crisis that undermines that belief and **opens the door for rethinking** what kind of society and notion of politics will be faithful to the creation of a socialist democracy that speaks to the core values of justice, equality and solidarity. Under such circumstances, private resistance must give way to collective resistance, and personal and political rights must include economic rights. If inequality is to be defeated, the **social state must replace the corporate state** and social rights must be guaranteed for all. There can be no adequate struggle for economic justice and social equality unless **economic inequality on a global level is addressed** along with a movement for climate justice, the elimination of systemic racism and a halt to the spiraling militarism that has resulted in endless wars. This **can only take place if the anti-democratic ideology of neoliberalism**, with its collapse of the public into the private and its institutional structures of domination, **are fully addressed and discredited**. Étienne Balibar is right in stating that the triumph of neoliberalism has resulted in the “death zones of humanity.” Following Balibar, what must be made clear is that neoliberal capitalism is itself a pandemic and a dangerous harbinger of an updated fascist politics.

**Overcoming Pandemic Pedagogy**

The kind of societies that will emerge after the pandemic is **up for grabs**. In some cases, the crisis will give way to authoritarian regimes such as Chile, Hungary and Turkey, all of which have used the urgency of COVID-19 as an excuse to impose more state control and surveillance, squelch dissent, eliminate civil liberties and concentrate power in the hands of an authoritarian political class. As is well documented, history in a time of crisis also has the **potential to change** dominant ideologies, rethink the meaning of governance, and enlarge the sphere of justice and equality through a vision that fights for a more generous and inclusive politics. It is crucial to **rethink the project of politics** in order to imagine forms of resistance that are collective, inclusive and global, capable of producing new democratic arrangements for social life, more radical values and a “global economy which will no longer be at the mercy of market mechanisms.” This is a politics that must move beyond siloed identities and fractured political factions in order to build transnational solidarities in the service of an alternative radically democratic society. Making the pedagogical more political means **challenging** those forms of **pandemic pedagogy** that turn politics into theater, a favorite tactic of Trump. In this case, the performance works to suspend disbelief, hold power accountable and unravel one’s sense of critical agency. Pandemic pedagogy does more than undermine critical thinking and informed judgments, it dissolves the line between the truth and lies, fantasy and reality, and in doing so, destroys the foundation for understanding, engaging and promoting that social and economic justice. The endgame under the rubric of a pandemic pedagogy is not simply the destruction of the truth, but the elimination of democracy itself.

Central to developing an alternative democratic vision is **development of a language** that refuses to look away and be commodified. Such a language should be able to break through the continuity and consensus of common sense and appeals to the natural order of things. At stake here is the need to reclaim both critical and redemptive elements of a radical democracy in order to address the full spectrum of violence that structures institutions and everyday life in the United States. This is a language connected to the acquisition of civic literacy, and it demands a different regime of desires and identifications to enable us to move from “shock and stunned silence toward a coherent visceral speech, one as strong as the force that is charging at us.”

Of course, there is more at stake here than a struggle over meaning; there is also the **struggle over power**, over the need to create a formative culture that will **produce informed critical agents who will fight for and contribute to a broad social movement** that will translate meaning into a fierce struggle for economic, political and social justice. Agency in this sense must be connected to a notion of possibility and education in the service of **radical change**. Reimagining the future only becomes meaningful when it is rooted in a fierce struggle against the horrors and totalitarian practices of a pandemic pedagogy that falsely claims that it exists outside of history.

Václav Havel, the late Czech political dissident-turned-politician, once argued that politics follows culture, by which he meant that changing consciousness is the first step toward building mass movements of resistance. What is crucial here in the age of multiple crises is a thorough grasp of the notion that critical and engaged forms of agency are a product of emancipatory education. Moreover, at the heart of any viable notion of politics is the recognition that **politics begins with attempts to change the way people think**, act and feel with respect to both how they view themselves and their relations to others. There is more to agency than the neoliberal emphasis on the “empire of the self,” with its unchecked belief in the virtues of a form of self-interest that despises the bonds of sociality, solidarity and community.

The U.S. is in the midst of a political and pedagogical crisis. This is a crisis defined not only by a brutalizing racism and massive inequality, but also a constitutional crisis produced by a growing authoritarianism that has been in the making for some time. The recent attacks by the police on journalists, peaceful protesters and even elderly people marching for racial justice echoes the violence of the Brownshirts in the 1930s. Let’s stop the futile debate about whether or not the U.S. is in the midst of a fascist state and shift the register to the more serious question of how to resist it and restore a semblance of real democracy.

Under such circumstances, education should be viewed as central to politics, and it plays a crucial role in producing informed judgments, actions, morality and social responsibility at the forefront not only of agency, but politics itself. In this scenario, truth and politics mutually inform each other to erupt in a pedagogical awakening at the moment when the rules are broken. Taking risks becomes a necessity, self-reflection narrates its capacity for critically engaged agency and thinking the impossible is not an option, but a necessity. Without an informed and educated citizenry, democracy can lead to tyranny, even fascism.

Trump represents the malignant presence of a fascism that never dies and is ready to remerge at different times in different context in sometimes not-so-recognizable forms. The COVID-19 crisis and the pandemic of inequality and racism have revealed elements of a fascist politics that are more than abstractions. The struggle against a fascist politics is now visible in the rebellions taking place across the United States. While there are no political guarantees for a victory, there is a new sense that the **future can be changed** in the image of a just and sustainable society. There is a new energy for reform taking place in the aftermath of the killing of George Floyd. Massive protests for racial, economic and social justice are emerging all over the globe. As I have argued in The Terror of the Unforeseen, at stake here is the need for these protests to transition from a pedagogical moment and collective outburst of moral anger to a **progressive international movement** that is well organized and unified. Such a movement must build solidarity among different groups, imagine new forms of social life, make the impossible possible, and produce a **revolutionary project** in defense of equality, social justice and popular sovereignty. The racial, class, ecological and public health crisis facing the globe can only be understood as part of a comprehensive crisis of the totality. Immediate solutions such as defunding the police and improving community services are important, but they do not deal with the larger issue of eliminating a neoliberal system structured in massive racial and economic inequalities. David Harvey is right in arguing that the “immediate task is nothing more nor less than the self-conscious construction of a new political framework for approaching the question of inequality, through a deep and profound critique of our economic and social system.” This is a crisis in which different threads of oppression must be understood as part of the general crisis of capitalism. The various protests now evolving internationally at the popular level offer the promise of new global anti-fascist and anti-capitalist movements. In the current moment, democracy may be under a severe threat and appear frighteningly vulnerable, but with young people and others rising up across the globe — inspired, energized and marching in the streets — the **future of a radical democracy is waiting to breathe again**.

### 1NC — CP

#### Text: the fifty states, District of Columbia, and all relevant territories should formally legalize the possession and distribution of recreational cannabis cultivation and use and release and expunge the records of those convicted for cannabis-related reasons, and block state and local cooperation with federal law enforcement over marijuana.

#### That solves and checks federal intervention

Kreit 17 – JD @ U Penn, Professor of Law @ Thomas Jefferson School of Law, leading expert in the field of illegal drug and marijuana law (Alex, “Reforming Criminal Justice,” Ch 5)//BB

After decades of waging war on marijuana, voters in many states have come to see marijuana prohibition as a failure and believe that legalization is a better option. The Pew Research Center has been polling attitudes about marijuana legalization since 1969, when just 12% of Americans believed marijuana should be made legal. Its most recent survey, released in October 2016, found that 57% of U.S. adults favor legalizing marijuana while just 37% favor prohibition.57 The numbers were nearly reversed just a decade ago, with only 32% in favor of legalization and 60% opposed in 2006.58 In this Section, I make the case that state policymakers would be wise to follow the public on this issue and work to enact marijuana-legalization laws in their states. First, I provide a brief history of state marijuana reforms. Second, I review the evidence so far from states that have legalized marijuana. These studies show that, by and large, legalization has been a success and a much better option than prohibition. Finally, I highlight some of the considerations and choices facing policymakers when enacting marijuana legalization. A. A BRIEF HISTORY OF STATE MARIJUANA REFORMS The story of state marijuana legalization dates back to 1996, when California passed the first statewide medical-marijuana legalization law. The federal government did all that it could to try to stop the law in its tracks, raiding medical-marijuana dispensaries and prosecuting some of the operators.59 Despite its best efforts, however, the federal government was not able to stop the trend. Throughout the 2000s, more and more states passed medical-marijuana laws, and marijuana stores started opening faster than the federal government could shut them down. The problem came down to resources. The federal government has the legal authority to prosecute any marijuana offense, from a marijuana kingpin to a user in possession of a single joint. But it only has the manpower to go after a small fraction of marijuana offenders—almost all marijuana enforcement is carried out by state and local police. Start FN 60 Robert A. Mikos, On the Limits of Supremacy: Medical Marijuana and the States’ Overlooked Power to Legalize Federal Crime, 62 VAND. L. REV. 1421, 1463-67 (2009) (arguing that the federal government did not succeed in blocking state medical marijuana laws because of its limited law enforcement resources) End FN 60 As a result, the federal government did not succeed in shutting down state medical-marijuana laws. Instead, federal enforcement served mostly to make it more difficult for states to implement effective regulations.61 By the time Colorado and Washington passed the first laws legalizing marijuana for all adult use in 2012, it was clear to most observers that the federal government was fighting a losing battle. Perhaps in recognition of this dynamic, the DOJ announced a cease-fire in its war on state-legal marijuana in late 2013, in the form of a memorandum advising federal law-enforcement officials not to use scarce resources to go after people in compliance with state marijuana laws.62 The election of Donald Trump and his selection of Jeff Sessions to be attorney general have raised questions about whether the federal government’s hands-off approach will continue. Even if the federal government reverses course, however, the experience with medical-marijuana laws suggests it will be unable to block state legalization laws entirely. Since Colorado and Washington voters legalized marijuana, six more states have followed suit. In 2014, Oregon and Alaska passed marijuana-legalization ballot measures. And, in 2016, California, Maine, Massachusetts, and Nevada joined the club. Since 2012, voters in only two states have rejected marijuanalegalization proposals. In 2015, Ohioans decisively rejected a controversial ballot measure that would have legalized marijuana by giving the initiative’s backers a monopoly on marijuana production. In 2016, an Arizona legalization ballot measure was narrowly defeated, with 51.32% against and 48.68% in favor.63

