# Wake --- round 2 --- wiki doc

## Off

### 1

#### T-Congress

#### Expand requires a “change in the law”

Hatter 90 (HATTER, District Judge. Opinion in In re Eastport Associates, 114 BR 686 - Dist. Court, CD California 1990. Google scholar caselaw. Date accessed 7/12/21)

Second, Eastport asserts that the presumption against retroactivity does not apply because the amendment was intended only as a clarification of existing law. Where an amendment to a statute is remedial in nature and merely serves to clarify existing law, no question of retroactivity is involved and the law will be applied to pending cases. City of Redlands v. Sorensen, 176 Cal.App.3d 202, 211, 221 Cal.Rptr. 728, 732 (1985). The evidence in this case, however, does not support the conclusion that the amendment to section 66452.6(f) was simply a clarification of preexisting law. The Legislative Counsel's Digest specifically states that "[t]he bill would expand the definition of development moratorium." Senate Bill 186, Stats.1988, ch. 1330, at 3375 (emphasis added). Since the Legislative Counsel is a state official required by law to analyze pending legislation, it is reasonable to presume that the Legislature amended the statute with the intent and meaning expressed in the Counsel's digest. People v. Martinez, 194 Cal. App.3d 15, 22, 239 Cal.Rptr. 272, 276 (1987). By its ordinary meaning, the term "expand" indicates a change in the law, rather than a restatement of existing law. In light of the Counsel's comment, Eastport's argument is unpersuasive.

#### That’s change must be a material modification of the language of the statute

Iowa Supreme Court 4 (CADY, Justice. Opinion in State v. Truesdell, 679 NW 2d 611 - Iowa: Supreme Court 2004. Google scholar caselaw, date accessed 9/13/21)

Generally, a material modification of the language of a statute gives rise to "a presumption that a change in the law was intended." Midwest Auto. III, LLC v. Iowa Dep't of Transp., 646 N.W.2d 417, 425 (Iowa 2002); see 1A Norman J. Singer, Statutes and Statutory Construction § 22.1, at 240-41 (6th ed.2002). The existence of this presumption is enhanced "when the amendment follows a contrary... judicial interpretation of an unambiguous statute." Midwest Auto. III, LLC, 646 N.W.2d at 425.

#### Antitrust laws are statutes

Kalbfleisch 61(KALBFLEISCH, District Judge. Opinion in Paul M. Harrod Company v. AB Dick Company, 194 F. Supp. 502 - Dist. Court, ND Ohio 1961. Google scholar caselaw, date accessed 9/11/21)

Defendant asserts that the term "antitrust laws," as used in the above section and as defined in 15 U.S.C.A. § 12, does not include a judgment or decree entered in connection with an antitrust case filed by the Government. Plaintiff, on the other hand, asserts that "the violation of the earlier decree of this court in itself gives rise to an independent cause of action under Section 4 of the Clayton Act." 15 U.S.C.A. § 15. Plaintiff's Brief, p. 7. Plaintiff concedes that "as far as he has been able to ascertain, this contention raises issues which have never before been decided by any appellate court." Plaintiff's Brief, p. 5.

In Nashville Milk Co. v. Carnation Co., 1958, 355 U.S. 373, 78 S.Ct. 352, 2 L.Ed. 2d 340, the Supreme Court held that the Robinson-Patman Act, 15 U.S.C.A. §§ 13-13b, 21a, was not included among the "antitrust laws" defined in Section 1 of the Clayton Act (15 U.S.C.A. § 12) and that "the definition contained in § 1 of the Clayton Act is exclusive." Id., 355 U. S. at page 376, 78 S.Ct. at page 354.

The definition of "antitrust laws" in 15 U.S.C.A. § 12, clearly embraces only the statutes described therein. Even without such a definition the term "antitrust laws" could not be construed as pertaining to a judgment or decree entered by a court in connection with an antitrust case filed by the Government. Such decrees do not necessarily reflect the prohibitions of the antitrust laws but may, by their terms, seek to dissipate the effects of the past conduct of the parties and, to this end, frequently enjoin performance of acts lawful in themselves. To permit a private party to recover damages for violation of any provision of such a decree is so obviously beyond the scope of the term "antitrust laws," as used in the statute, as to require no further discussion.

#### Violation---the aff isn’t Congress.

#### VOTE NEG:

#### First---Ground---Congressional change guarantees core DAs like horse-trading and politics, and have link uniqueness because of decades of Congressional inertia.

#### Second---Functional Limits---forces aff to have a comparative solvency advocate, which constrains aff choice. It’s try-or-die for an agential constraint because the topic is bidirectional and unlimited.

### 2

#### Anti-trust is based in free-market logics of competition and consumerism that reify neoliberal exploitation. Monopolies are inevitable in a world of government collusion and empire-building, only the alt solves.

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One of these is the inexorable tendency of competition to lead to monopoly under capitalism. Competition means winners and losers. By definition, not everyone can win when competing. Competition means rivalry for supremacy. Thousands compete in the Olympics, for example, but only a select few (“winners”) go home with a gold medal.[1] It is no accident that the economy, media, and politics are heavily monopolized by a handful of billionaires while billions of people who actually produce the wealth in society and run society remain marginalized and disempowered.

This brutal reality cannot be reversed or overcome with the utterance of a few platitudes, the passage of some policies, or the creation of some agencies that claim to be able to fix the outdated economic system, especially when all of the above come from billionaires themselves.

On July 9, 2021, President Joe Biden issued an Executive Order on Promoting Competition in the American Economy (https://www.whitehouse.gov/briefing-room/presidential-actions/2021/07/09/executive-order-on-promoting-competition-in-the-american-economy/).

The order is about 7,000 words long and full of anticonscious statements. Disinformation pervades the entire order.

The opening paragraph begins with the following disinformation:

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to promote the interests of American workers, businesses, and consumers, it is hereby ordered….

Here, “American workers, businesses, and consumers” are casually misequated and no mention is made of citizens or humans. The implication is that consumerism is normal, healthy, and desirable, and that workers and big business somehow have the same aims, world outlook, and interests. This conceals the fact that owners of capital and workers have antagonistic irreconcilable interests and that people exist as humans and citizens, not just utilitarian consumers and shoppers in a taken-for-granted system based on chaos, anarchy, and violence.

Disinformation is further escalated in the next paragraph:

A fair, open, and competitive marketplace has long been a cornerstone of the American economy, while excessive market concentration threatens basic economic liberties, democratic accountability, and the welfare of workers, farmers, small businesses, startups, and consumers.

“Market concentration” has been the norm for generations. Monopolies, cartels, and oligopolies have been around since the late 1800s. Mergers and acquisitions have been taking place non-stop for decades. The so-called “free market” largely disappeared long ago. Objectively, there can be no fairness in a system rooted in wage-slavery and empire-building. Wage-slavery is the precondition for the tendency of the rich to get richer and the poor poorer. It is not a recipe for prosperity and security for all. This is also why inequality, tyranny, violence, and surveillance have been growing over the years. Moreover, what “threatens basic economic liberties, democratic accountability, and the welfare of workers, farmers, small businesses, startups, and consumers” is the ongoing political and economic exclusion of people from control over the economy and their lives by the financial oligarchy. There can be no liberty, accountability, and welfare when most people are deprived of real decision-making power and major owners of capital make all the decisions. Problems would not constantly worsen if people had control over their lives. The “best allocation of resources” cannot be made when the economy is carved up, fractured, and controlled by competing owners of capital.

Although recurring economic crises for well over a century have repeatedly discredited “free market” ideology, the 7,000-word executive order is saturated with the language of “choice,” “competition,” and “consumers.” This is the same worn-out language used by privatizers of all hues at home and abroad.

Further, while the executive order gives many examples of “economic consolidation” in numerous sectors, the government is not interested in creating a self-reliant vibrant diverse economy that meets the needs of all. It is not committed to reversing “the harmful effects of monopoly and monopsony.” Numerous antitrust laws have not stopped either. Big mergers and acquisitions have been going on for years. Rather, the executive order is an attempt to restructure economic and political arrangements among different factions of the wealthy elite; it reflects a new stage or form of inter-capitalist rivalry for even greater domination of the economy by fewer owners of capital. In other words, moving forward, the economy will remain monopolized by a few monopolies. Wealth is only going to become more concentrated in fewer hands in the years ahead. Mountains of data from hundreds of sources document growing wealth and income inequality every year.

The bulk of the executive order is filled with endless directives, strategies, rules, and suggestions for how to curb “unfair practices” and promote “fairness” and “competition.” But these all ring hollow given concrete realities and past experience.

Today, governments at all levels have been taken over by global private monopoly interests and have become instruments of decisions made on a supranational basis. There is a fine-tuned revolving door between officials from government and the private sector; they have become synonymous for all essential purposes. The same people who run major corporations also serve in high-level government positions where they advance the narrow interests of the private sector and then they leave government and return to their high-level corporate positions. There is a reason why the majority of members of Congress are millionaires. The Executive Branch in the United States, especially the President’s Office, is a major tool for the expression of the will of the most powerful monopolies. This is why billions of dollars are spent every few years to select the President of the country.

A modern economy must be controlled and directed by workers themselves. Only such an economy can provide for the needs of all and avoid endless economic distortions. Uneven economic development, “unfair” arrangements, “market concentration,” monopolies, oligopolies, and recurring crises cannot be avoided so long as those who actually produce the social product have no control over the social product. Workers have first claim to the wealth they produce and have the right to decide how, where, and when that wealth is used. Major owners of capital are historically superfluous and a big block to progress. They are not needed for a healthy vibrant self-reliant economy that meets the needs of all.

#### All capitalism is racial capitalism---the system of competition the aff perpetuates cannot sustain itself without theft of indigenous land, super-exploitation of black labor, imperial extraction, and racist devaluation of ‘disposable populations.’

\*2 point font and paragraph merging for readability.

\*\*Footnote 14 is inserted below the paragraph it’s cited in, other footnotes excluded for readability.

Burden-Stelly 20, Visiting Scholar in the Race and Capitalism Project at the University of Chicago. She is currently an Assistant Professor of Africana Studies and Political Science at Carleton College (Charisse, July 1st, Modern U.S. Racial Capitalism, *The Monthly Review*, Volume 72, Number 3, Available at: https://monthlyreview.org/2020/07/01/modern-u-s-racial-capitalism/)

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.