#### State resistance to federal criminalization spills over – it’s key to a healthy federalist balance

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Given the lack of judicial solutions to this problem, the remaining answer lies in political mobilization at the local level. The Tenth Amendment problems discussed above suggest political arguments that could be deployed in support of local resistance to this kind of cooperation. In particular, local officials could stress the importance of holding their executive branch officials accountable through state laws, city juries, and defense attorneys. The circumvention story at the center of street crime criminal cooperation is one that would strike many city voters as unpalatable and problematic, particularly as the tough on crime phase comes to an end. A reassertion of local control over gun and drug crime could involve innovative approaches targeted to better solve the problems of street crime. In particular, city officials could argue that mass incarceration and the punitive turn in the federal system disproportionately affect minority communities and are aggravating poverty in inner city areas. Alternatives might involve the creation of drug courts for non-violent drug possession crimes that seek to divert some offenders from the prison system. In recommending this kind of approach, city residents would be acknowledging that—at least when it comes to crime prevention—the solutions that are formulated and designed at the local level are likely to produce the best outcomes. In responding to these Tenth Amendment concerns, city residents would be recognizing the importance of local, city-based citizenship and mobilization.209 Viewing oneself as a local citizen in turn stresses the importance of exercising autonomy and control over things that have an immediate effect on one’s own lives.210 Indeed, through engagement with city or municipal government and their fellow city residents, local citizens can find answers that suit the needs or requirements of their own cities. This concept of local citizenship is particularly important in the context of street crime. Street crime enforcement has traditionally been seen as a local police power issue. This reflects the fact that street crime is frequently tied to local causes and problems; uniform national policies are less likely to take account of these differences. We have already seen this in practice. A national policy process, by drowning out the voices of the local communities, creates policies which are more punitive and therefore less cognizant of the local costs.211 One of the best examples is the underappreciated cost of incarceration on families in cities.212 A move toward local citizenship and mobilization is already underway in other areas of crime enforcement.213 Although cities are largely understudied in the federalism literature, particularly in their power relation with states, they are increasingly playing an important role in resisting federal immigration law.214 This is perhaps best exemplified in the “sanctuary city” movement. In this context, city electorates have elected mayors that have appointed police chiefs and district attorneys who have steadfastly refused to cooperate with federal officials. They have justified this resistance to fully cooperate with federal immigration policy on the basis that compliance will undermine key local interests. Many have argued that cooperation with the federal government’s aggressive immigration policies will dissuade undocumented individuals from reporting crimes and engaging with police. A reassertion of city-based identity would thus respond to the Tenth Amendment concerns with cooperation. First, regaining control over street crime would restore a “healthy balance” between the federal and local governments, thus helping to ensure the rights-enhancing aspects of multi-level government. In particular, it would reestablish the importance of state laws and procedural protections put in place to protect the rights of criminal defendants. Second, a rising sense of urban identity and citizenship would increase the political accountability of local executive branch officials. City electorates could now hold executive-branch officials accountable for their policies. Finally, it would also ensure that harsh federal criminal law policies could not be enforced without the federal government bearing the cost. Apparent from the immigration context, the federal government relies heavily on the cooperation of city executive-branch officers to enforce its policies. In street crime, the federal government is fully reliant on local executive branch officials in enforcement.

#### That’s key to democracy – lockstepping fails to produce the autonomy necessary to enhance civic participation

Serak 12 – JD and MPA @ U Indiana (Christopher, “STATE CHALLENGES TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT: THE CASE FOR A NEW FEDERALIST JURISPRUDENCE,” https://mckinneylaw.iu.edu/ihlr/pdf/vol9p311.pdf)

Adam B. Cox outlines three essential values of federalism: tyranny prevention, experimentation and efficiency, and the enhancement of democracy.211 Each value is transcribed through the structural provisions of the Constitution, which are built around three organizing principles: accountability, diversification, and checks.212 These principles are achieved through the Constitution's provision of dual sovereignty and divided power. If the corresponding structural provisions of the Constitution, discussed in the prior sections, are not applied in a manner that embodies these principles, the attached values of federalism cannot be achieved. Stated another way, if the states are not treated as regulatory sovereigns, then they cannot fulfill their role in the federal system, and the government cannot deliver the social and political values inherent to Constitutional order.213 The following paragraphs will define each value and outline how its realization depends on the regulatory sovereignty of the states. Tyranny prevention refers to ''the fact that the states can serve as and foster political counterweights to the incumbent powers within the federal government.'.214 Cox argues that the states can serve this role by offering "organizations that can support generalized opposition to the federal government.'ms Further, Cox explains that the political institutions of state government serve as an "interest group" on behalf of the citizens. In Federalist No. 26, Alexander Hamilton states, ''the State Legislatures . . . will constantly have their attention awake to the conduct of the national rulers, and will be ready enough, if any thing improper appears, to sound the alarm to the people, and not only to be the VOICE, but, if necessary the ARM of their discontent.'.216 Without the actual and perceived capacity of the states to serve as a counterbalance to the federal government the states are unlikely to fulfill this role. Further, if the citizens of the states do not perceive this capacity they will not see the value in using state political institutions to such ends. In this way, tyranny prevention relies on the states enjoying the degree of sovereignty necessary to effectively check federal authority. Experimentation and efficiency refer to the value of having multiple, independent regulatory entities and the "economic efficiency [realized] through competition among the states."217 The value of having multiple regulatory entities is in their ability to simultaneously undertake different approaches to the same problems; finding effective policy schemes through trial and error. This process also allows individuals to "vote with their feet." That is, where a state succeeds in crafting favorable policy and another state fails, the citizens of the latter state can move to the state with favorable policies, and in so doing show their support for one policy approach and their dislike for another. This process depends completely on the regulatory autonomy of the states to exercise the broad police powers left to them by the Tenth Amendment.218 It depends on the Court recognizing state autonomy as a limit on federal powers. When federal law is allowed to dictate regulatory details to the states, they are unable to implement creative policies, or adapt the administration of policy directives to local needs. It also prevents a state from making corrections to problems it observes in regulatory programs. Where the states are left in control of the regulatory details, they can respond to observed problems efficiently. This efficiency can foster public appreciation and respect for local government, potentially encouraging civic participation. The ability to respond to such failures with efficiency and speed also enhances democracy, which happens to be the next federalist value addressed in this Note. Efficiency and experimentation also can refer to the benefit of giving the states the ability to take the lead on issues of concurrent jurisdiction where the federal government has failed. Recent budget measures in states like Wisconsin and Indiana are prime examples. Finally, the states enhance democracy through local civic organizations and other means of democratic participation. They also enhance democracy by giving local citizens the ability to elect policy-makers that may represent their preferences better than the aggregate national government. In some ways, this enhancement of democracy relates to the value of competition. State citizens can elect new leaders when the policies of the previous leaders were not successful, and these new leaders can erect policies that better meet these preferences with relative expedience. This federalist benefit is also referred to as the 'fit' "between a given jurisdiction's policies and the preferences oflocal residents. "219 The federal government does not give this same recourse. This is because if the federal government regulates an activity, and the citizens of some states are satisfied while others are not, only one of these preferences can be manifest in election results, thus leaving one set of citizens happy and the other not. If the states are left free to regulate the area, then a variety of political cultures can be represented in the policies of the several states, allowing individuals to choose the state that best represents their own political values. The enhancement of democracy value depends on the states being given the requisite regulatory autonomy to create diverse policy.220 It also depends on the sovereign most accountable to its constituency holding the most regulatory authority. In other words, it requires the states to hold the most regulatory power over the citizens, as the citizens may more easily influence state policy to meet their interests. Similarly, enhanced democracy relates to the states capacity to make large-scale changes quickly as constituents demand, which is only possible through a grant of broad regulatory autonomy.

#### Democracy checks existential threats

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To make our republics more perfect, established democracies must not only adopt reforms to more fully include and empower their own citizens. They must also support people, groups, and institutions struggling to achieve democratic values elsewhere. The best way to counter Russian rage and Chinese ambition is to show that Moscow and Beijing are on the wrong side of history; that people everywhere yearn to be free; and that they can make freedom work to achieve a more just, sustainable, and prosperous society. In our networked age, both idealism and the harder imperatives of global power and security argue for more democracy, not less. For one thing, if we do not worry about the quality of governance in lower-income countries, we will face more and more troubled and failing states. Famine and genocide are the curse of authoritarian states, not democratic ones. Outright state collapse is the ultimate, bitter fruit of tyranny. When countries like Syria, Libya, and Afghanistan descend into civil war; when poor states in Africa cannot generate jobs and improve their citizens’ lives due to rule by corrupt and callous strongmen; when Central American societies are held hostage by brutal gangs and kleptocratic rulers, people flee—and wash up on the shores of the democracies. Europe and the United States cannot withstand the rising pressures of immigration unless they work to support better, more stable and accountable government in troubled countries. The world has simply grown too small, too flat, and too fast to wall off rotten states and pretend they are on some other planet. Hard security interests are at stake. As even the Trump administration’s 2017 National Security Strategy makes clear, the main threats to U.S. national security all stem from authoritarianism, whether in the form of tyrannies from Russia and China to Iran and North Korea or in the guise of antidemocratic terrorist movements such as ISIS. 1 By supporting the development of democracy around the world, we can deny these authoritarian adversaries the geopolitical running room they seek. Just as Russia, China, and Iran are trying to undermine democracies to bend other countries to their will, so too can we contain these autocrats’ ambitions by helping other countries build effective, resilient democracies that can withstand the dictators’ malevolence. Of course, democratically elected governments with open societies will not support the American line on every issue. But no free society wants to mortgage its future to another country. The American national interest would best be secured by a pluralistic world of free countries—one in which autocrats can no longer use corruption and coercion to gobble up resources, alliances, and territory. If you look back over our history to see who has posed a threat to the United States and our allies, it has always been authoritarian regimes and empires. As political scientists have long noted, no two democracies have ever gone to war with each other—ever. It is not the democracies of the world that are supporting international terrorism, proliferating weapons of mass destruction, or threatening the territory of their neighbors.

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#### Two-track infrastructure will pass---PC is key

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Democratic legislators on Capitol Hill face a do-or-die moment. The fate of President Biden’s agenda (and perhaps his presidency) as well as the economic wellbeing of millions of Americans is at stake. So are Democratic majorities in the House and Senate. Democrats must come together to pass the bipartisan infrastructure and reconciliation bills. If they don’t, it will be much harder to argue in 2022 and 2024 that voters should trust Democrats to govern in the interest of middle- and working-class families. If there is any president who can succeed in this situation, it is Biden. In fact, he ran on bringing people together, on bridging the gap and finding common ground. But he cannot do it alone. This is also a major test for Democrats in the House and Senate. The sides seem farther apart than ever, with scant hope of unifying. On the budget, Sen. Joe Manchin (D-W.V.) said $3.5 trillion was too high a number for him to support and even said he would like a “strategic pause” on the spending plan until 2022. This is wholly unrealistic. Meanwhile, Sen. Bernie Sanders (I-Vt.) and House progressives say they cannot go below $3.5 trillion. So, what now? Speaker Nancy Pelosi (D-Calif.), Senate Majority Leader Chuck Schumer (D-N.Y.) and the leaders of the progressives and moderates must come together and hash this out until a deal can be reached. The only way to get this done is by continuing to talk, deal, negotiate and compromise. There are several things to remember that offer hope that a deal can be reached. While the Democratic infighting seems dire, there’s actually more agreement than meets the eye. All Democrats agree on the big things that both bills want to accomplish — access to quality health care for all Americans; access to quality child care for parents; the ability to care for the elderly; access to higher education without taking on crushing debt; and repairing and rebuilding America's physical infrastructure, something Republicans also support and helped to pass in the Senate. Even Sanders thinks Democrats will “come together” in the end.

#### Antitrust reform trades off with other legislative priorities

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

#### Reconciliation solves climate change [it passes now, new priorities tradeoff, it’s humanity’s last shot]

Roberts 8-7-2021, energy reporter, formerly of Vox (David, “Crunch time: this is America's last chance at serious climate policy for a decade,” *Vox*, <https://www.canarymedia.com/articles/climate-policy-crunch-time-we-need-congress-to-pass-a-clean-energy-standard-and-tax-credits/>)

Congress is working on what is likely to be its last big shot at climate change policy for a decade or more. If things go well, the legislation will include a clean energy standard (CES) and clean energy tax credits, which together would revolutionize the US electricity system. If things don’t go well, there will be no substantial climate legislation for many years to come. That’s the only question being decided: Will we get a CES and tax credits, or will we get nothing that will tackle fossil fuels this decade? That’s the binary. It’s time to focus. Looking around, it doesn’t seem like clean energy supporters, climate hawks, or the left more broadly really get that. So let’s talk about why this is such an important moment and what’s at stake. The reconciliation bill is likely the last chance for big federal climate legislation The Democratic approach for a while now has been to proceed along dual tracks. On one track, there’s the bipartisan infrastructure bill, hammered out by a group of just over 20 senators from both parties. On the other track, there’s the budget reconciliation bill, which is meant to contain … everything else in Biden’s agenda. The former needs 60 votes; the latter can pass with 50 Democratic votes. This has always been a fraught and delicate strategy. It could crash and burn in any number of ways. But so far, at least, it is hanging together. The bipartisan group unveiled its bill this week; it is slowly inching toward a vote, though Senate Minority Leader Mitch McConnell (R-Ky.) is doing everything he can to slow it down and gum it up. Twitter avatar for @jsfreed Josh Freed @jsfreed Okay, everyone, we’ve been crunching the BID numbers to see what’s in this deal and how it’ll impact clean energy and climate. Warning, this is a long 🧵 … 1/ seinfeld newman GIF July 29th 2021 176 Retweets497 Likes It contains decent chunks of money for things that will indirectly help clean energy — transmission, demonstration projects, R&D — but it lacks anything that will directly confront fossil fuels in the coming decade, the sine qua non of adequate climate policy. As Robinson Meyer argues in The Atlantic, it is not a climate bill, not really. There’s no guarantee the bipartisan bill will pass, and there’s no way to know how the Senate’s bipartisanship fetishists, Sens. Joe Manchin (D-W.V.) and Kyrsten Sinema (D-Ariz.), will react if it doesn’t. But whether it passes or not, when it comes to decent climate policy, it’s all about the reconciliation bill. There won’t be another bill this big while Democrats control Congress, and they won’t control Congress for long. What Democrats are able to get through in the reconciliation bill is likely to be the last big federal climate legislation for a decade at least. This is the key thing to understand, so I’m going to repeat it: What Democrats are able to get through in the reconciliation bill is likely to be the last big federal climate legislation for a decade at least. (You may be thinking: can’t Democrats do another reconciliation bill next year? Yes, they can, but the midterms will be in full swing, moderates will be feeling even more cowardly than usual, political appetite for big spending will have dried up in the face of a recovering economy, and focus will have turned, hopefully, to voting reform. This one is it.) Absent substantial federal voting reform — which is looking less and less likely, certainly nothing anyone should bet on — all signs point toward Republicans taking back the House in 2022. It’s unclear what will happen in the Senate, but regardless, if the GOP controls either house, no climate legislation will pass (and no voting reform). Republican presidential candidates can win despite larger and larger losses in the popular vote. And the chances of Democrats controlling both houses of Congress again are only getting dimmer. The structural advantages that favor the GOP in the US system are only tilting further in its favor, while the party is actively extending those advantages with a wave of voter-suppression laws at the state level and an accompanying wave of gerrymandering, which alone could win the GOP the House in 2022, even absent any Dem seats being lost. The GOP is protected in this endeavor by a hyper-conservative Supreme Court (which, by the way, could get even more conservative if the disastrously vain Stephen Breyer hangs on until there’s a Republican president again). The conservative movement in the US is attempting to engineer one-party control of US government (along the lines of their new hero, Hungarian autocrat Viktor Orban). There’s no way to know how successful the endeavor will ultimately be, but it’s a pretty good bet, given current trends, that Democrats won’t control the presidency and both houses of Congress at the same time again for a long while. Last time they lost full control (just before a wave of gerrymandering in 2010), it was a decade until they got it back. Twitter avatar for @sarahposner Sarah Posner @sarahposner New, from me, @TPM: That all begins in January 2023 — which makes this year’s reconciliation bill the Democrats’ last big shot at climate and clean energy policy. There are two key clean-energy policies on the table Climate folk are prone to endless policy arguments; everyone has their favorites. But most of those arguments are immaterial right now. Democrats have lined up behind a menu of clean energy policies in line with Biden’s climate plan. What’s on that menu is what might get in the bill. Might. If it’s not on that menu, it’s not going to get in. There’s no carbon tax. There’s no cap-and-dividend. There’s no prohibition on new fossil fuel infrastructure. You may support any and all of those policies, but they are not live options in the reconciliation bill. Right now, political pressure is best aligned behind options that actually are on the menu. Two in particular are immensely important — together, they would be transformative. The first is a Clean Energy Standard that would reduce electricity sector greenhouse gas emissions 80 percent by 2030. (Biden’s plan calls for 100 percent by 2035, but a reconciliation bill can only extend 10 years out.) It’s not actually going to be a standard, per se, because you can’t pass regulatory standards through reconciliation. Instead, it’s going to be a system of fines and payments that will incentivize utilities to increase their proportion of renewable energy to meet the targets. It’s called a clean electricity payment program (CEPP). A CEPP actually has some advantages over the traditional CES’s and renewable portfolio standard (RPSs) commonly seen in states. For one thing, it’s more progressive: the money to drive the transition comes from federal coffers (via taxes on corporations and the wealthy) rather than from electricity rates, which are regressive. If you’re interested in the details of how a reconciliation-friendly CEPP will be structured, see this piece from Ben Storrow and Scott Waldman of E&E, or this thread from Princeton professor Jesse Jenkins: Twitter avatar for @JesseJenkins JesseJenkins @JesseJenkins Broad contours of a Reconciliation-friendly Clean Electricity Standard (CES) are now coming into public view, as House & Senate Dems prepare a $3.5T Budget Resolution that will kick off a Reconciliation process, which permits passage of budget-related measures w/50+ Senate votes. July 15th 2021 1 Retweet16 Likes The end result will be the same as a conventional CES: the US electricity grid will reach 80 percent decarbonization by 2030, which is an achievable but still incredibly ambitious target. As I’ve said so many times, nothing is more important to deep decarbonization than cleaning up the electricity grid. It’s the core of the “electrify everything” strategy. The second is boosted and expanded clean energy tax credits. The investment tax credit (ITC) and production tax credit (PTC), for wind and solar respectively, would be renewed, but various forms of tax credits would also be extended to energy storage, hydrogen, carbon capture, and other key clean energy technologies. (The details are in flux; for a blueprint, see the Senate Finance Committee’s Clean Energy for America Act or the House Ways and Means’ GREEN Act.) Tax credits will provide the supply push; the CEPP will provide the demand pull. The result will be an enormous surge of clean energy projects and jobs. This is the core of good climate policy: pushing fossil fuels off the grid over the next decade and replacing them with zero-carbon energy. There are other good climate provisions on the Democrats’ menu for reconciliation as well. I would love to see a Civilian Climate Corps. I’d love to see more money for public transportation and an electrified postal service fleet. Lots of smaller climate provisions might make it through just by virtue of not drawing much notice, which would be great. But the CEPP and the tax credits are the one-two punch needed to make a real short-term difference in the energy system. And they are on the menu. Manchin is likely to be skeptical of the CEPP. Although carbon capture counts as clean energy under the program, every analyst understands that the practical effect is going to be to ramp up renewables and ramp down fossil fuels on the grid. Manchin doesn’t actually want that. I have no idea if public pressure will have any effect at all on Manchin, but it couldn’t hurt. Might as well try it. The perilous path ahead for reconciliation Everyone on the left is aware that the reconciliation bill is the last big legislative train leaving the station, and every interest group wants a seat on it. Climate policy will be competing with other Democratic priorities. Especially as Sinema and Manchin arbitrarily reduce the total size of the bill, as they surely will, the factions of the party will be fighting it out over a shrinking pie. It is far from a sure thing that the CEPP and tax credits will survive negotiations. It’s all being decided right now. Everyone who cares about US climate progress should put aside their personal projects and preferences for a few weeks and speak in a unified voice. Call your representatives. Push the groups you’re involved to make noise about it. It’s going to be the CEPP and tax credits or nothing big for climate. If both those policies are put in place, it could set the US power system on a new course and strengthen American credibility at the upcoming COP26 international climate meeting. If they slip through the cracks, climate will have to settle for scraps and the US will surrender all hope of meeting its climate targets or influencing others to do the same. For the next few months, this is all that matters. If you’ve ever considered getting involved, now is the time.