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. Here, Du Bois’s 1915 essay, “The African Roots of War,” is instructive.34 Though he does not directly analyze the United States, he nonetheless demonstrates how racism, white supremacy, and the plunder of Africa underpinned the capitalist imperialist war that engulfed the world from July 1914 to November 1918—a war that catapulted the United States into the center of the capitalist world system. Using Du Bois’s own words, Hubert Harrison, the father of Harlem radicalism, makes the direct link: But since every industrial nation is seeking the same outlet for its products, clashes are inevitable and in these clashes beaks and claws—armies and navies—must come into play. Hence beaks and claws must be provided beforehand against the day of conflict, and hence the exploitation of white men in Europe and America becomes the reason for the exploitation of black and brown and yellow men in African and Asia. And, therefore, it is hypocritical and absurd to pretend that the capitalist nations can ever intend to abolish wars.… For white folk to insist upon the right to manage their own ancestral lands, free from the domination of tyrants, domestic and foreign, is variously described as “democracy” and “self-determination.” For Negroes, Egyptians and Hindus to seek the same thing is impudence.… Truly has it been said that “the problem of the 20th century is the problem of the ‘Color Line.'” And wars are not likely to end; in fact, they are likely to be wider and more terrible—so long as this theory of white domination seeks to hold down the majority of the world’s people under the iron heel of racial oppression.35 For Du Bois, the imperialist rivalry for the booty on offer in Africa drove Berlin’s efforts to consolidate its place in the sun by displacing London in particular. While Vladimir Lenin understood that “the war [was] a product of half a century of development of world capitalism and of billions of threads and connections,” Du Bois expanded this analysis by providing a critique of the racial foundations of capitalist expansion.36 He held that the struggle to the death during the Great War for African resources and labor had begun to “pay dividends” centuries earlier through the enslavement of African peoples, the subsequent conflation of color and inferiority, and the reduction of what was routinely referred to as the “Dark Continent” to a space of backwardness ideally suited for dispossession. He further noted that “with the waning possibility of Big Fortune…at home, arose more magnificently the dream of exploitation abroad,” especially in Africa—a dream shared by white labor and the ruling class.37 In other words, this “democratic despotism” allowed for the white working class to “share the spoil of exploiting ‘chinks and niggers,'” and facilitated the creation of “a new democratic nation composed of united capital and labor” that perpetuated racial capitalism across class lines.38 Moreover, this national unity was strengthened through the disrespect and dehumanization of the racialized toilers and peasants in the plundered colonies that mitigated the exploitation and impoverishment of the white working class in imperial countries. This superexploitation allowed white workers to get a share, however pitiful, of “wealth, power, and luxury…on a scale the world never saw before” and to benefit from the “new wealth” accumulated from the “darker nations of the world” through cross-class consent “for governance by white folk and economic subjection to them”—a consensus solidified through the doctrine of “the natural inferiority of most men to the few.”39 Given the entanglement of racialization and capitalist exploitation, Du Bois averred, “Racial slander must go. Racial prejudice will follow…the domination of one people by another without the other’s consent, be the subject people black or white, must stop. The doctrine of forcible economic expansion over subject people must go.” Insofar as this admonishment applied as much to the United States as to European imperialists, beyond the international proletariat, it was the darker peoples and nations of the world who would challenge racial capitalism, not least “the twenty-five million grandchildren of the European slave trade…and first of all the ten million black folk in the United States.”40

Imperialist accumulation denotes the rapacious conscription of resources and labor for the purpose of superprofits through violent means that are generally reserved for populations deemed racially inferior. On the precipice of the Great Depression, the prominent Black communist James Ford beautifully explicated imperialist accumulation. In his 1929 report on the Second World Congress of the League Against Imperialism, he explained that the extant political economy constituted the consolidation of Africa’s partition and the “complete enslavement of its people”; the arresting of its industrialization, which hindered the development of the “toiling masses”; and the relegation of the continent to a source of raw material, a market for European goods, and a dumping ground for accumulated surplus capital. In the U.S. South, the Black poor were dehumanized by Wall Street, “white big business,” and the “rising Negro bourgeoisie” whose condition of possibility was the subjection of the Black working class. This oppression was exacerbated by rigid racial barriers, disenfranchisement, and lynching. Ford further argued that the West Indies, subjected to U.S. militarism and occupation on behalf of Wall Street, were largely transformed into a marketplace for U.S. goods. Moreover, throughout Africa, the U.S. South, and the Caribbean, Black workers were impressed into forced labor, laying railroads, building roads and bridges, and working in mines; were entrapped on plantations through peonage; and were subjected to convict leasing. In addition, they suffered intolerable working conditions and routinized violence.41

Expropriation by domination designates the seizure and confiscation of land, assets, property, bodies, and other sources of material wealth set to work by relations of economic dependence. This relationship exists both between nations and between groups. A quintessential enunciation of expropriation by domination between groups is We Charge Genocide: The Historic Petition to the United Nations for Relief from a Crime of the United States Government Against the Negro People, edited by the Black Communist William Patterson (with significant help from his wife and comrade Louise Thompson Patterson) and submitted to the United Nations by the Civil Rights Congress in 1951.42 The petition meticulously documented the past and present expropriation of Black people by the ruling class of modern U.S. racial capitalism through consistent and persistent discrimination in employment, unfair wages, forced ghettoization, inequitable and inferior accommodation and services, and the denial of justice in the courts. It further argued that this process was sustained by genocidal terror, white supremacist law, and the drive of monopoly capitalists for superprofits. Importantly, We Charge Genocide noted that, for primarily economic reasons, the historical and geographical locus of anti-Black genocide was the “Black Belt” of the Southern United States, a region expropriated by the Northern industrial capitalists and by Southern landowners alike. This was due in large part to plantation systems of sharecropping and peonage—legacies of slavery—in which Black political and economic rights were virtually nonexistent, Black laborers were inexorably tied to the land through debt, and the threat of violence and death precluded demands for justice. For Patterson, such expropriation by domination was the basis of “racist contamination that has spread throughout the United States.”43 We Charge Genocide further conveyed that expropriation by domination, a central element of modern U.S. racial capitalism, was more than a domestic concern because such practices “at home must inevitably create racist commodities for export abroad—must inevitably tend toward war.”44

Labor superexploitation can be understood as an economic relationship in which the intensity, form, and racial basis of exploitation differs little from slavery. Its effects are so extreme that it pushes racialized, particularly Black, labor effectively below the level of sheer physical subsistence. As Harrison explained, in the context of modern U.S. racial capitalism, Black workers “form a group that is more essentially proletarian than any other American group” because enslaved Africans were brought to the “new world” to be ruthlessly exploited. This reality fixed their social status as the most despised group, which in turn intensified their subjection.45 Likewise, organizations like the American Negro Labor Congress and the Anti-Imperialist League analyzed that the racial capitalist superexploitation of Black nations like Haiti in the first quarter of the twentieth century for the purposes of consolidating Wall Street control over land, commercial relations, and production was accompanied by the brutalization of Black labor, the export of Jim Crow practices, military occupation, and political repression.46 In effect, superexploitation results from the conjuncture of white supremacy, racialization, and the “badge of slavery,” which exacerbates the conditions of exploitation to which white working classes are subjected. As the Black Marxist Harry Haywood argued in 1948, “the stifling effects of the race factor are most strikingly illustrated by the drastic differences in the economic and cultural status of Negroes and whites.… Beyond all doubt, the oppression of the Negro, which is the basis of the degradation of the ‘poor whites,’ is of separate character demanding a special approach.”47 Superexploitation, he explained further, constitutes a combination of direct exploitation, outright robbery, physical violence, legal coercion, and perpetual indebtedness. It stifles “the free economic and cultural development” of the Black masses “through racist persecution as a basic condition for maintaining” virtual enslavement.48

The entrapment of Black women in domestic labor throughout the twentieth century—a function of their “triple oppression”—is perhaps the most glaring example of labor superexploitation under modern U.S. racial capitalism. In 1936, the lifelong Black radical Louise Thompson explained that Black women’s superexploitation in the capitalist mode of production was based on their race, sex, and subordination in the labor market.49 That same year, Black militants Marvel Cooke and Ella Baker published an article titled “The Bronx Slave Market” in which they studied triple oppression as it related to Black domestic workers. Cooke and Baker explained that the entanglements of racism, sex-based labor subordination, and structural poverty were deeply intensified by the Great Depression and forced Black domestic workers to pauperize their labor for the abysmal wage of less than thirty cents an hour. This form of labor exploitation was unique to the female sex because domestic work was conventional “women’s work,” and it was racialized insofar as the denigration of Black people fitted this group of women for low-wage, unprotected, and contingent labor.50

#### Capitalism causes extinction---the only alternative is an international workers organization led by the Global South.

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Any serious treatment of the renewal of socialism today must begin with capitalism’s creative destruction of the bases of all social existence. Since the late 1980s, the world has been engulfed in an epoch of catastrophe capitalism, defined as the accumulation of imminent catastrophe on every side due to the unintended consequences of “the juggernaut of capital.”1 Catastrophe capitalism in this sense is manifested today in the convergence of (1) the planetary ecological crisis, (2) the global epidemiological crisis, and (3) the unending world economic crisis.2 Added to this are the main features of today’s “empire of chaos,” including the extreme system of imperialist exploitation unleashed by global commodity chains; the demise of the relatively stable liberal-democratic state with the rise of neoliberalism and neofascism; and the emergence of a new age of global hegemonic instability accompanied by increased dangers of unlimited war.3

The climate crisis represents what the world scientific consensus refers to as a “no analogue” situation, such that if net carbon emissions from fossil fuel combustion do not reach zero in the next few decades, it will threaten the very existence of industrial civilization and ultimately human survival.4 Nevertheless, the existential crisis is not limited to climate change, but extends to the crossing of other planetary boundaries that together define the global ecological rift in the Earth System as a safe place for humanity. These include: (1) ocean acidification; (2) species extinction (and loss of genetic diversity); (3) destruction of forest ecosystems; (4) loss of fresh water; (5) disruption of the nitrogen and phosphorus cycles; (6) the rapid spread of toxic agents (including radionuclides); and (7) the uncontrolled proliferation of genetically modified organisms.5

This rupturing of planetary boundaries is intrinsic to the system of capital accumulation that recognizes no insurmountable barriers to its unlimited, exponential quantitative advance. Hence, there is no exit from the current capitalist destruction of the overall social and natural conditions of existence that does not require exiting capitalism itself. What is essential is the creation of what István Mészáros in Beyond Capital called a new system of “social metabolic reproduction.”6 This points to socialism as the heir apparent to capitalism in the twenty-first century, but conceived in ways that critically challenge the theory and practice of socialism as it existed in the twentieth century.

The Polarization of the Class System

In the United States, key sectors of monopoly-finance capital have now succeeded in mobilizing elements of the primarily white lower-middle class in the form of a nationalist, racist, misogynist ideology. The result is a nascent neofascist political-class formation, capitalizing on the long history of structural racism arising out of the legacies of slavery, settler colonialism, and global militarism/imperialism. This burgeoning neofascism’s relation to the already existing neoliberal political formation is that of “enemy brothers” characterized by a fierce jockeying for power coupled with a common repression of the working class.7 It is these conditions that have formed the basis of the rise of the New York real-estate mogul and billionaire Donald Trump as the leader of the so-called radical right, leading to the imposition of right-wing policies and a new authoritarian capitalist regime.8 Even if the neoliberal faction of the ruling class wins out in the coming presidential election, ousting Trump and replacing him with Joe Biden, a neoliberal-neofascist alliance, reflecting the internal necessity of the capitalist class, will likely continue to form the basis of state power under monopoly-finance capital.

Appearing simultaneously with this new reactionary political formation in the United States is a resurgent movement for socialism, based in the working-class majority and dissident intellectuals. The demise of U.S. hegemony within the world economy, accelerated by the globalization of production, has undermined the former, imperial-based labor aristocracy among certain privileged sections of the working class, leading to a resurgence of socialism.9 Confronted with what Michael D. Yates has called “the Great Inequality,” the mass of the population in the United States, particularly youth, are faced with rapidly diminishing prospects, finding themselves in a state of uncertainty and often despair, marked by a dramatic increase in “deaths of despair.”10 They are increasingly alienated from a capitalist system that offers them no hope and are attracted to socialism as the only genuine alternative.11 Although the U.S. situation is unique, similar objective forces propelling a resurgence of socialist movements are occurring elsewhere in the system, primarily in the Global South, in an era of continuing economic stagnation, financialization, and universal ecological decline.

But if socialism is seemingly on the rise again in the context of the structural crisis of capital and increased class polarization, the question is: What kind of socialism? In what ways does socialism for the twenty-first century differ from socialism of the twentieth century? Much of what is being referred to as socialism in the United States and elsewhere is of the social-democratic variety, seeking an alliance with left-liberals and thus the existing order, in a vain attempt to make capitalism work better through the promotion of social regulation and social welfare in direct opposition to neoliberalism, but at a time when neoliberalism is itself giving way to neofascism.12 Such movements are bound to fail at the outset in the present historical context, inevitably betraying the hopes that they unleashed, since focused on mere electoral democracy. Fortunately, we are also seeing the growth today of a genuine socialism, evident in extra-electoral struggle, heightened mass action, and the call to go beyond the parameters of the present system so as to reconstitute society as whole.