#### Warming leads to extinction---it’s a conflict-multiplier and defense doesn’t assume non-linearity

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In summary, six of the nine proposed planetary boundaries (phosphorous, nitrogen, biodiversity, land use, atmospheric aerosol loading, and chemical pollution) are unlikely to be associated with existential risks. They all correspond to a degraded environment, but in our assessment do not represent existential risks. However, the three remaining boundaries (climate change, global freshwater cycle, and ocean acidification) do pose existential risks. This is because of intrinsic positive feedback loops, substantial lag times between system change and experiencing the consequences of that change, and the fact these different boundaries interact with one another in ways that yield surprises. In addition, climate, freshwater, and ocean acidification are all directly connected to the provision of food and water, and shortages of food and water can create conflict and social unrest. Climate change has a long history of disrupting civilizations and sometimes precipitating the collapse of cultures or mass emigrations (McMichael, 2017). For example, the 12th century drought in the North American Southwest is held responsible for the collapse of the Anasazi pueblo culture. More recently, the infamous potato famine of 1846–1849 and the large migration of Irish to the U.S. can be traced to a combination of factors, one of which was climate. Specifically, 1846 was an unusually warm and moist year in Ireland, providing the climatic conditions favorable to the fungus that caused the potato blight. As is so often the case, poor government had a role as well—as the British government forbade the import of grains from outside Britain (imports that could have helped to redress the ravaged potato yields). Climate change intersects with freshwater resources because it is expected to exacerbate drought and water scarcity, as well as flooding. Climate change can even impair water quality because it is associated with heavy rains that overwhelm sewage treatment facilities, or because it results in higher concentrations of pollutants in groundwater as a result of enhanced evaporation and reduced groundwater recharge. Ample clean water is not a luxury—it is essential for human survival. Consequently, cities, regions and nations that lack clean freshwater are vulnerable to social disruption and disease. Finally, ocean acidification is linked to climate change because it is driven by CO2 emissions just as global warming is. With close to 20% of the world’s protein coming from oceans (FAO, 2016), the potential for severe impacts due to acidification is obvious. Less obvious, but perhaps more insidious, is the interaction between climate change and the loss of oyster and coral reefs due to acidification. Acidification is known to interfere with oyster reef building and coral reefs. Climate change also increases storm frequency and severity. Coral reefs and oyster reefs provide protection from storm surge because they reduce wave energy (Spalding et al., 2014). If these reefs are lost due to acidification at the same time as storms become more severe and sea level rises, coastal communities will be exposed to unprecedented storm surge—and may be ravaged by recurrent storms. A key feature of the risk associated with climate change is that mean annual temperature and mean annual rainfall are not the variables of interest. Rather it is extreme episodic events that place nations and entire regions of the world at risk. These extreme events are by definition “rare” (once every hundred years), and changes in their likelihood are challenging to detect because of their rarity, but are exactly the manifestations of climate change that we must get better at anticipating (Diffenbaugh et al., 2017). Society will have a hard time responding to shorter intervals between rare extreme events because in the lifespan of an individual human, a person might experience as few as two or three extreme events. How likely is it that you would notice a change in the interval between events that are separated by decades, especially given that the interval is not regular but varies stochastically? A concrete example of this dilemma can be found in the past and expected future changes in storm-related flooding of New York City. The highly disruptive flooding of New York City associated with Hurricane Sandy represented a flood height that occurred once every 500 years in the 18th century, and that occurs now once every 25 years, but is expected to occur once every 5 years by 2050 (Garner et al., 2017). This change in frequency of extreme floods has profound implications for the measures New York City should take to protect its infrastructure and its population, yet because of the stochastic nature of such events, this shift in flood frequency is an elevated risk that will go unnoticed by most people. 4. The combination of positive feedback loops and societal inertia is fertile ground for global environmental catastrophes Humans are remarkably ingenious, and have adapted to crises throughout their history. Our doom has been repeatedly predicted, only to be averted by innovation (Ridley, 2011). However, the many stories of human ingenuity successfully addressing existential risks such as global famine or extreme air pollution represent environmental challenges that are largely linear, have immediate consequences, and operate without positive feedbacks

. For example, the fact that food is in short supply does not increase the rate at which humans consume food—thereby increasing the shortage. Similarly, massive air pollution episodes such as the London fog of 1952 that killed 12,000 people did not make future air pollution events more likely. In fact it was just the opposite—the London fog sent such a clear message that Britain quickly enacted pollution control measures (Stradling, 2016). Food shortages, air pollution, water pollution, etc. send immediate signals to society of harm, which then trigger a negative feedback of society seeking to reduce the harm. In contrast, today’s great environmental crisis of climate change may cause some harm but there are generally long time delays between rising CO2 concentrations and damage to humans. The consequence of these delays are an absence of urgency; thus although 70% of Americans believe global warming is happening, only 40% think it will harm them (http://climatecommunication.yale.edu/visualizations-data/ycom-us-2016/). Secondly, unlike past environmental challenges, the Earth’s climate system is rife with positive feedback loops. In particular, as CO2 increases and the climate warms, that very warming can cause more CO2 release which further increases global warming, and then more CO2, and so on. Table 2 summarizes the best documented positive feedback loops for the Earth’s climate system. These feedbacks can be neatly categorized into carbon cycle, biogeochemical, biogeophysical, cloud, ice-albedo, and water vapor feedbacks. As important as it is to understand these feedbacks individually, it is even more essential to study the interactive nature of these feedbacks. Modeling studies show that when interactions among feedback loops are included, uncertainty increases dramatically and there is a heightened potential for perturbations to be magnified (e.g., Cox, Betts, Jones, Spall, & Totterdell, 2000; Hajima, Tachiiri, Ito, & Kawamiya, 2014; Knutti & Rugenstein, 2015; Rosenfeld, Sherwood, Wood, & Donner, 2014). This produces a wide range of future scenarios. Positive feedbacks in the carbon cycle involves the enhancement of future carbon contributions to the atmosphere due to some initial increase in atmospheric CO2. This happens because as CO2 accumulates, it reduces the efficiency in which oceans and terrestrial ecosystems sequester carbon, which in return feeds back to exacerbate climate change (Friedlingstein et al., 2001). Warming can also increase the rate at which organic matter decays and carbon is released into the atmosphere, thereby causing more warming (Melillo et al., 2017). Increases in food shortages and lack of water is also of major concern when biogeophysical feedback mechanisms perpetuate drought conditions. The underlying mechanism here is that losses in vegetation increases the surface albedo, which suppresses rainfall, and thus enhances future vegetation loss and more suppression of rainfall—thereby initiating or prolonging a drought (Chamey, Stone, & Quirk, 1975). To top it off, overgrazing depletes the soil, leading to augmented vegetation loss (Anderies, Janssen, & Walker, 2002). Climate change often also increases the risk of forest fires, as a result of higher temperatures and persistent drought conditions. The expectation is that forest fires will become more frequent and severe with climate warming and drought (Scholze, Knorr, Arnell, & Prentice, 2006), a trend for which we have already seen evidence (Allen et al., 2010). Tragically, the increased severity and risk of Southern California wildfires recently predicted by climate scientists (Jin et al., 2015), was realized in December 2017, with the largest fire in the history of California (the “Thomas fire” that burned 282,000 acres, https://www.vox.com/2017/12/27/16822180/thomas-fire-california-largest-wildfire). This catastrophic fire embodies the sorts of positive feedbacks and interacting factors that could catch humanity off-guard and produce a true apocalyptic event. Record-breaking rains produced an extraordinary flush of new vegetation, that then dried out as record heat waves and dry conditions took hold, coupled with stronger than normal winds, and ignition. Of course the record-fire released CO2 into the atmosphere, thereby contributing to future warming. Out of all types of feedbacks, water vapor and the ice-albedo feedbacks are the most clearly understood mechanisms. Losses in reflective snow and ice cover drive up surface temperatures, leading to even more melting of snow and ice cover—this is known as the ice-albedo feedback (Curry, Schramm, & Ebert, 1995). As snow and ice continue to melt at a more rapid pace, millions of people may be displaced by flooding risks as a consequence of sea level rise near coastal communities (Biermann & Boas, 2010; Myers, 2002; Nicholls et al., 2011). The water vapor feedback operates when warmer atmospheric conditions strengthen the saturation vapor pressure, which creates a warming effect given water vapor’s strong greenhouse gas properties (Manabe & Wetherald, 1967). Global warming tends to increase cloud formation because warmer temperatures lead to more evaporation of water into the atmosphere, and warmer temperature also allows the atmosphere to hold more water. The key question is whether this increase in clouds associated with global warming will result in a positive feedback loop (more warming) or a negative feedback loop (less warming). For decades, scientists have sought to answer this question and understand the net role clouds play in future climate projections (Schneider et al., 2017). Clouds are complex because they both have a cooling (reflecting incoming solar radiation) and warming (absorbing incoming solar radiation) effect (Lashof, DeAngelo, Saleska, & Harte, 1997). The type of cloud, altitude, and optical properties combine to determine how these countervailing effects balance out. Although still under debate, it appears that in most circumstances the cloud feedback is likely positive (Boucher et al., 2013). For example, models and observations show that increasing greenhouse gas concentrations reduces the low-level cloud fraction in the Northeast Pacific at decadal time scales. This then has a positive feedback effect and enhances climate warming since less solar radiation is reflected by the atmosphere (Clement, Burgman, & Norris, 2009). The key lesson from the long list of potentially positive feedbacks and their interactions is that runaway climate change, and runaway perturbations have to be taken as a serious possibility. Table 2 is just a snapshot of the type of feedbacks that have been identified (see Supplementary material for a more thorough explanation of positive feedback loops). However, this list is not exhaustive and the possibility of undiscovered positive feedbacks portends even greater existential risks. The many environmental crises humankind has previously averted (famine, ozone depletion, London fog, water pollution, etc.) were averted because of political will based on solid scientific understanding. We cannot count on complete scientific understanding when it comes to positive feedback loops and climate change.

## Case

### 1NC — Case

#### Biden solves

Saenz 19 – Arlette; political correspondent covering Biden’s presidential campaign. (“Joe Biden supports decriminalizing marijuana, stops short of calling for legalization” CNN. May 16, 2019. <https://www.cnn.com/2019/05/16/politics/joe-biden-marijuana-decriminalization/index.html>)//SR

(CNN) – Joe Biden supports decriminalizing marijuana, a Biden campaign spokesman told CNN, but the former vice president isn't going as far as calling for the drug to be legalized on the federal level. "Nobody should be in jail for smoking marijuana," Biden told voters at a Tuesday house party in Nashua, New Hampshire. Asked by CNN if the former vice president supports legalizing marijuana, Andrew Bates, a Biden campaign spokesman, said Biden believes the drug should be decriminalized and that decisions on legalization should continue on the state level. "As he said [Tuesday], Vice President Biden does not believe anyone should be in jail simply for smoking or possessing marijuana. He supports decriminalizing marijuana and automatically expunging prior criminal records for marijuana possession, so those affected don't have to figure out how to petition for it or pay for a lawyer," Bates said in a statement to CNN. "He would allow states to continue to make their own choices regarding legalization and would seek to make it easier to conduct research on marijuana's positive and negative health impacts by rescheduling it as a schedule 2 drug," he added.

#### No spillover –– feds can’t touch state marijuana laws

Angell 19 – Tom; editor of Marijuana Moment and founder of the nonprofit Marijuana Majority. (“Congress Votes To Block Feds From Enforcing Marijuana Laws In Legal States” Forbes. June 20, 2019. <https://www.forbes.com/sites/tomangell/2019/06/20/congress-votes-to-block-feds-from-enforcing-marijuana-laws-in-legal-states/#2c7d5ab74b62>)//SR

The House of Representatives approved a far-reaching measure on Thursday to prevent the Department of Justice from interfering

with state marijuana laws, including those allowing recreational use, cultivation and sales. The amendment, which also shields cannabis laws in Washington, D.C. and U.S. territories, is now attached to a large-scale appropriations bill to fund parts of the federal government for Fiscal Year 2020. The inclusion of adult-use programs represents a significant expansion of an existing policy that protects only local medical cannabis laws from federal intervention which was first enacted in 2014 and has since been extended through annual spending bills. The broader rider was approved in a floor vote of 267 to 165, a tally that is considered by legalization supporters to be an indication of how much support there is in Congress for more comprehensive and permanent changes to federal marijuana policies. “This is the most significant vote on marijuana reform policy that the House of Representatives has ever taken,” said NORML Political Director Justin Strekal. “Today’s action by Congress highlights the growng power of the marijuana law reform movement and the increasing awareness by political leaders that the policy of prohibition and criminalization has failed.”

# 2NC

# 1NR

## CP

### 1NR – INB – I/L – Cannabis

#### Cannabis spills over to all federalism disputes

Rauch 13 [Jonathan, guest scholar in Governance Studies at Brookings, “”Washington Versus Washington (and Colorado): Why the States Should Lead on Marijuana Policy”, <http://www.brookings.edu/~/media/Research/Files/Papers/2013/3/26%20marijuana%20legalization%20localism%20rauch/Washington%20Versus%20Washington%20and%20Colorado_Rauch_v17.pdf>]

In short, there is no alternative to the exercise of political judgment. Mature people will have to make conscious choices about how to manage social change and conflict with a minimum of unnecessary pain and disruption. The stakes transcend drug policy proper: marijuana legalization, far from standing alone, is an installment in a series. In the past several years, state-federal conflict has become a running theme of the national debate, on multiple hot-button issues and in multiple permutations: • On immigration, the federal government demanded that the states follow federal policy. Arizona claimed a right to independently enforce federal law, even if its enforcement priorities differed from those of the federal government. It also asserted a right to supplement federal policies with its own more stringent ones. The federal government objected, and the Supreme Court delivered a mixed ruling which mostly favored the federal government. • On Obamacare (the 2010 Affordable Care Act), states demanded the right not to follow federal policy. They challenged the law’s expansion of Medicaid and its mandate to buy health insurance. The Supreme Court again delivered a mixed ruling, this time leaning toward the states. • On gay marriage, states demanded that the federal government follow state policy. In suing to overturn the U.S. Defense of Marriage Act, they claimed that Washington, D.C., had to follow states’ definitions of marriage rather than establish a separate definition of its own. The Supreme Court, at this writing, has yet to rule. Unlike the cases of immigration and Obamacare and the Defense of Marriage Act, marijuana involves not merely friction between state and federal policy but something closer to outright defiance. Even in a context of growing agitation in federal-state relations, this was putting a cat among the pigeons. Avoiding conflict or even chaos is not going to be easy, and the outcome will affect not only drug policy but the way in which the country handles other federal-state conflicts sure to emerge.