The general unrest latent at the base of U.S. society was manifested in the uprisings in late May and June of this year, which took the form, practically unheard of in U.S. history since the U.S. Civil War, of massive solidarity protests with millions of people in the streets, and with the white working class, and white youth in particular, crossing the color line *en masse* in response to the police lynching of George Floyd for no other crime than being a Black man.13 This event, coming in the midst of the COVID-19 pandemic and the related economic depression, led to the June days of rage in the United States.

But while the movement toward socialism, now taking hold even in the United States at the “barbaric heart” of the system, is gaining ground as a result of objective forces, it lacks an adequate subjective basis.14 A major obstacle in formulating strategic goals of socialism in the world today has to do with twentieth-century socialism’s abandonment of its own ideals as originally articulated in Karl Marx’s vision of communism. To understand this problem, it is necessary to go beyond recent left attempts to address the meaning of communism on a philosophical basis, a question that has led in the last decade to abstract treatments of The Communist Idea, The Communist Hypothesis, and The Communist Horizon by Alain Badiou and others.15 Rather, a more concrete historically based starting point is necessary, focusing directly on the two-phase theory of socialist/communist development that emerged out of Marx’s Critique of the Gotha Programme and V. I. Lenin’s The State and Revolution. Paul M. Sweezy’s article “Communism as an Ideal,” published more than half a century ago in Monthly Review in October 1963, is now a classic text in this regard.16

Marx’s Communism as the Socialist Ideal

In The Critique of the Gotha Programme—written in opposition to the economistic and laborist notions of the branch of German Social Democracy influenced by Ferdinand Lassalle—Marx designated two historical “phases” in the struggle to create a society of associated producers. The first phase was initiated by the “revolutionary dictatorship of the proletariat,” reflecting the class-war experience of the Paris Commune and representing a period of workers’ democracy, but one that still carried the “defects” of capitalist class society. In this initial phase, not only would a break with capitalist private property take place, but also a break with the capitalist state as the political command structure of capitalism.17 As a measure of the limited nature of socialist transition in this stage, production and distribution would inevitably take the form of to each according to one’s labor, perpetuating conditions of inequality even while creating the conditions for their transcendence. In contrast, in the later phase, the principle governing society would shift to from each according to one’s ability, to each according to one’s need and the elimination of the wage system.18 Likewise, while the initial phase of socialism/communism would require the formation of a new political command structure in the revolutionary period, the goal in the higher phase was the withering away of the state as a separate apparatus standing above and in antagonistic relation to society, to be replaced with a form of political organization that Frederick Engels referred to as “community,” associated with a communally based form of production.19

In the later, higher phase of the transition of socialism/communism, not only would property be collectively owned and controlled, but the constitutive cells of society would be reconstituted on a communal basis and production would be in the hands of the associated producers. In these conditions, Marx stated, “labor” will have become not a mere “means of life” but “itself…the prime necessity of life.”20 Production would be directed at use values rather than exchange values, in line with a society in which “the free development of each” would be “the condition for the free development of all.” The abolition of capitalist class society and the creation of a society of associated producers would lead to the end of class exploitation, along with the elimination of the divisions between mental and manual labor and between town and country. The monogamous, patriarchal family based on the domestic enslavement of women would also be surmounted.21 Fundamental to Marx’s picture of the higher phase of the society of associated producers was a new social metabolism of humanity and the earth. In his most general statement on the material conditions governing the new society, he wrote: “Freedom, in this sphere [the realm of natural necessity], can consist only in this, that socialized man, the associated producers, govern the human metabolism of nature in a rational way…accomplishing it with the least expenditure of energy” in the process of promoting conditions of sustainable human development.22

Writing in The State and Revolution and elsewhere, Lenin deftly captured Marx’s arguments on the lower and higher phases, depicting these as the first and second phases of communism. Lenin went on to emphasize what he called “the scientific distinction between socialism and communism,” whereby “what is usually called socialism was termed by Marx the ‘first,’ or lower phase of communist society,” whereas the term communism, meaning “complete communism,” was most appropriately used for the higher phase.23 Although Lenin closely aligned this distinction with Marx’s analysis, in later official Marxism this came to be rigidified in terms of two entirely separate stages, with the so-called communist stage so removed from the stage of socialism that it became utopianized, no longer seen as part of a continuous or ongoing struggle. Based on a wooden conception of the socialist stage and the intermediary principle of distribution to each according to one’s labor, Joseph Stalin carried out an ideological war against the ideal of real equality, which he characterized as a “reactionary, petty-bourgeois absurdity worthy of a primitive sect of ascetics but not of a socialist society organized on Marxist lines.” This same stance was to persist in the Soviet Union in one way or another all the way to Mikhail Gorbachev.24

Hence, as explained by Michael Lebowitz in The Socialist Imperative, “rather than a continuous struggle to go beyond what Marx called the ‘defects’ inherited from capitalist society, the standard interpretation” of Marxism in the half-century from the late 1930s to the late ’80s “introduced a division of post-capitalist society into two distinct ‘stages,’” determined economistically by the level of development of the productive forces. Fundamental changes in social relations emphasized by Marx as the very essence of the socialist path were abandoned in the process of living with and adapting to the defects carried over from capitalist society. Instead, Marx had insisted on a project aimed at building the community of associated producers “from the outset” as part of an ongoing, if necessarily uneven, process of socialist construction.25

This abandonment of the socialist ideal associated with Marx’s higher phase of communism was wrapped up in a complex way with changing material (and class) conditions and eventually the demise of Soviet-type societies, which tended to stagnate once they ceased to be revolutionary and even resurrected class forms, heralding their eventual collapse as the new class or nomenklatura abandoned the system. As Sweezy argued in 1971, “state ownership and planning are not enough to define a viable socialism, one immune to the threat of retrogression and capable of moving forward on the second leg of the movement to communism.” Something more was needed: the continuous struggle to create a society of equals.26

For Marx, the movement toward a society of associated producers was the very essence of the socialist path embedded in “communist consciousness.”27 Yet, once socialism came to be defined in more restrictive, economistic terms, particularly in the Soviet Union from the late 1930s onward, in which substantial inequality was defended, post-revolutionary society lost the vital connection to the dual struggle for freedom and necessity, and hence became disconnected from the long-term goals of socialism from which it had formerly derived its meaning and coherence.

Based on this experience, it is evident that the only way to build socialism in the twenty-first century is to embrace precisely those aspects of the socialist/communist ideal that allow a theory and practice radical enough to address the urgent needs of the present, while also not losing sight of the needs of the future. If the planetary ecological crisis has taught us anything, it is that what is required is a new social metabolism with the earth, a society of ecological sustainability and substantive equality. This can be seen in the extraordinary achievements of Cuban ecology, as recently shown by Mauricio Betancourt in “The Effect of Cuban Agroecology in Mitigating the Metabolic Rift” in Global Environmental Change.28 This conforms to what Georg Lukács called the necessary “double transformation” of human social relations and the human relations to nature.29 Such an emancipatory project must necessarily pass through various revolutionary phases, which cannot be predicted in advance. Yet, to be successful, a revolution must seek to make itself irreversible through the promotion of an organic system directed at genuine human needs, rooted in substantive equality and the rational regulation of the human social metabolism with nature.30

Freedom as Necessity

Building on G. W. F. Hegel’s philosophy, Engels famously argued in Anti-Dühring that real freedom was grounded in the recognition of necessity. Revolutionary change was the point at which freedom and necessity met in concrete praxis. Although there was such a thing as blind necessity beyond human knowledge, once objective forces were grasped, necessity was no longer blind, but rather offered new paths for human action and freedom. Necessity and freedom fed on each other, requiring new periods of social change and historical transcendence.31 In illustrating this materialist dialectical principle, Lenin acutely observed, “we do not know the necessity of nature in the phenomena of the weather. But while we do not know this necessity, we do know that it exists.”32 We know the human relation to the weather and nature in general inevitably varies with the changing productive relations governing our actions.

Today, the knowledge of anthropogenic climate crisis and of extreme weather events is removing human beings from the realm of blind necessity and demanding that the world’s population engage in the ultimate struggle for freedom and survival against catastrophe capitalism. As Marx stated in the context of the severe metabolic rift imposed on Ireland as a result of British colonialism in the nineteenth century, the ecological crisis presents itself as a case of “ruin or revolution.”33 In the Anthropocene, the ecological rift resulting from the expansion of the capitalist economy now exists on a scale rivaling the biogeochemical cycles of the planet. However, knowledge of these objective developments also allows us to conceive the necessary revolution in the social metabolic reproduction of humanity and the earth. Viewed in this context, Marx’s crucial conception of a “community of associated producers” is not to be viewed as simply a far-off utopian conception or abstract ideal but as the very essence of the necessary human defense in the present and future, representing the insistent demand for a sustainable relation to the earth.34

But where is the agent of revolutionary change? The answer is that we are seeing the emergence of the material preconditions of what can be called a global environmental proletariat. Engels’s Condition of the Working Class in England, published in 1845, was a description and analysis of working-class conditions in Manchester, shortly after the so-called Plug Plot Riots and at the height of radical Chartism. Engels depicted the working-class environment not simply in terms of factory conditions, but much more in terms of urban developments, housing, water supply, sanitation, food and nutrition, and child development. The focus was on the general epidemiological environment enforced by capitalism (what Engels called “social murder” and what Norman Bethune later called “the second sickness”) associated with widespread morbidity and mortality, particularly due to contagious disease.35 Marx, under the direct influence of Engels and as a result of his own social epidemiological studies twenty years later while writing Capital, was to see the metabolic rift as arising not only in relation to the degradation of the soil, but equally, as he put it, in terms of “periodical epidemics” induced by society itself.36

What this tells us—and we could find many other illustrations, from the Russian and Chinese Revolutions to struggles in the Global South today—is that class struggle and revolutionary moments are the product of a coalescence of objective necessity and a demand for freedom emanating from material conditions that are not simply economic but also environmental in the broadest sense. Revolutionary situations are thus most likely to come about when a combination of economic and ecological conditions make social transformations necessary, and where social forces and relations are developed enough to make such changes possible. In this respect, looked at from a global standpoint today, the issue of the environmental proletariat overlaps with and is indistinguishable from the question of the ecological peasantry and the struggles of the Indigenous. Likewise, the struggle for environmental justice that now animates the environmental movement globally is in essence a working-class and peoples’ struggle.37

The environmental proletariat in this sense can be seen as emerging as a force all over the world, as evident in the present period of ecological-epidemiological struggle in relation to COVID-19. Yet, the main locus of revolutionary ecological action in the immediate future remains the Global South, faced with the harsh reality of “imperialism in the Anthropocene.”38 As Samir Amin observed in Modern Imperialism, Monopoly Finance Capital, and Marx’s Law of Value, the triad of the United States, Europe, and Japan is already using the planet’s bio-capacity at four times the world average, pointing toward ecological oblivion. This unsustainable level of consumption of resources in the Global North is only possible because

a good proportion of the bio-capacity of society in the South is taken up by and to the advantage of these centers [in the triad]. In other words, the current expansion of capitalism is destroying the planet and humanity. The expansion’s logical conclusion is either the actual genocide of the peoples of the South—as “overpopulation”—or, at the least, their confinement to ever-increasing poverty. An eco-fascist strand of thought is being developed which gives legitimacy to this kind of “final solution” to the problem.39

A New System of Social Metabolic Reproduction

A revolutionary process of socialist construction aimed at building a new system of social reproduction in conformity with the demands of necessity and freedom cannot occur without an overall “orienting principle” and “measure of achievement” as part of a long-term strategy. It is here, following Mészáros, that the notion of substantive equality or a society of equals, also entailing substantive democracy, comes into play in today’s struggles.40 Such an approach not only stands opposed to capital at its barbaric heart but also opposes any ultimately futile endeavor to stop halfway in the transition to socialism. Immanuel Kant spelled out the dominant liberal view shortly after the French Revolution when he stated that “the general equality of men as subjects in a state coexists quite readily with the greatest inequality in degrees of the possessions men have.… Hence, the general equality of men coexists with great inequality of specific rights of which there may be many.”41 In this way, equality came to be merely formal, existing merely “on paper” as Engels pointed out, not only with respect to the labor contract between capitalist and worker but also in relation to the marriage contract between men and women.42 Such a society establishes, as Marx demonstrated, a “right of inequality, in its content, like every right.”43 The idea of substantive equality, consistent with Marx’s notion of communism, challenges all of this. It demands a change in the constitutive cells of society, which can no longer consist of possessive individualists, or individual capitals, reinforced by a hierarchical state, but must be based on the associated producers and a communal state. Genuine planning and genuine democracy can only start through the constitution of power from the bottom of society. It is only in this way that revolutions become irreversible.

It was the explicit recognition of the challenge and burden of twenty-first-century socialism in these terms that represented the extraordinary threat to the prevailing order constituted by the Venezuelan Revolution led by Hugo Chávez. The Bolivarian Republic challenged capitalism from within through the creation of communal power and popular protagonism, generating a notion of revolution as the creation of an organic society, or a new social metabolic order. Chávez, building on the analyses of Marx and Mészáros, mediated by Lebowitz, introduced the notion of “the elementary triangle of socialism,” or (1) social ownership, (2) social production organized by workers, and (3) satisfaction of communal needs.44 Underlying this was a struggle for substantive equality, abolishing the inequalities of the color line and the gender line, the imperial line, and other lines of oppression, as the essential basis for eliminating the society of unequals.

In “Communism as an Ideal,” Sweezy emphasized the new forms of labor that would necessarily come into being in a society that used abundant human productivity more rationally. Many categories of work, he indicated, would “be eliminated altogether (e.g. coalmining and domestic service), and insofar as possible all jobs must become interesting and creative as only a few are today.” The reduction of the enormous waste and destruction inherent in capitalist production and consumption would open up space for the employment of disposable time in more creative ways.

In a society of equals—one in which everyone stands in the same relation to the means of production and has the same obligation to work and serve the common welfare—all “needs” that emphasize the superiority of the few and involve the subservience of the many will simply disappear and will be replaced by the needs of liberated human beings living together in mutual respect and cooperation.… Society and the human beings who compose it constitute a dialectical whole: neither can change without changing the other. And communism as an ideal comprises a new society and a new [human being].45

More than simply an ideal, such an organizing principle in which substantive equality and substantive democracy are foremost in the conception of socialism/communism is essential not only to create a socialist path to a better future but as a necessary defense of the global population confronted with the question of survival. Dystopian books and novels notwithstanding, it is impossible to imagine the level of environmental catastrophe that will face the world’s peoples, especially those at the bottom of the imperialist hierarchy, if capitalism’s creative destruction of the metabolism of humanity and the earth is not stopped mid–century.

According to a 2020 article on “The Future of the Human Climate Niche” in the Proceedings of the National Academy of Sciences, based on existing trends, 3.5 billion people are projected to be living in unlivable heat outside the human climate niche by 2070, under conditions comparable to those of the Sahara desert.46 Even such projections fail to capture the enormous level of destruction that will fall on the majority of humanity under capitalist business as usual. The only answer is to leave the burning house and to build another now.47

The International of Workers and Peoples

Although untold numbers of people are engaged in innumerable struggles against the capitalist juggernaut in their specific localities all around the world, struggles for substantive equality, including battles over race, gender, and class, depend on the fight against imperialism at the global level. Hence, there is a need for a new global organization of workers based on the model of Marx’s First International.48 Such an International for the twenty-first century cannot simply consist of a group of elite intellectuals from the North engaged in World Social Forum-like discussion activities or in the promotion of social-democratic regulatory reforms as in the so-called Socialist and Progressive Internationals. Rather, it needs to be constituted as a workers-based and peoples-based organization, rooted from the beginning in a strong South-South alliance so as to place the struggle against imperialism at the center of the socialist revolt against capitalism, as contemplated by figures such as Chávez and Amin.

In 2011, just prior to his final illness, Chávez was preparing, following his next election, to launch what was to be called the New International (pointedly not a Fifth International) focusing on a South-South alliance and giving a global significance to socialism in the twenty-first century. This would have extended the Bolivarian Alliance for Peoples of Our America to a global level.49 This, however, never saw the light of day due to Chávez’s rapid decline and untimely death.

Meanwhile, a separate conception grew out of the efforts of Amin, working with the World Forum for Alternatives. Amin had long contemplated a Fifth International, an idea he was still presenting as late as May 2018. But in July 2018, only a month before his death, this had been transformed into what he called an Internationale of Workers and Peoples, explicitly recognizing that a pure worker-based International that did not take into account the situation of peoples was inadequate in confronting imperialism.50 This, he stated, would be an organization, not just a movement. It would be aimed at the

alliance of all working peoples of the world and not only those qualified as representatives of the proletariat…including all wage earners of the services, peasants, farmers, and the peoples oppressed by modern capitalism. The construction must also be based on the recognition and respect of diversity, whether of parties, trade unions, or other popular organizations of struggle, guaranteeing their real independence.… In the absence of [such revolutionary] progress the world would continue to be ruled by chaos, barbarian practices, and the destruction of the earth.51

The creation of a New International cannot of course occur in a vacuum but needs to be articulated within and as a product of the building of unified mass organizations expanding at the grassroots level in conjunction with revolutionary movements and delinkings from the capitalist system all over the world. It could not occur, in Amin’s view, without new initiatives from the Global South to create broad alliances, as in the initial organized struggles associated with the Third World movement launched at the Bandung Conference in 1955, and the struggle for a New International Economic Order.52 These three elements—grassroots movements, delinking, and cross-country/cross-continent alliances—are all crucial in his conception of the anti-imperialist struggle. Today this needs to be united with the global ecological movement.

Such a universal struggle against capitalism and imperialism, Amin insisted, must be characterized by audacity and more audacity, breaking with the coordinates of the system at every point, and finding its ideal path in the principle of from each according to one’s ability, to each according to one’s need, as the very definition of human community. Today we live in a time of the perfect coincidence of the struggles for freedom and necessity, leading to a renewed struggle for freedom as necessity. The choice before us is unavoidable: ruin or revolution.

#### 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.

### 3

#### Reconciliation-bill will pass next week, but it’s not inevitable. There’s more work to be done.

Woodruff, Alcindor and Deese 11-9-2021 (“White House ‘confident’ Congress will pass Build Back Better bill,” *PBS*,” pbs.org/newshour/show/white-house-confident-congress-will-pass-build-back-better-bill)

President Joe Biden is expected to sign the bipartisan infrastructure deal into law, securing a major legislative victory. But his larger economic and social spending package still remains a subject of concern as members of Congress mull its provisions. Yamiche Alcindor talks to Brian Deese, director of the National Economic Council for the Biden administration, about those negotiations. Judy Woodruff: President Biden will soon sign into law one major piece of his agenda, the bipartisan infrastructure deal, securing a major legislative victory. But there is still work to be done to get his larger economic and social spending package over the finish line. Yamiche Alcindor talks to one of the White House's key negotiators on where it all stands. Yamiche Alcindor: Since the infrastructure vote on Friday night, the Biden administration has directed its focus to the Build Back Better package. That's the $1.75 trillion bill with money for child care, health care, and climate change. It needs nearly every House Democrat and all 50 Senate Democrats on board to pass. Brian Deese is the director of the National Economic Council for the Biden administration. He's been a central figure in these negotiations. And he joins me now from the White House. Brian, thank you so much for being here. President Biden will soon pass the bipartisan infrastructure plan, but there were many lawmakers who wanted it tied to the Build Back Better act. What assurances can you give Americans that that Build Back Better act is going to become law? And how soon do you expect that to happen? Brian Deese, Director, National Economic Council: Well, for starters, what I can assure folks is that signing this historic infrastructure bill is going to do a lot of good for the country. We have waited decades to actually do something about infrastructure. And, in that period, the United States has fallen behind. We're 13th in the world in infrastructure. And with this piece of legislation that the president will sign soon, we're going to make historic investments in rebuilding both our physical infrastructure ports, and airports, roads, and bridges, transit, but also provide high-speed Internet to all Americans, clean water by replacing lead service lines across the country. So this is a big set of investments, a capital investment in America that we have waited way too long to do, and we're now finally going to make happen. And I think that's going to build real momentum for getting the second half of the president's economic agenda, the Build Back Better plan, into law. That will start next week, where we anticipate a vote in the House, and then onto the Senate as well.

#### 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.

#### Biden’s political capital is vital for passage---there’s no margin for error

Cadelgo 10-19-2021 (Chris, et al, “Biden bets his agenda on the inside game,” *Politico*, <https://www.politico.com/news/2021/10/19/biden-agenda-inside-game-516239>)