### 1NR – Solv – T/L

#### 1---vested interests

Barkow 11 – Rachel; professor at the New York University School of Law and faculty director of the Center on the Administration of Criminal Law. Her research focuses on administrative law and criminal justice. (“Federalism and Criminal Law: What the Feds Can Learn from the States” Michigan Law Review. Published 2011. <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1165&context=mlr>)//SR

Indeed, this intrastate perspective is particularly valuable because states have the primary responsibility for law enforcement in the United States and typically must pay the incarceration costs for those prosecuted, whether by local-level or state-level prosecutors. If local prosecutors are not using state prison resources effectively or are imposing externalities on other intrastate jurisdictions, states should have a greater incentive to intervene than the federal government because they pick up the tab for the state's prison costs with their limited budgets. Moreover, inefficient crime fighting is far more likely to have spillover effects within a state than across state lines because most criminal activity, and particularly violent criminal activity, likely stays within a local area. The federal government, in contrast, is not on the frontlines of most criminal law enforcement efforts and instead picks the cases it wishes to pursue.' The law enforcement portion of the federal budget is comparably minuscule, and it serves no disciplining effect on decision making.9 Because of these practical realities, states are more likely than Congress to consider the costs and benefits associated with how criminal law enforcement should be allocated. All else being equal, states have strong incentives to get the right mix of law enforcement to maximize the use of their prison resources. States therefore offer a helpful comparative framework for the question of when local law enforcement makes sense and when it does not.

#### 2---solves 9 times better than the aff

Francescani & Barr 20 – Chris; reporter for the ABC News Investigative Unit. Luke; covers Justice and Homeland Security for ABC. (“Fearing outbreaks and riots, nation’s prison and jail wardens scramble to respond to coronavirus threat” ABC News. March 19, 2020. <https://abcnews.go.com/Health/fearing-outbreaks-riots-nations-prison-jail-wardens-scramble/story?id=69676840>)//SR

The nation’s incarcerated population includes about 1.3 million in state prisons, another quarter million in federal prisons, and about three-quarters of a million in local jails, [according](https://www.prisonpolicy.org/reports/pie2019.html) to the non-profit Prison Policy Initiative.

## DA

### 1NR — TC

#### The impact linearly magnifies racial disparities and structural violence

Austin 8 – Algernon; research associate and former director of the Race, Ethnicity, and the Economy program at the Economic Policy Center. (“What a recession means for black America” Economic Policy Center. January 18, 2008. <https://www.epi.org/publication/ib241/>) //LFS—SR

Recessions hurt. And they hurt the poor and socially marginalized populations the most. As we face the prospect of the second recession of the decade and consider the merits of various stimulus packages, it is useful to examine what a recession would mean for black America. The late 1990s produced a full employment economy and significant absolute and relative economic gains for blacks. This Issue Brief contrasts the benefits of a national full-employment economy with the harm caused by the 2001 recession and the weak job growth that followed. Black America’s permanent recession In the best of times, many African American communities are forced to tolerate levels of unemployment unseen in most white communities. The 2001 recession pushed the white annual unemployment rate up from a low of 3.5% in 2000 to a high of 5.2% in 2003. During the same period, the black unemployment rate shot up from 7.6% to 10.8%. National recessions take African Americans from a bad situation to a worse one. In 2007, the black unemployment rate was 8.3%. This figure is still above the pre-recession low and more than twice the white unemployment rate. Goldman Sachs estimates that a new recession would increase the national unemployment rate to 6.4% by 2009.1 For African Americans, the unemployment rate would be expected to rise to 11.0%.2 African Americans lose income relative to whites The low unemployment rates of the 1990s led to positive gains in the black/white income ratio. In 1995, the median black family earned 60.9% of what the median white family did. By 2000, the ratio had climbed to a record high of 63.5%. The effect of the 2001 recession and the weak economic recovery was to undo all of those gains?and then take away some more. By 2005, the median black household earned only 60.2% of the median white household, 0.7 points lower than it was in 1995. 3 But median family income does not tell the entire story. The 2001 recession and weak recovery hurt the poorest African Americans the most. In 1995, the poorest fifth of black families only earned on average 43.0% of what the poorest fifth of white families earned. Again, the economic growth of the late 1990s was a significant boon. The black/white average income ratio for the poorest fifth increased to 49.9% in 2000. By 2005, it had fallen back to 43.4%. Among blacks, the poorest black families lost the largest share of their income gains from the late 1990s.4 Another recession will likely reduce the median family income for all Americans by about 4%. However, for blacks, the decline would be about 6%, leaving the average African American family $2,400 poorer.5 Again, this loss of income will hurt the poorest fifth of African Americans the most. Additional social costs Associated with the strong economy of the 1990s, there were significant declines in the black violent crime rate and the black teen pregnancy rate. Between 1993 and 2001, the black violent crime rate declined by 60%.6 Between 1990 and 2004, the black teen pregnancy rate declined by 46%.7 These improving trends have ended, and it is likely that the worsening economic conditions of African Americans since 2001 have played at least a partial role. At the community level, criminologists find a correlation between violent crime rates and socioeconomic disadvantage.8 At the national level, too, the black violent crime rate has recently been strongly correlated with black poverty rates.9 Therefore, it is not surprising that the historic crime decline of the 1990s ended with the reversal of economic fortunes that African Americans experienced at the beginning of the 21st century.

### 1NR — UQ

#### On track for passage now

Reese 9-14-2021, Columnist for Ohio’s Country Journal, BA from Ohio State University, and Dale Minyo, General Manager for Ag Net Communications, LLC, Farm Broadcaster for the Ohio Ag Net, BA from Ohio State University (Matt “Infrastructure Bill Moving Forward”, Ohio’s Country Journal, 9/14/2021, <https://ocj.com/2021/09/infrastructure-bill-moving-forward/>)

From the local bridge just around the corner to the locks and dams on the nation’s river system, agricultural viability depends heavily on infrastructure. After months of across-the-aisle negotiations, the Senate voted to pass the bipartisan infrastructure package (H.R. 3684) in August. “This is a very notable move forward. It passed through the Senate with a very bi-partisan vote of 69-30, 19 Republican Senators voted for the legislation. Early on this year, the topic of infrastructure was really expansive. There were a lot of things being discussed that really don’t have a lot to do with what most Americans regard as infrastructure. It has tightened up and we think that is a good thing,” said Mike Steenhoek, executive director of the Soy Transportation Coalition. “We appreciate there are a number of categories within this legislation that, if they come to fruition, would be beneficial to agriculture. There is funding directed at roads and bridges, many in rural areas. There is some funding for our inland waterways and ports. For an industry like soybeans, we rely on robust exports and we have got to have the multi-modal transportation system that can connect our supply with that demand. We think there are some very favorable things in this legislation.” With Senate passage, attention now shifts to the House on this legislation. “Very little proceeds on time in Washington, D.C., but it is moving forward. The big question is: does the House adhere to Speaker Pelosi’s stated desire that this bill only gets passed if that $3.5 trillion reconciliation package which involves much more social spending also gets passed? There is still a lot of uncertainty related to this. Clearly there are Democrats and Republicans who support this legislation and it is clearly a priority of the president. It is a big bill. Hopefully it won’t get polluted by some of these more controversial topics.” If the infrastructure package does get passed, it will hopefully build on existing progress. “This bill would amplify what is already happening. We have a 5-year Highway Bill that was passed in 2015 and is scheduled to be re-authorized this year,” Steenhoek said. “Last year we had the Water Resources Development Act that paved the way for more funding for the inland waterway system. This is not our only shot for moving the needle on infrastructure. Things are getting done. You could argue that more needs to be done and that is what this bill aspires to do.” Along with the big picture infrastructure items, there are also some smaller provisions in the legislation that could benefit agriculture, including support for biobased products. “There is a provision that calls attention to biobased products that have infrastructure implications,” Steenhoek said.“Soy-based asphalt sealants and soy-based concrete sealants that are made largely from soil oil are a sustainable way to elongate the life of roads and bridges and provide another market opportunity for soybeans.” There is plenty to watch as this continues to move forward. “This is not a perfect piece of legislation, but we do think when you look at the links in the supply chain that are important to farmers, there are certain investment levels and actions that will improve the supply chain. Overall we look at this legislation favorably,” Steenhoek said. “I think there is a good chance that this does get passed, but as the days progress toward an election year, then the probability of anything getting passed goes down.”

#### PC keeps democrats in line. It’s working now, and a big push is coming

Everett and Barron-Lopez 9-16-2021 (Burgess and Laura, “Dems call in big gun as they face huge Hill tests,” *Politico*, <https://www.politico.com/news/2021/09/16/biden-influence-capitol-democrats-511952>)