Before Joe Biden can fully pitch the public on his solutions to a lingering pandemic and economic rockiness, he’s got to finish the sale to his own party’s lawmakers. As Democrats on Capitol Hill brace in anticipation of a brutal midterm, Biden is spending an extraordinary amount of time and political capital behind the scenes to convince them to rally around a common framework for social and climate spending. His congressional huddles have accelerated, from phone calls on the White House veranda to one-on-one and group meetings — including two high-stakes Tuesday sit downs with moderates and progressives. He’s dialing up old friends to take their temperature about how his presidency is really fairing far beyond the Beltway. White House aides, in their own recent conversations with nervous allies, have repeatedly cited the flurry of presidential calls as a sign itself of Biden's commitment to getting the bills over the finish line, at times bristling at claims that he hasn't been involved enough. But Biden’s hours and hours of meetings don’t just reflect the precarious moment in which his presidency finds itself. They underscore the heavy reliance his White House has placed on an inside game, rather than the bully pulpit, to dislodge recalcitrant holdouts and move their agenda. "The president is a longtime policy guy and relationship guy. So he brings both kinds of skills to his work" to corral his party behind a trillion-dollar-plus package of progressive priorities, said Biden's former primary rival Sen. Elizabeth Warren (D-Mass.). Warren acknowledged, however, that Biden's level of influence over Sens. Joe Manchin (D-W.Va.) and Kyrsten Sinema (D-Ariz.) — both of whom met with Biden on Tuesday — remains to be seen: "We'll know the answer to that when we make it across the finish line and assess what we’ve got." Biden met Tuesday afternoon with Sens. Jon Tester (D-Mont.), Catherine Cortez Masto (D-Nev.) and Mark Warner (D-Va.), along with House progressives and moderates. "We just need to get to a number," Tester said after returning from the White House. "I think that he likes all the programs but I think everybody's negotiable at this point." Biden told progressives that tuition-free community college would likely be cut from the final package and the child tax credit may only be extended for a single year, according to a source familiar with the meeting. Rep. Pramila Jayapal, chair of the Congressional Progressive Caucus, said after the meeting that tuition-free college is "probably going to be out," and certain climate priorities were "challenging." "At this point we don't have a certainty on the final thing, but what we're hearing is good," Jayapal said. "We feel like the vast majority, if not all, of our priorities are in there, in some way, shape or form.” As Biden has worked on lawmakers in private — sometimes not putting a hard stop on his schedule so as not to stifle progress — he’s largely, though not entirely, resisted riskier public pressure campaigns that could backfire and are viewed as against his nature. Often, Biden has had just a single public event each day. Occasionally, there’s been no public interfacing at all. Eight times since Labor Day, the daily guidance issued by the White House has included only private meetings with Biden. A planned barnstorming of the country to sell the Build Back Better platform this summer was overshadowed by the chaotic U.S. withdrawal from Afghanistan. And congressional uncertainty amid infighting among Democrats on opposite poles of the party has overshadowed continuing trips by Cabinet officials and commandeered the media narrative in Washington. While Biden has held public events around the agenda, he has not done a formal press interview on it since Labor Day. On Wednesday, he will take a trip to his hometown of Scranton, Pa., to discuss the benefits of the legislative proposals, and on Thursday he will participate in a town hall broadcast on CNN. “The President won the most votes in history running on his Build Back Better agenda, unveiled the formal proposal in his first address to a joint session of Congress, and has made his case across the country ever since – along with his cabinet – which is deeply resonating with the American middle class," White House spokesman Andrew Bates said. Over the weekend, Biden called Sen. Bob Casey (D-Pa.) to discuss the upcoming trip, according to the senator, who is working on expanding care for older people and people with disabilities. “He wanted to get some suggestions about issues we should focus on, while we’re there,” Casey said. Still, inside the White House, the lower-key strategy has been seen as a necessity: Democrats have such slim congressional majorities that Biden, Senate Majority Leader Chuck Schumer and Speaker Nancy Pelosi have essentially no margin for error. That has put far more of the president’s focus on convincing a relatively small number of lawmakers to agree to details of the package, rather than using his time to sell policies that the general public supports. Chief among that small number of lawmakers are Manchin and Sinema, who remain resistant to the range of $1.9 trillion to $2.2 trillion that Biden and progressive lawmakers have discussed as a compromise top line for the social spending bill. "I'm told that they've given signs on the parking spaces for these two senators at the White House, that they're there so often,” Senate Majority Whip Dick Durbin (D-Ill.) said of Manchin and Sinema. “This president has been engaged from the start, in working with all the leaders, and particularly with those two senators." As he does that, Biden has labored to project a sense of optimism about his progress. White House officials say they’re encouraged by what they described as the accelerated pace of the talks, even as the Oct. 31 timetable appears exceedingly ambitious. Another explanation for the approach was baked in long ago. Biden is a 36-year veteran of the Senate with a heightened sense of his own negotiating instincts and abilities to move major legislation through the chamber. A self-admitted schmoozer, he has avoided doing much to shame Manchin and Sinema, preventing many details from their conversations and about his own preferences from spilling into public view. “There’s a lot of complaining about what the message has been on this package, but when you’re trying to fight for every vote, the coverage inevitably becomes about the process and numbers,” said John Podesta, a top aide to former Presidents Barack Obama and Bill Clinton and a major climate activist. “When you are inside talking one-on-one to members trying to convince people to stay with you or come on board it’s very hard to create a press environment which is different from what they’ve got.” Biden has resumed his in-person meetings with Congress’ return to Washington, including Tuesday sit-downs that involved Vice President Kamala Harris and Treasury Secretary Janet Yellen. There's a deepening acknowledgment that he has to hurry. “They really are now in a circumstance where they will take on more and more water unless they can close the framework,” Podesta added. “I think they’ll do it. But it’s not like they have forever. We’re talking about this week or next week.” In his meetings, Biden has spent a considerable amount of time on the party’s collective sense of urgency, aides and allies said, telling members of his party that they simply have to deliver. The conversations have at times been crisp, with Biden telling some Democratic skeptics that in order to be part of the negotiating process, they need to articulate policies that they are for and not just what they oppose — a message similar to the one Sen. Bernie Sanders (I-Vt.) has delivered to Manchin and Sinema. Biden’s goal has been to help establish broad areas of agreement before filling in the specifics. At the same time, Biden has repeatedly cautioned his senior aides and officials not to rely on generalizations, and to prepare recommendations based on data and input from the lawmakers about their states and districts. He has stolen bits of face time with lawmakers wherever he can, keeping members back after bill signings, for example, to sound them out, and gathering with them in their districts when he’s been on the road. Moving beyond sticking points has been a challenge, and Biden is known to implore lawmakers to step back and ignore a particular area and to temporarily focus on others where they might be able to make progress. “When you see him artfully and deftly manage these hard conversations with members and guide them into a productive place, it helps remind you there is room for optimism and there is a pathway here,” said Louisa Terrell, director of the White House Office of Legislative Affairs.

#### Passage solves climate change

Meyer 10-28-2021, staff writer at The Atlantic. He is the author of the newsletter The Weekly Planet, and a co-founder of the COVID Tracking Project at The Atlantic. (Robinson, “Biden’s Amazing, Disappointing Climate Triumph,” *The Atlantic*, <https://www.theatlantic.com/science/archive/2021/10/whats-actually-joe-bidens-new-climate-proposal/620543/>)

In order to mean anything for climate change, President Joe Biden’s signature spending package has to pass. And, at least right now, no guarantee exists that it will. Earlier today, the White House announced a new framework “agreement” for the ambitious package, which it has been negotiating in some capacity since March 31. The framework is composed not of policies that Manchin and Simena, the Senate’s two linchpin Democratic votes, have agreed to, exactly, but of policies that they have yet to reject. Biden has seemingly announced the deal not because of a big breakthrough in negotiations, but because he needed to have something in hand before he flew to Europe to meet with Pope Francis and to speak at the United Nations climate conference in Glasgow, Scotland. Yet if the deal resembles the final bill, it promises that whatever does pass (if anything does) might be worth celebrating. It will not mark total victory: Manchin’s cancellation of a crucial clean-electricity program, Democrats’ slim one-vote Senate majority, and the surfeit of veto points in Congress foreclosed that possibility. But it will mark a turning point in the federal government’s approach to climate change, and it will prepare the country’s physical, technological, and—surprisingly—its industrial landscape for a future closer to what the rest of the world expects. Notable, at the very least, is its size: $555 billion for climate change. Biden, remember, initially proposed that the entire package cost $3.5 trillion; Manchin and Sinema have since whittled that down to $1.75 trillion. (The White House contends that the package officially costs nothing, since its spending will be, against the advice of economists, entirely balanced with new taxes and other revenue, but no verb yet exists in English to convey those subtleties.) But even as the bill’s overall spending has been cut in half, its amount of climate spending has barely budged, moving from $600 billion to $555 billion. The bill has lost key climate policies along the way, such as the Clean Electricity Program, and the Senate has shown itself as unable as ever to straight-up mandate reductions in carbon pollution. But the spending once allotted to those programs has been shifted to surviving climate policies and directed into new ones. To have the bill lose 50 percent of its overall spending but only 4 percent of its climate spending shows that the Democratic Party, despite significant internal constraints, has prioritized aggressive action on climate change. Now, is that aggressive action enough? As ever with climate change, answering that question to satisfaction would require Ph.D.s in mechanical engineering, world history, and moral philosophy. The United States is responsible for a quarter of all greenhouse-gas emissions since 1751, which is slightly more than Europe and twice as much as China. It still emits more than 10 percent of global climate pollution each year, and it is the world’s largest producer of oil and natural gas. More important, it has nudged, prodded, and sometimes pile-drove the rest of the world into accepting a vision of modern affluence—of development itself—that drips with oil. So what might be enough is for the United States to zero out its pollution within five years, leading the rest of the world to a prosperous and more sustainable future. That is the kind of action that would likely avert 1.5 degrees Celsius of global average temperature rise by 2040, the threshold beyond which experts say some devastating consequences are inevitable. But such a collapse in carbon intensity may not be physically possible without gripping poverty, and it is certainly politically impossible in our current democratic system. As such, the Biden administration has committed to cut American climate pollution in half by 2030 compared with its all-time high. To skip over some vagaries of energy modeling, suffice it to say: With luck, this bill will probably get us close to that goal. Here is how. At the core of the package is a robust set of tax credits that will touch nearly every part of the real economy. Although tax credit is a dirty word in policy making—signaling a love for filing forms in triplicate and unnecessary complexity—these programs have been simplified by lawmakers to directly pay out cash to consumers and businesses. A quick tour of these subsidies may help bring their sheer scope into focus. Let’s start with the power sector. If someone builds a new solar, wind, geothermal, or otherwise zero-carbon power plant, they will qualify for a 30 percent investment subsidy. That is, the government will cover nearly a third of their cost. If the materials in their new plant were made in the United States, the government will cover 40 percent of their cost. Should a renewable developer decline that assistance, they still can access a separate subsidy of $25 for each megawatt-hour of zero-carbon electricity that their power plant generates—and that subsidy increases too for American-made plants. Nuclear-power plants will also enjoy a new production subsidy. These are only the beginning. The bill will establish a subsidy of up to 30 percent for new high-voltage transmission lines and grid-level energy storage, two technologies crucial for moving cheap renewable electricity around the country and saving it up throughout the day to tap during the night. (That subsidy—are you getting the hang of this?—also increases for U.S.-made products.) For the first time ever, the bill will also establish a large bounty—it could be as much as $180 a ton—for anyone who removes carbon dioxide directly from the air. Then there are the subsidies for consumers. Electric cars, light-duty trucks, and motorcycles will qualify for a new tax credit, available at the point of sale, of up to $7,500. If the vehicle was assembled in the U.S. with an American-made battery, it can qualify for up to $12,500 of tax credits. There is a new baseline $2,000 subsidy for buyers of used electric vehicles. And a slew of appliance purchases aimed at phasing fossil fuels out of people’s homes—such as rooftop solar panels, electric water heaters, and heat pumps—will also qualify for new subsidies. Keep reading. The new framework devotes far more money to decarbonizing the country’s industrial sector than any previous version of the legislation. Directing money this way makes a lot of sense: The industrial sector is responsible for nearly 30 percent of American greenhouse-gas pollution, but analysts expect that it will become the dirtiest part of the American economy by the mid-2020s. Industry also faces some of the biggest outstanding technical questions about decarbonization: Very few firms, for instance, have figured out how to make zero-carbon steel, cement, or concrete. Industrial decarbonization also provides the clearest opening for the United States to compete globally: It is arguably the one part of the future, zero-carbon economy that neither China nor Europe has locked down yet. The bill tries to address these industrial problems on both the supply and demand sides. It promises to help factories retool and retrofit their processes in lower- or zero-carbon ways and to help companies calculate the embodied carbon of their products, with the aim of reducing it. It will pay power plants and industrial facilities to capture carbon dioxide from their operations—at a price, $85 a ton, now generous enough to make it advantageous for many cement facilities to try, Jesse Jenkins, an engineering professor at Princeton University, told me. It creates a new and surprisingly lucrative program for generating low-carbon green hydrogen, which is expected to be an important fossil-fuel substitute in high-temperature industrial processes such as refining and steelmaking. Keep reading! It also devotes $5 billion to a broad program meant to establish climate-friendly industries, or remake factories that already exist, in towns and regions dependent on carbon-intense manufacturing. And it creates a new tax on oil and gas companies that penalizes them for emitting the super-pollutant methane during their drilling operations, while subsidizing the technology that will help them stay below the bill’s threshold for punishment. And—one more!—the bill opens an entirely new $4 billion fund that will turn the government into a buyer of first resort for that low-carbon steel, concrete, and other industrial materials. Such a technique helps ensure that early-stage companies can find demand for their products before an industry fully develops; it was once used to get the American semiconductor industry off the ground.

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

Kareiva 18, Ph.D. in ecology and applied mathematics from Cornell University, director of the Institute of the Environment and Sustainability at UCLA, Pritzker Distinguished Professor in Environment & Sustainability at UCLA, et al. (Peter, “Existential risk due to ecosystem collapse: Nature strikes back,” *Futures*, 102)

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.

### 4

#### Text: The United States federal government should offer substantial incentives to the MLB AND MILB in the event that the MLB and MiLB allow for unionization of the MLB and MilB.