The next few months will push President Joe Biden to wield every drop of his influence over Congress. Democrats are plunging into messy internal debates over social programs from child care to drug pricing as they try to beat back GOP resistance on voting rights while steering the United States away from economic catastrophe. And in order to avert a government shutdown, avoid a debt default and fight ballot access restrictions passed in some GOP states, Democratic lawmakers are urging Biden to get more directly involved. Senate Majority Whip Dick Durbin said that Biden, “more than anyone,” maintains sway over his caucus’s 50 members: “There is no comparable political force to a president, and specifically Joe Biden at this moment.” Biden appears to be answering the call. The president is getting increasingly involved in Congress’ chaotic fall session as he battles sagging approval ratings, heightened concerns around the pandemic and some internal criticism over his withdrawal from Afghanistan. On Thursday, he'll speak to Senate Majority Leader Chuck Schumer and Speaker Nancy Pelosi ahead of a critical week for funding the government and lifting the debt ceiling. Rebounding as the midterms draw nearer will depend on whether his big social spending ambitions are realized and if his party can dodge a government shutdown and credit default. But even if he has success on those fronts, he still needs to maintain momentum on Democrats’ elections legislation, which Republicans look certain to torpedo. “I have full faith and confidence in Joe Biden in all of this,” said House Majority Whip Jim Clyburn, who's pressed Biden to endorse a filibuster carve out for voting rights legislation. “He is working this … and that’s how it should be.” Biden met with two key Democratic holdouts on his domestic spending agenda on Wednesday, part of a sustained push to keep Sens. Joe Manchin (D-W.Va.) and Kyrsten Sinema (D-Ariz.) on board with his legislative program. Biden’s met with Sinema four times this year, in addition to telephone calls made between the two, and has spoken to Manchin a similar number of times. “Now is the time” for Biden to jump full-force into the reconciliation conversation, said Sen. Tim Kaine (D-Va.). And the White House made clear that Biden is diving into the series of tricky issues. Andrew Bates, a spokesperson for Biden, said that Biden and his administration "are in frequent touch with Congress about each key priority: protecting the sacred right to vote, ensuring our economy delivers for the middle class and not just those at the top, and preventing needless damage to the recovery from the second-worst economic downturn in American history.” To help corral all 50 Senate Democrats for the social spending bill, the president and his party need to create an “echo chamber” around its substance, said Celinda Lake, a pollster on Biden’s campaign. But that won't be easy. Manchin has told colleagues he’s worried about whether the bill’s safety net, climate action and tax reforms will be popular in his state, according to one Senate Democrat. He's also said he won't support a measure at the current spending level: $3.5 trillion. If Biden can hammer home the popular aspects of the spending plan, it may help assuage Manchin and improve his whip count in Congress. Underscoring the degree to which he's become the face of the multi-trillion dollar reconciliation bill, a Democratic aide said the party is increasingly seeking to frame it as Biden’s agenda, not that of Sen. Bernie Sanders (I-Vt.) or any single Democrat.

#### PC shapes uniqueness. Biden is stepping up his sales pitch with moderate dems. It’s an ongoing process.

Bolton 9-15-2021 (Alexander, “Democrats hope Biden can flip Manchin and Sinema,” The Hill, <https://thehill.com/policy/energy-environment/572506-democrats-hope-biden-can-flip-manchin-and-sinema>)

President Biden met face to face with Sens. Joe Manchin (D-W.Va.) and Kyrsten Sinema (D-Ariz.) on Wednesday, stepping up his involvement in the effort to unify congressional Democrats behind a $3.5 trillion spending package. Democratic lawmakers are hailing Biden’s personal attention as a game-changing development at a critical moment. “The ones who are negotiating publicly, I think it is fair to say, they’re the toughest votes to get,” Sen. Tim Kaine (D-Va.) said of Manchin and Sinema. “This is really important for the Biden administration, and so it’s all on deck,” he added of the efforts to get the two holdouts to support the reconciliation package. Kaine noted that Biden “has a strong personal relationship with Manchin.” “Both Joe and Kyrsten really want [Biden] to be a successful president. (A) It’s good for the country. (B) It’s good for their states. (C) It’s good for their own politics,” Kaine added. While the White House has been involved in negotiations with Senate Majority Leader Charles Schumer (D-N.Y.) and Speaker Nancy Pelosi (D-Calif.) over the size and scope of the spending package, Biden’s recent public appearances have focused more on the U.S. withdrawal from Afghanistan, the rise in COVID-19 cases, and wildfires and floods in various parts of the country. White House press secretary Jen Psaki on Wednesday said the president knows the Manchin and Sinema meetings were only the start of negotiations with moderate Democrats. “The president certainly believes they’ll be ongoing discussions, not that there’s necessarily going to be a conclusion out of those today,” she told reporters at the White House. John LaBombard, a spokesman for Sinema, called Wednesday’s meeting “productive.” “Kyrsten is continuing to work in good faith with her colleagues and President Biden as this legislation develops,” he said. Biden, who spent decades in the Senate before becoming vice president, met separately with each senator in an apparent effort to maximize the effect of his personal involvement. He sat down with Sinema around 10 a.m. and met with Manchin several hours later. Manchin was spotted walking into the White House at 5:30 p.m. wearing a blue blazer, gray slacks and rubber-soled boat shoes. The prospects of passing the entire $3.5 trillion human infrastructure package suffered several setbacks in recent weeks, largely because of Manchin and Sinema. The two senators raised red flags about the bill’s price tag, and Manchin has criticized specific provisions such as the Clean Electricity Performance Program, which would provide $150 billion to steer electric utilities away from coal to renewable energy sources. Manchin called for a “strategic pause” on the bill in a Wall Street Journal op-ed with the headline “Why I won’t support spending another $3.5 trillion.” “Ignoring the fiscal consequences of our policy choices will create a disastrous future for the next generation of Americans,” he warned. Sinema has also threatened to vote against a $3.5 trillion spending bill, although she has pledged to “work in good faith to develop this legislation with my colleagues and the administration.” On the other side of the Capitol, Democrats suffered a blow with the drafting of their reconciliation bill Wednesday when three Democrats on the House Energy and Commerce Committee — Reps. Kurt Schrader (Ore.), Scott Peters (Calif.) and Kathleen Rice (N.Y.) — voted against legislation to lower drug prices, which Democratic leaders are counting on as a key pay-for in the larger package. Separately, Rep. Stephanie Murphy (D-Fla.) sided with Republicans in the House Ways and Means Committee vote Wednesday to advance that panel's portion of the reconciliation package, citing concerns about tax provisions. Manchin reiterated his concerns with the massive reconciliation bill at a Senate Democratic caucus lunch meeting on Tuesday. The remarks, however, fell flat with colleagues. “We’re frustrated with Manchin,” said one Democratic senator who attended the meeting. “It’s not like the president has shunned him. He’s reached out to Manchin before. Nobody’s gotten more attention from the White House.” The lawmaker said Manchin reprised some of the arguments he made in The Wall Street Journal and during appearances on CNN’s “State of the Union” and NBC’s “Meet the Press” over the weekend. “The $64,000 question is, what’s his endgame? We don’t know,” said the lawmaker. “Part of what Biden is trying to figure out is, where does Manchin want to go?” On Tuesday, Manchin questioned the need to spend $150 billion on weaning power plants away from coal when there are already plenty of private sector incentives to do so. “Why should we be paying utilities to do what they’re already doing? We’re transitioning. Fifty percent of our power came from coal in the year 2000. Twenty years later, [it’s] 19 percent,” he told reporters. Manchin also said he’s concerned about the reliability of depending entirely on renewable energy sources. Senate Democrats have grown frustrated over what they view as Manchin’s “vague” demands for what the reconciliation bill should look like. They also didn’t appreciate the double-barreled criticism in his Wall Street Journal op-ed that caught them off guard during the August recess. “I was on a [congressional delegation trip] overseas with several colleagues when we read the op-ed, and we were aghast,” said another Democratic senator, who requested anonymity to discuss the internal dynamics of the Democratic caucus. Manchin said fellow Democrats were “rushing” to spend another $3.5 trillion without fully understanding the potential ramifications of their actions. He warned that the bill could leave the federal government short of resources to respond to the pandemic if it gets worse because of viral mutations or if there’s another financial crisis like the Great Recession. While some Democratic strategists have privately complained that Biden has not made more of a public sales pitch on behalf of his human infrastructure proposal, Democratic senators say they’re happy the president has let the talks play out on Capitol Hill without much interference. Kaine said “it’s really important” that Biden is now getting personally involved in trying to persuade Manchin and Sinema get on board with the reconciliation bill. “There’s a time when you get involved, and now is that time,” he said. Kaine said Biden’s intervention in negotiations over the bipartisan $1 trillion infrastructure bill that passed the Senate last month was “very critical” to keeping it on track. Senate Majority Whip Dick Durbin (D-Ill.) said Wednesday that he hopes Biden’s personal involvement will be a difference-maker with Manchin and Sinema. “That conversation is important,” he said.

### 1NR — Link

#### Legislative antitrust reform saps political capital from other priorities

Folio 21, JD (Joseph Charles, “Antitrust Update: Up and Down the Avenue,” <https://www.mofo.com/resources/insights/210322-atr-update.html>)