#### Unionization solves all the case but isn’t antitrust

Phillip J. Closius and Joseph S. Stephan, October 2020, Professor of Law, University of Baltimore School of Law and University of Baltimore School of Law, J.D. May 2020, Myth, Manipulation, and Minor League Baseball: How a Capitalist Democracy Engenders Income Inequality, 89 U. Cin. L. Rev. 84, pp. 86-88, Available at: <https://scholarship.law.uc.edu/uclr/vol89/iss1/3>, accessed 8/31/21, AW

MiLB players also lack union representation as a means of improving their financial situation.170 In fact, the Major League Baseball Players Association (MLBPA), which does not represent the minor leagues, has used matters that affect minor leaguers as convenient concessions in their own negotiations and have even made minor league conditions worse.171 Unionization and the resulting ability to bargain collectively could be an effective avenue to remedy the dismal conditions of the minor leagues. However, the transient nature of the players, wide geographic dispersion, and low salaries present major hurdles to unionization. 172 However, the players' fear of potential retaliation or "blackballing" presents perhaps the most formidable obstacle to unionization. 173 This fear of retaliation is another example of owners manipulating players' baseball dreams. Marvin Miller, the transformational former Executive Director of the MLBPA, has even said that one of the obstacles to unionizing the minor leagues is the "dreamy idealism of the players." 17 4 In effect, a player is concerned that participation in union activity will cost him his shot at making it to the major leagues one day. 175

A final formidable obstacle to unionization is the split among the minor league players who received large signing bonuses and those who did not. Players with large bonuses not only have more resources but are also often fast-tracked to the major leagues. 176 In the minors, their interests are frequently aligned with major league management. The consistent refusal of these minor league "stars" to join any unionization efforts have also been a significant factor in the failure of all efforts to unionize minor league players.

Collective bargaining would undoubtedly help improve the financial condition of most MiLB players.17 7 The potential benefits of a union are illustrated by another group that is crucial to the MiLB ecosystem-the umpires.178 The minor league umpires, who are unionized, received a myriad of perks under their new collective bargaining agreement, including improved hotels and increased salaries and per diems. 179 The per diems for umpires at every level are higher than the per diems the players themselves receive, and the umpires' monthly salaries are higher than the salaries of most MiLB players. 180 These perks are made possible partly by the fact that MiLB is generating record levels of merchandising revenue. 181

Additionally, the financial success of MiLB allows for teams to offer free concessions to fans for an entire half inning.182 This promotional "Food Purge"-as it is advertised by the Lansing Lugnuts-ironically juxtaposes the financial ability of the organization to offer fans free concessions while many of the Lugnuts players the fans came to see struggle to adequately feed themselves. 8 3

Advocates for minor league unionization point to the Professional Hockey Players Association (PHPA) as evidence of its feasibility. 184 The PHPA is "a 50-year-old union that represents some 1,600 minor league hockey players across the American Hockey League and the East Coast Hockey League. The PHPA has successfully negotiated to guarantee its members reasonable wages, in-season housing, adequate per diems, and revenue sharing, among other benefits." 185 MiLB teams play more games per season and have higher average attendance per game, but the players only receive about 25% of the minimum salary and 1/3 of the travel per diem compared to their counterparts in the American Hockey League ("AHL").186 Additionally, AHL players can earn postseason bonuses, whereas MiLB players cannot.1 87 In sharp contrast to MiLB players, "[p]layers in the AHL are unionized and have a minimum salary of $45,000, get a postseason bonus, and $72 per diem." 188

While the need to unionize and bargain collectively is clear, the MiLB players' desperate financial situations, the widespread fear of retaliation, and the reticence of stars to support the collective unit have consistently delivered fatal blows to past unionization efforts. 189 Of these three obstacles, improving the compensation of MiLB players may be the easiest to change. The bleak prospect of unionization is unlikely to improve until the financial situation of the individual players improves. The result is a vicious cycle in which the players' poor financial conditions perpetuate their lack of a union, and their lack of a union worsens their financial conditions. If Congress were to remove both the antitrust and FLSA exemptions, the financial condition of minor league players would improve and collective activity would be more likely.

## Adv – 1

### 1nc – education

#### No reverse causal solvency evidence—no evidence says that not building stadiums will cause more money to flow to education

#### The damage has already been done --- they can’t resolve current stadiums and they don’t have evidence saying stadiums are coming now --- means the aff is a drop in the bucket

#### **K through 12 public education spending is increasing now**

United States Census Bureau, 5/18/2021 (“Public School Spending Per Pupil Increases by Largest Amount in 11 Years,” <https://www.census.gov/newsroom/press-releases/2021/public-school-spending-per-pupil.html>, Retrieved 10/24/2021)

MAY 18, 2021 — According to new Annual Survey of School System Finances tables, released today by the U.S. Census Bureau, per pupil spending for elementary and secondary public education (pre-K through 12th grade) for all 50 states and the District of Columbia increased by 5.0% to $13,187 per pupil during the 2019 fiscal year, compared to $12,559 per pupil in 2018. This is the largest increase in more than a decade. Data for this report covers the fiscal year before the COVID-19 pandemic. The spending increase was due in part to an overall increase in revenue. In 2019, public elementary and secondary schools received $751.7 billion from all revenue sources, up 4.5% from $719.0 billion in 2018. Other highlights include: State governments contributed the greatest share — 46.7% or $350.9 billion — of public school funding in fiscal year 2019. New York ($25,139), the District of Columbia ($22,406), which comprises a single urban district; Connecticut ($21,310), New Jersey ($20,512), and Vermont ($20,315) spent the most per pupil in fiscal year 2019. Of the 100 largest public school systems (based on enrollment), the six that spent the most per pupil in FY 2019 were the New York City School District in New York ($28,004), Boston City Schools in Massachusetts ($25,653), Washington Schools in the District of Columbia ($22,406), San Francisco Unified in California ($17,228), Atlanta School District in Georgia ($17,112), and Seattle Public Schools in Washington ($16,543). Public school systems in Alaska (15.3%), Mississippi (14.0%), South Dakota (13.7%), New Mexico (13.0%) and Arizona (12.9%) received the highest percentage of their revenues from the federal government, while public school systems in New Jersey (4.1%), Connecticut (4.3%), Massachusetts (4.3%), New York (4.8%) and New Hampshire (5.0%) received the lowest. Total public school district debt increased by 3.7% to $495.1 billion in fiscal year 2019 from $477.4 billion in fiscal year 2018. These statistics come from the 2019 Annual Survey of School System Finances. Education finance data include revenues, expenditures, debt and assets (cash and security holdings). Statistics are not adjusted for cost of living differences between geographic areas. A preliminary version of the fiscal year 2020 data will be released in the fall of 2021. No news release associated with this product. Tip sheet only.

#### Stadium spending doesn’t trade off with education and results in a three to one revenue boost for the state

JORDYN PHELPS, 6/7/2015 (staff writer, ABC News, “Scott Walker Defends Tax Dollars, Possible Rate Hike for New Sports Arena,” <https://abcnews.go.com/Politics/scott-walker-defends-tax-dollars-rate-hike-sports/story?id=31595770>, Retrieved 10/24/2021)

— -- Wisconsin's Republican Gov. Scott Walker is defending approval of $250 million in state taxpayer funds to help build a new arena for the Milwaukee Bucks of the NBA. The project is a "good deal" for the state economy, he told ABC News' Jonathan Karl on "This Week," and he insisted that it is "not a new tax." Advertisement "We would lose $419 million over the next 20 years if we did nothing, if we said, go on, move somewhere else, which the NBA said they would do," Walker continued. "In this case, we don't raise any taxes. There are no new taxes, only existing taxes. And we get a three to one return." The project will be funded by existing taxes on hotel rooms and rental cars, though the Wisconsin Center Board has the authority to raise the rate, he said. "In this case, we take the tax, the revenues on hotels and rental cars that are currently paid for the convention center and allow those to continue to be paid for a new arena," Walker said. "It's not a new tax." Conservative advocacy groups, including the Koch brothers' Americans for Prosperity, have blasted the proposal as bad for taxpayers, but Walker brushed off the criticism. "All across the nation when they do projects like this," Walker said. "It's a good deal."

## Adv – 2

### 1nc – wages

#### Worker shortages are causing wages to soar

**Levanon 21** , Econ Professor @ NYU. PhD from Princeton. (Gad, 7/26/2021, “Why Wages Are Growing Rapidly—Both Now And In The Future,” *Forbes*, <https://www.forbes.com/sites/gadlevanon/2021/07/26/why-wages-are-growing-rapidly-both-now-and-in-the-future/?sh=39a813a1cfe9> Date Accessed: 9/23/2021)

Wages in 2021 have grown at the fastest rate in 35 years. This sudden and surprising burst will reduce corporate profits and add to already-soaring inflation.

What does this mean going forward? We can look at wage growth over three distinct time-horizons: spring and summer of 2021, late 2021 and 2022, and beyond 2022. The wage growth outlook is strong in the first and last of these periods, especially in blue-collar and manual services jobs. Here’s what to expect:

Current Labor Market Conditions

Wages are going to rise to new peaks this summer. Despite high unemployment rates, the US is now experiencing severe labor shortages and historically-high wage growth.

Typically, slow wage growth accompanies high unemployment. But that did not happen during the pandemic-recession. Wages are growing much faster than at any other time in recent decades. According to the June Bureau of Labor Statistics jobs report, average hourly earnings over April-June rose by an annual rate of 6 percent. This is two to three times the typical growth rate in recent decades. And according to a June survey by the National Federation of Independent Business (NFIB), an historically high share of employers raised worker pay over the past three months.

Why? Because the US labor market is much tighter – workers are harder to find – than anyone expected. A surge in demand for workers combined with stagnant labor supply created historic recruiting difficulties in the past three months.

Usually, businesses form and expand gradually during periods of economic growth, creating a steady demand for workers. But as the in-person economy re-opens all at once, demand for workers is surging. Several industries, especially in the entertainment sector, need to double their workforce in a matter of months, an event without historical precedent.

On the supply side, many working-age adults are only slowly re-entering the workforce because of lingering factors driven by the pandemic (high federal unemployment benefits, fear of infection, the need to take care of young children during school closures/remote learning, elder care).

Employers have been deeply impacted: Qualified workers are once again hard to find. According to the May NFIB survey, almost half of all employers, 48 percent, have job openings they are unable to fill – the highest rate ever. In addition, according to the Job Openings and Labor Turnover Survey, the share of workers voluntary quitting their jobs, usually for another job, is historically high.

Recruiting and retention difficulties are more pronounced in blue-collar and manual services jobs, which often involve low wages and a higher risk of infection. In addition, the elevated unemployment benefits are an especially attractive option for workers with relatively low wages.

When it is harder to recruit and retain workers, employers react by raising salaries. This helps explain the stunning jump in wages in the leisure and hospitality sector, (a 15 percent annual rate, in February to June) which drove the overall salary surge in the spring.

New hires’ faster wage growth could lead to significant salary compression – when the wage premium for experience shrinks or even turns negative – so that more-experienced workers feel that their pay advantage is no longer significant. Such pay compression could lead to higher labor turnover as more-experienced workers, who can easily find new jobs in this tight labor market, decide to switch.

The acceleration in wages during the spring and summer could have a significant impact on future inflation. In recent months, inflation has been growing at the fastest rate in decades, probably mostly due to non-wage factors, such as a rapid rise in commodity, computer chip and auto prices. Significantly-growing labor costs in 2021 will have a noticeable impact on consumer prices and corporate profits – and labor costs are much stickier than commodity prices and are less likely to reverse.

#### Dozens of alt causes to inequality---tech, globalization, immigration, decline of unions, stagnant minimum wage, corporate tax cuts

**Livingston 21** , freelance writer She has written about personal finance and shopping strategies for a variety of publications, including ConsumerSearch.com, ShopSmart.com, and the Dollar Stretcher newsletter. Citing a variety of Economists. (Amy, 6/11/2021, “Income Inequality in America – Definition, Causes & Statistics,” *Money Crashers*, <https://www.moneycrashers.com/income-inequality-america-definition-causes/> Date Accessed: 9/23/2021)

Causes of Rising Inequality

In any capitalist society, some people will make more than others. The labor market determines what people earn, and at any given time, some skills will have more value than others. But that doesn’t explain why income inequality is higher in the U.S. than in most developed nations. It also doesn’t explain why it’s grown over recent decades.

Economists offer various reasons to explain the growing inequality in the U.S. Some have to do with how fast the rich get richer, while others explain why the poor are getting poorer.

Changes in Technology

Any new technology, such as the Internet, creates new jobs. But these new opportunities don’t benefit all workers equally. In a piece for the [Huffington Post](https://www.huffpost.com/entry/the-connection-between-ed_b_1066401), economist Steven Strauss argues that new technologies have driven up demand for highly skilled workers. They have much higher incomes and lower unemployment than unskilled workers.

But as we’ve seen, the rich tend to have more education than the poor. That means that in the new high-tech economy, lower-income workers are being left behind. According to Strauss, these workers have effectively spent the past 20 years in a recession that didn’t affect more educated workers.

The [COVID-19 pandemic](https://www.moneycrashers.com/covid-pandemic-change-society-economy/) accelerated this trend. The people most likely to be able to work from home — and therefore least likely to lose their jobs — were educated workers with high-skilled jobs. According to a 2020 paper from the [University of Chicago](https://bfi.uchicago.edu/wp-content/uploads/HurstBFI_WP_202058_Revision.pdf), the lowest-income workers had the highest job loss rates in the early months of the pandemic.

Advances in technology can also affect older industries. For example, in the U.S., automation has [cut the need for factory workers](https://news.mit.edu/2020/study-inks-automation-inequality-0506). Unfortunately, [manufacturing jobs](https://www.moneycrashers.com/create-keep-manufacturing-jobs-america/) are some of the [best jobs available for workers without a college education](https://www.moneycrashers.com/six-figure-income-jobs-without-having-a-degree/) or special training. According to a 2010 paper published in the journal [Research in Organizational Behavior](https://www.researchgate.net/publication/228658957_Corporations_and_Economic_Inequality_Around_the_World_The_Paradox_of_Hierarchy), the shift has forced many less-educated workers into service-sector jobs that don’t pay as well.

Put together, these two trends tend to help the rich (and educated) stay rich. They benefit more from the growth of new fields, and they suffer less from job losses in existing ones.

Globalization

Automation isn’t the only factor behind the decline of U.S. manufacturing. In some cases, companies have moved production overseas to take advantage of cheaper labor. At the same time, a flood of cheaper foreign-made goods has reduced the demand for [American-made products](https://www.moneycrashers.com/products-made-usa-american-made/).

Offshoring, or moving jobs overseas, isn’t just a problem in the manufacturing sector. In a 2009 paper published in the journal [World Economics](https://econpapers.repec.org/article/wejwldecn/376.htm), economist Alan Blinder estimated that between 22% and 29% of U.S. jobs were or soon would be “offshorable.”

Jobs Blinder described as highly offshorable include both skilled jobs like computer programming and unskilled ones like telemarketing. Because many of these jobs are in lower-paying fields, offshoring them would leave still fewer jobs for low-skilled workers.

While globalization can create problems for lower-income workers, it also opens new investment opportunities. But these benefits primarily go to the wealthy, widening the income gap still more.

A 2019 [McKinsey Global Institute](https://www.mckinsey.com/featured-insights/employment-and-growth/a-new-look-at-the-declining-labor-share-of-income-in-the-united-states#:~:text=Available%20studies%20suggest%20that%20the,the%20focus%20of%20our%20analysis.) paper measured this effect by looking at the labor share of income. That’s the percentage of a country’s income paid in wages. It finds the labor share of income has been falling in the global economy, suggesting workers benefit less and less from the economy’s gains.

Immigration

Some economists argue that competition for low-wage American jobs doesn’t just come from overseas. It can also come from new, low-skilled workers entering the U.S. from other countries.

But immigration isn’t one of the biggest factors driving income inequality. A 2009 paper by the [National Bureau of Economic Research](https://www.nber.org/papers/w14683) found that immigration could only account for around 5% of the rise in inequality from 1980 to 2000.

Superstar Effects

In recent decades, the world population has grown both bigger and wealthier. As a result, there’s a lot more benefit to being a superstar in a field like sports or music. With more people paying to go to games or concerts, the best athletes and musicians can rake in more money. This “superstar effect” distributes a lot of money to just a few lucky individuals.

The superstar effect applies to companies too. A 2018 [McKinsey Global Institute](https://www.mckinsey.com/featured-insights/innovation-and-growth/superstars-the-dynamics-of-firms-sectors-and-cities-leading-the-global-economy) paper found that superstar firms like Apple and Google are taking in a growing share of income in the global economy. The growth of these superstar companies makes it harder for smaller companies to compete. Thus, the rich firms — and their owners and shareholders — just keep getting richer.

Decline of Labor Unions

According to Inequality.org, during the period when the share of income going to the top 1% was smallest (about 1942 through 1985), [labor unions](https://www.moneycrashers.com/labor-unions-united-states/) were at their strongest. Unions tamp down inequality in a couple of ways. Besides driving up wages for their own workers, they often push for higher minimum wage laws so they don’t have to compete with ultra-cheap labor.

However, since the 1970s, unions in the U.S. have been in decline. Legal changes have helped bring about this decline. According to a [2013 EPI paper](https://www.epi.org/publication/attack-on-american-labor-standards/), 16 states passed laws to restrict workers’ bargaining rights between 2011 and 2012. More than half of U.S. states now have “right-to-work” laws banning employers from hiring union members exclusively.

As labor unions have declined in recent decades, inequality has risen. According to a 2009 paper published in the [American Sociological Review](https://scholar.harvard.edu/files/brucewestern/files/american_sociological_review-2011-western-513-37.pdf), the journal of the American Sociological Association, union membership fell by 60% to 75% between 1973 and 2007. Over the same period, inequality in hourly wages rose more than 40%. The researchers found that the decline of unions accounts for 25% to 33% of the rise in inequality.

A Stagnant Minimum Wage

The federal minimum wage hasn’t risen since 2009. During that time, [inflation](https://www.moneycrashers.com/protect-effects-inflation-loss-purchasing-power/) has cut the value of the dollar by about 20%. In other words, the purchasing power of that $7.25 hourly wage has fallen to about $5.82. That’s led to a widening gap between the median income and the bottom of the wage scale.

A 2016 paper published in the [American Economic Journal](http://economics.mit.edu/files/3279) refers to this gap between the low- and middle-income earners as “lower tail inequality.” It found that at least 30%, and possibly as much as 55%, of this kind of inequality is due to the declining value of the minimum wage.

Higher CEO Pay

Even as wages have fallen at the bottom, they’ve risen at the very top — especially in the financial sector. Skyrocketing pay and bonuses for executives and managers in this field have helped fuel the rise of the super-rich. A 2012 [EPI](https://www.epi.org/publication/ib331-ceo-pay-top-1-percent/) paper found that this factor accounts for about 58% of income growth for the top 1% and 67% for the top 0.1%.

So just how did executive salaries get so high? A 2021 paper by the [London School of Economics](http://eprints.lse.ac.uk/103809/) found that one big reason is the link between executive pay and share prices. Companies pay their executives with stock options and give them performance bonuses to give them an incentive to help the company succeed.

But according to stories from both [CNBC](https://www.cnbc.com/2016/03/14/should-ceo-pay-be-tied-to-share-price.html) and the [BBC](https://www.bbc.com/worklife/article/20210125-why-ceos-make-so-much-money), this practice doesn’t always work out well for companies. It drives executives to define “success” in terms of pumping up the company’s stock price in the short term, even if it causes problems down the road. The few people with stock options benefit, but the rank-and-file workers don’t.

Other Government Policies

Other government policies have also helped drive the rise in inequality. These include:

Tax Cuts. The 2017 [Tax Cuts and Jobs Act](https://www.moneycrashers.com/tax-reform-affect-taxes/) steered more income toward the richest Americans. For instance, it lowered the top [tax rate](https://www.moneycrashers.com/calculate-federal-income-tax-brackets-rate-tables/) and the tax on [capital gains](https://www.moneycrashers.com/capital-gains-vs-income-tax-rate/), which is paid mostly by the wealthy. Cuts in 2001 and 2003 also provided a greater dollar benefit to those with higher incomes, according to the [Tax Foundation](https://taxfoundation.org/who-benefited-most-bush-tax-cuts/).

Deregulation. Since the 1970s, Congress has cut back regulations on many industries. Airlines, railroads, interstate bus lines, trucking, utilities, and telecoms were all opened up to wider competition. According to the [EPI](https://files.epi.org/charts/wage-inequality-a-story-of-policy-choices.pdf), this move reduced profits, leading firms to cut back costs. Blue-collar workers in all these industries saw their wages fall.

Weaker Labor Standards. A 2013 [EPI](https://www.epi.org/publication/attack-on-american-labor-standards/) paper outlines how state legislatures weakened labor standards across the U.S. between 2011 and 2012. Various states stripped workers’ rights to overtime pay and sick leave and made it harder to sue employers for unpaid wages. All this contributed to falling incomes for the working class.

A Thinner Social Safety Net. The [EPI](https://files.epi.org/charts/wage-inequality-a-story-of-policy-choices.pdf) notes that the U.S. and states have cut down on various forms of [government aid](https://www.moneycrashers.com/get-emergency-financial-assistance-help-bills/). Access to unemployment insurance grew tighter, and the duration of benefits grew shorter. It also became harder for the unemployed to turn down jobs that paid much less than their previous jobs. At the same time, cuts in welfare programs made it harder for low-income families to make ends meet.

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### 2NC---Overview

#### 3---“resolved” is legislative.

LHR No Date, Louisiana House of Representatives. (“Legislative Glossary” , <https://www.legis.la.gov/legis/Glossary.aspx#Reading%20of%20a%20bill>, Accessed: 9-12-2021)

Resolution

A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution uses the term "resolved". Not subject to a time limit for introduction nor to governor's veto. (Const. Art. III, §17(B) and House Rules 8.11, 13.1, 6.8, and 7.4 and Senate Rules 10.9, 13.5 and 15.1)

### 2NC---Ground

#### Only Congress has link uniqueness

Morton 20, the Theodore Nierenberg Professor of Economics at the Yale University School of Management (Fiona, “Reforming U.S. antitrust enforcement and competition policy,” https://equitablegrowth.org/reforming-u-s-antitrust-enforcement-and-competition-policy/)

Despite the government’s success in some merger litigation, this success only occurs in transactions that most clearly violate the law.25 The fact that the two antitrust agencies must litigate cases that are clearly anticompetitive—rather than the parties not even considering the deal in the first place or abandoning it after the government makes its concerns known—speaks to the limitations of current antitrust legal doctrine.

It would likely take decades to reverse this body of accumulated legal doctrine, even if every future case that was litigated were decided with perfect accuracy. Fortunately, Congress is the final arbiter on competition law and can change it to reflect the desire of society for competitive markets. Congress has not substantively amended those laws in more than 60 years. A broad foundation of economic research supports retooling our antitrust laws for the 21st century and restoring the vigor that was originally intended. Although legislation can take many forms, successful antitrust reform legislation should accomplish four goals:

Overturn Supreme Court precedent that has inoculated exclusionary conduct from antitrust scrutiny even when it harms competition by eliminating or harming competitors

Prohibit courts from assuming that some aspect of a market is competitive or will become competitive rather than assessing the evidence in the case

Create simple rules (known as presumptions) that will lower the resource cost of enforcement for conduct and acquisitions that economic research shows are likely to raise competitive problems

Clarify that the antitrust laws are designed to protect competition that may manifest itself across a broad range of outcomes such as higher prices, reduced quality, harm to innovation, lower input prices, and elimination of potential competition

Lastly, Congress could consider two ways to raise the expertise level of judges. One is to require the court to hire its own economic expert in an antitrust case, paid by the parties. The neutral expert’s task would be to help the court understand the economics presented by each side. A second option is to create a specialized trial court to hear cases brought under the federal antitrust laws.26 Doing so would allow antitrust cases to be heard by judges with experience in evaluating complex economic evidence. A sophisticated judge would encourage litigants to rely on the best economic arguments and modern economic tools applied to the facts in the case, improving the accuracy of judicial decisions and discouraging judicial acceptance of the erroneous general economic assumptions that have supported relaxed antitrust enforcement.27 A term on such a specialized court should be of relatively short duration to limit the possibility of capture or entrenchment.