Are the stars aligning for antitrust reform? President Biden is filling key positions in the White House (Timothy Wu, National Economic Council) and at the FTC (Lina Khan, nominee for commissioner) with lawyers who have advocated for increased antitrust enforcement, especially against “big tech.” In Congress, the House antitrust subcommittee concluded a year-long investigation in October 2020 and found bipartisan agreement on discrete areas for reform. With Democrats now in control of both houses of Congress, antitrust legislation seems close. But not so fast. The House and Senate antitrust subcommittees have held four hearings since February 25, 2021, but it is crucial to view these recent developments in their proper context. Even when politicians and enforcers appear to agree on a goal, it can still be a long and winding road to actual policy reform. Two to go Although antitrust reform advocates cheered President Biden’s initial appointments, two of the most consequential antitrust positions—the assistant attorney general (AAG) for antitrust and the FTC chair—remain open. Both the AAG and FTC chair wield tremendous authority; they approve cases, guide investigations, and will decide how to proceed with ongoing litigation. It is unlikely that the Biden administration will make any significant decisions, or support any particular legislation, before its key personnel are firmly in place. And that can take time. Former AAG Makan Delrahim was nominated in March 2017 but not confirmed until September 2017. Interestingly, the pressure to nominate like-minded antitrust reformers for these two positions is coming from multiple angles. One public interest group recently sent a letter to White House chief of staff Ron Klain and, after “highly commend[ing]” the nomination of Ms. Khan to be an FTC commissioner, warned against the influence of certain White House and DOJ officials over the AAG and FTC chair nominations because of their links to “big tech” companies.[1] Additionally, many in the press have been critical of the level of tech enforcement activity during the Obama administration and want to avoid a replay of those years.[2] Meanwhile, on Capitol Hill … Down the avenue, Congress is debating whether to provide the agencies with additional tools and resources. But how realistic are the prospects for legislative reform? In short, although the prospects for sweeping legislative reform of the antitrust laws are dim, targeted reforms appear increasingly likely, especially increased funding for the agencies. In October 2020, the House antitrust subcommittee concluded a year-long bipartisan investigation into these issues, and the House Democrats published a lengthy report detailing their findings and making recommendations for reform. Notably, the House Republican response identified several areas of agreement, including “providing antitrust enforcement agencies with the necessary resources.” [3] House Republicans also made it clear that they too are concerned about tech companies “using ‘killer acquisitions’ to remove up-and-coming competitors from the marketplace,” and that the burdens of proof for mergers and predatory pricing cases need to be reevaluated.[4] On March 18, 2021, however, the Republican ranking member on the committee reiterated a shared interest in reforming the evidentiary burden of proof in merger cases, which he described as having become “essentially insurmountable” and “a grant of near total immunity to big tech companies.” Although a path to agreement on more substantive issues typically has many obstacles, reforming the burden of proof in certain instances may be emerging as the most likely candidate for significant legislative action. In the Senate, on February 4, 2021, newly installed antitrust subcommittee chair Senator Amy Klobuchar (D-MN) introduced a bill that would overhaul existing antitrust laws. Among other reforms, it would lower the government’s burden of proof to block a merger, shift the burden of proof in certain cases and require the merging parties to justify the deal, and increase funding for both the DOJ Antitrust Division and the FTC. At the subcommittee’s March 11, 2021 hearing related to the bill, subcommittee ranking member Senator Mike Lee (R-UT) (who promptly released a statement noting his opposition to Ms. Khan’s nomination) made it clear that he firmly opposes “a sweeping transformation of the antitrust laws.” Throughout the hearing, however, there appeared to be bipartisan support for taking some sort of action to address these issues, and at the very least to provide increased funding to the DOJ and FTC. Even Senator Lee, who recently introduced a bill that would combine the DOJ and FTC to avoid inefficiencies in antitrust enforcement, acknowledged that agency leaders need the resources that are necessary to vigorously enforce antitrust laws. So, what does it all mean? In these circumstances, the most likely outcome appears to be antitrust officials creatively using their existing tools to enhance enforcement while not so quietly pressing Congress for additional assistance. On March 16, 2020, acting FTC Chair Rebecca Slaughter advocated for increased scrutiny of mergers between pharmaceutical companies. She also told the House antitrust subcommittee that the agencies “should consider withdrawing” the guidance for “vertical” mergers issued during the last administration to allow for more aggressive enforcement.[5] But at the same time, FTC Commissioner Noah Phillips explained that the agency would not be able to challenge certain deals without more funding. The Biden administration and the agencies will need to determine how to square those positions. Also, even assuming Congress could provide the agencies with additional funding quickly (on top of the additional $20 million Congress provided to the FTC in December 2020), using that funding to hire additional attorneys will take time. The path for meaningful legislative reform remains extremely complicated. The prospect for reform depends significantly on whether members of Congress, congressional leadership, and the Biden administration are willing to expend the time and political capital necessary to pass a reform bill (which also assumes the relevant parties can agree on what should be included—or, perhaps more importantly, excluded—from that bill). In light of competing priorities, the absence of key personnel, and the already narrowing congressional calendar (major non-appropriations legislation typically will not move after July in an election year (2022)), those prospects appear to be slim. In the meantime, we expect that Congress will continue to focus attention on these issues with more hearings and new legislative proposals, but it remains to be seen when attention will become action.

#### Biden is avoiding antitrust reform to save PC for the rest of his agenda

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Stucke, the former U.S. Justice Department antitrust official, says that despite Wu and Khan's credentials and reputation, changing antitrust policy will require a concerted effort. With Biden having an ambitious overall agenda and his Democratic Party holding the slimmest possible majority in the Senate, Stucke says, the question is “to what extent will the Biden administration want to expend political capital on this. They've got some bipartisan support for antitrust reform, but to what extent are they going to mobilize that?” Congressional Challenges Lawmakers from both parties are pressing for legislation to address a range of concerns about Big Tech, including its business practices and handling of online speech. In March, a Senate antitrust subcommittee launched the first in a series of hearings on antitrust law, focusing on the big technology companies. Subcommittee Chair Amy Klobuchar, D-Minn., has offered a legislative package that would make it easier to challenge proposed mergers and business practices that threaten open competition and would include new fines for antitrust offenses. Some Republicans indicated an openness to such measures. Sen. Hawley, for instance, considered whether Congress should limit mergers by companies in a dominant position and ban companies such as Amazon from using their online platforms to promote their products over those of competitors, a practice known as self-preferencing.51 Another bill related to Big Tech, the Journalism Competition and Preservation Act, is also drawing bipartisan support in the House and Senate. The legislation would empower the traditional news industry to collectively negotiate deals in which the Big Tech platforms would pay for linking to or republishing news stories and other content. The shift in news consumption and advertising from newspapers and other traditional sources to online platforms such as Facebook, which have paid little or nothing for much of the content, has devastated the industry. “We must enable news organizations to negotiate on a level playing field if we want to preserve a strong and independent press,” said Klobuchar.52 The most controversial proposals being considered by lawmakers are changes to Section 230, which says online platforms shall not be considered the “publisher” of material posted by someone else on their sites and thus are not legally liable for civil lawsuits.53 The provision has given Facebook, Twitter and other online platforms wide-ranging power to determine what content they allow on their sites. As the popularity of the platforms has soared, lawmakers have become concerned about misleading, extreme and sometimes violent rhetoric and information online. Those concerns grew more urgent following the Jan. 6 Capitol Hill insurrection, and lawmakers from both parties have introduced bills to amend Section 230 to hold Big Tech more responsible for what appears on their platforms. But the two parties see the problem very differently. Democrats want to hold Big Tech accountable for what they call hate speech and misinformation. Republicans want Section 230 amended to limit Big Tech's ability to censor controversial posts or other information because they believe the companies are biased against conservatives — although the New York University study found that there is far more right-wing information on social media sites than left-leaning content.54

#### McConnell will tie up cannabis reform in Congress

**Demko & Fertig 19** – (Paul Demko; Natalie Fertig; “Why the most pro-marijuana Congress ever won’t deal with weed”; Politico; D.A. September 17th 2020, [Published September 9th 2019]; https://www.politico.com/story/2019/09/09/marijuana-congress-1712973) //LFS—JCM

But even if House Democrats can overcome their internal differences and pass a bill — whether banking legislation or something more ambitious — it will face a treacherous path in the Senate. Majority Leader Mitch McConnell has shown zero interest in doing anything to make it easier for marijuana companies to do business. There’s at least one wild card that could alter that dynamic: the electoral fate of Colorado Sen. Cory Gardner, who is arguably the No. 1 target of Democrats in 2020. Gardner has become a leading advocate for cannabis legislation, reflecting the booming industry in his home state. In particular, Gardner has championed the STATES Act, which would essentially allow state-legal markets to continue operating without fear of federal punishment. That legislation hasn’t gained any traction during the current Congress, despite a huge push from industry groups. If it’s perceived that Gardner needs a win in this area, it could soften McConnell’s resolve, lobbyists argue. But longtime Senate watchers are extremely skeptical that McConnell will allow any cannabis legislation to come to the floor on its own. That means the only likely possibility is attaching cannabis legislation — whether the STATES Act, banking legislation or another proposal — to some must-pass package.

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#### It’s a key stepping stone for broader climate policy

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Future climate action could hinge on the results of this bill

By March, the contours of the infrastructure bill should be emerging, revealing whether these initiatives and dozens of others will move forward and if they’ll be funded at a scale that will really make an impact. In the process, the messaging wars around climate policy are bound to intensify. Republican lawmakers and members of the fossil fuel industry have already criticized Biden’s moves to block the construction of the Keystone XL pipeline and pause oil and gas drilling on federal lands. Biden has tried to get in front of the “climate versus jobs” framing by instructing his administration to focus on creating a just transition. In his January 27 executive order, he committed to distributing 40 percent of the benefits from climate investments to disadvantaged communities. He also created a working group to support fossil fuel and power plant communities as the country transitions to renewables. The Republican critiques also underscore the political importance of designing climate policy that contributes to the economic recovery, and messaging that clearly to the country. “One lesson from the Obama experience was the need to sell investments in the energy economy as about economic prosperity and quality of life improvements, not about emissions reductions,” said Paul Bledsoe, a strategic adviser for the Progressive Policy Institute who previously served as director of communications for President Bill Clinton’s climate task force. Whether people see and feel the benefits of this new hybrid jobs-climate policy may be critical to the future of climate action, because Democrats will be judged on the results in 2022, and the party will need public support for climate action well beyond that.