### Expand the Scope

#### Increasing enforcement of existing law doesn’t not ‘expand’ its ‘scope’ – this evidence is better then their two separate pieces of evidence because it reflects the whole more

Anne K. McKeig 20, Judge on the Minnesota Supreme Court, “Aim Dev. (USA), LLC v. City of Sartell”, 946 N.W.2d 330, 338-340, 2020 Minn. LEXIS 350, 7/15/2020, Lexis

We determined that the landowner could upgrade his equipment so long as the new equipment was "merely an improvement over the previous method and did not constitute a change in the nature and purpose of the original use." Id. at 866-67. Our holding recognized that landowners are not confined to exercising their nonconforming use rights with outdated or inefficient equipment if it is possible to make improvements that are consistent with the original use [\*\*15] of their land.

We also considered whether increasing the size of the gravel pit violated the city's ordinance. We acknowledged that "[i]f the [property owner] [were] to be limited to the area of land actually excavated at the time of the adoption of the ordinance, the restriction, in effect, [would] prohibit[] any further use of the land as a gravel pit." Id. at 865. Accordingly, we concluded [\*339] that "by the very nature of that business [the landowner] had to expand the area of its operation or be deprived of all value." Hawkinson, 231 N.W.2d at 282 (discussing Hawkins).

Other jurisdictions share similar concerns regarding the nonconforming rights of certain special use properties (such as quarries, gravel pits, and landfills), and have adopted a more flexible approach that takes the nature of nonconforming operations into account. See Bauer, 662 A.2d at 1192; Eddins v. City of Lewiston, 150 Idaho 30, 244 P.3d 174, 178 (Idaho 2010) (using a "flexible approach that focuses on the character of the alleged enlargement or expansion on a case-by-case basis"); Jones v. Town of Carroll, 15 N.Y.3d 139, 931 N.E.2d 535, 537-38, 905 N.Y.S.2d 551 (N.Y. 2010) (noting that "the use of property as a landfill, like a mine, is unique because it necessarily envisions that the land itself is a resource that will be consumed over time"); Chartiers Twp. v. William H. Martin, Inc., 518 Pa. 181, 542 A.2d 985, 989 (Pa. 1988) (upholding the right of the owner of a nonconforming landfill to increase the daily intake [\*\*16] of solid waste); see also Point San Pedro Rd. Coal. v. Cty. of Marin, 33 Cal. App. 5th 1074, 245 Cal. Rptr. 3d 580, 584 (Cal. Ct. App. 2019); but see Twp. of Fairfield v. Likanchuk's, Inc., 274 N.J. Super. 320, 644 A.2d 120, 124 (N.J. Super. Ct. App. Div. 1994) (explaining that "simply because the nature of the use involves a diminishing asset does not necessarily justify its expansion"); Huckleberry Assocs., Inc. v. S. Whitehall Twp. Zoning Hearing Bd., 120 A.3d 1110, 1115 (Pa. Commw. Ct. 2015) (limiting the scope of a landowner's nonconforming use right to operate a surface mine and quarry to the "natural expansion" of that use).

Here, nonindustrial, non-toxic waste is required for the existing operation of a nonconforming waste facility. AIM Development's proposal, with respect to the source of waste, seeks to replace a depleted source with viable waste streams. In this instance, denying AIM Development's request to replace the sources of waste would truncate the landowner's vested right to continue to operate an industrial waste facility.

Our holding today is consistent with the reasoning in Hawkinson and Claussen. In Hawkinson, a multi-lot resort owner wished to expand his unzoned lakeshore property for recreational-commercial purposes when the area was zoned for residential use. 231 N.W.2d at 280. We assessed the landowner's actual use of property, lot by lot, without regard for his comprehensive, but unrealized, design. Id. at 282. Ultimately, we upheld the application of zoning restrictions. Id. We noted, "[w]hile it is true that [\*\*17] [the landowner's] long-range plans have been frustrated, he is not prevented from carrying on at the same level [that was] obtained before the zoning ordinance was adopted." Id. When the same reasoning is applied here, it is clear that precluding AIM Development from replacing its waste stream would do more than "frustrate" its long-term plans. Without new sources of waste, the landowner would be prevented from carrying on altogether.

In Claussen, the landowner wished to enclose his nonconforming, open-air business. 203 N.W.2d at 324. The landowner asserted that the shelter would likely make the nonconformity less disruptive to [\*340] the surrounding area. See id. While that might have been true, we noted that the sheltered workspace would also have unreasonably prolonged the lifespan of the nonconformity and made it more difficult to convert the land to a different use when the nonconformity was eliminated. Id. In addition, a sheltered workspace would change the nature of the operations by allowing the landowner to conduct business during the harsh winter months that could not be completed outside. See id. We held that "construction of a building where none existed before constitutes an expansion of a nonconforming [\*\*18] use in the same manner as an addition to an existing building." Id. Ultimately, because a sheltered workspace was not required for the landowner to continue his nonconforming business, his proposal was denied. See id. at 327.

HN13 Similarly, we have long recognized that the reasonable substitution of equipment used in the operation of a nonconforming business is not an expansion as long as the nature and purpose of the original use remains unchanged. See Hawkins, 80 N.W.2d at 866-67. We choose to treat the reasonable substitution of materials the same. See Eddins, 244 P.3d at 179 (allowing the reasonable substitution of materials and equipment).

#### Expansion of scope requires an increase---that excludes alterations in terms of enforcement that keep the scope the same.

Clements 08 – Judge, Virginia Appeals Court

Jean Harrison Clements, Wise v. Velazquez, 2008 Va. App. LEXIS 489, Court of Appeals of Virginia, November 2008, LexisNexis

Discounting the terms of the award subject entirely to father's discretion, it is clear that the trial court awarded grandmother essentially the same visitation it had previously awarded her in the July 30, 2004 consent order--a minimum each month of two full days--except that father now had complete discretionary control over when the two days of visitation would occur since the visitation was no longer required to be on Saturdays. Thus, in light of the fact that the current visitation order provides the same amount of visitation that the original consent order did, and actually provides father more discretionary control over that visitation, we cannot say that the trial court's award of visitation to grandmother constitutes an expansion of the scope of visitation beyond what was originally agreed upon by the parties and ordered by the court in the July 30, 2004 consent visitation order.

#### The plan increases action within the scope, but doesn’t expand it

Lexis No Date (Lexis Headnotes/Summary for “Goodloe v. Memphis & C. R. Co.”, Supreme Court of Alabama, 107 Ala. 233, 238, 18 So. 166, 166, 1894 Ala. LEXIS 35, 11/1/1894, Lexis)

\*modified in brackets

Counsel: JACKSON & SAWTELLE and J. H. NATHAN for the appellant.--The relation of carrier and passenger begins, when, a contract of carriage having been made, or the passenger having been accepted as such by the carrier, or, having the bona fide intention of taking passage by a particular train, he has come, within a reasonable time, before the expected arrival of the train, upon the carrier's premises; and that relation continues, until his journey is completed. To him, then, the premises of the carrier, with its buildings and approaches, grounds, modes of ingress and egress to its grounds and stations and trains should be a place of [\*\*\*3] security from injury; in some instances coming even from strangers; in all cases coming from the carrier's own agents and servants. 2 Am. & Eng. Ency. Law, pp. 744-5; Batton v. S. & N. R. R. Co., 77 Ala. 593; 2. Rorer on Railroads, 951; A. G. S. R. R. Co. v. Arnold, 80 Ala. 607. Appellant being a passenger, and, when injured, still within the circle of protection, the duty of the carrier to him required of it the exercise of the highest degree of care for his safety.--Christie v. Griggs, 2 Camp. 79; Sharp v. Gray, 9 Bing. 457; F. & St. L. R. R. Co. v. Horst, 93 U.S. 291; M. & M. R. R. Co. v. Blakely, 59 Ala. 477; Penn. R. R. Co. v. Roy, 102 U.S. 451; Tanner v. L. & N. R. R. Co., 60 Ala. 621; B. & O. R. R. Co. v. Worthington, 21 Md. 275. While he was such passenger, he was injured by the servant of the carrier, and the appellee is liable in this action.--Snow v. Pittsburg Railroad Co., 136 Mass. 552; Ramsden v. Boston Railroad Co., 104 Mass. 117; L. & N. R. R. Co. v. Kelley, 13 Am. & Eng. R. R. cases, 1; Hutch. on Carr. (2d Ed.) § 595, et seq.; Goddard v. Railway Co., 57 Me. 202; Hanson v. Railway Co., 62 Me. 84. Under the facts of this case the appellant claims that, as to him, the [\*\*\*4] servant was in the course or scope of his duty, and that it can make no difference, if the act of the servant was unauthorized by the carrier, or even contrary to its orders. It is insisted by counsel for appellee, that "scope of duty" means the limits of exact and correct performance by the servant or agent of his employment; but it is manifest that, if such were the construction of it, there could never be any liability of the master for the negligence or misconduct of his servant. Webster defines "scope" as the ultimate design, aim, or purpose; intention; drift; object. If one is engaged in carrying out the purpose, or object, for which he was employed, [they are] ~~he is~~ acting within the scope, the area, of his duty. The better form of expression often used, as fixing the limits of the liability of the master for the action of the servant is, "course of employment." In that sense it is used in many cases, and in those most approved.--Mulligan v. N. Y. & R. B. R. R. Co., 129, N. Y. 512.

### 2nc – prohibitions

**Prohibition requires forbidding a practice—the plan is only a hindrance**

**Van Eaton** et al **17** (Joseph Van Eaton, Gail Karish Gerard Lavery Lederer, lawyers for BEST BEST & KRIEGER, LLP. Michael Watza, KITCH DRUTCHAS WAGNER VALITUTTI & SHERBROOK, “BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C”, COMMENTS OF SMART COMMUNITIES SITING COALITION, March 8, 2017 , https://tellusventure.com/downloads/policy/fcc\_row/smart\_communities\_siting\_coaltion\_comments\_mobilitie\_8mar2017.pdf)

2. What are at issue legally are prohibitions and effective prohibitions, and not hindrances, as the Commission seems to suggest in its Notice. The term “prohibit” is not defined in the Act, but it has an ordinary meaning: to formally forbid (something) by law, rule, or other authority; or to “prevent, stop, rule out, preclude, make impossible.” A mere “hindrance” “is simply not **in accord with** the ordinaryand fairmeaning” ofthe termprohibit,104 and can provide no basis for additional Commission intrusions on local authority over wireless facilities. Much of what Mobilitie complains about is a “

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### Antitrust Link---2NC

#### Link turns case---Biden’s DOJ is full of neoliberal shills who will systematically underenforce anti-trust law.

Alsbergas & Moran 21, Research assistants at the Revolving Door Project at the Center for Economic and Policy Research (Elias & Max, February 23rd, “It’s Looking Like the Department of Justice Under Biden Will Have Major Influence from Corporate Law,” *Jacobin Magazine*, <https://www.jacobinmag.com/2021/02/corporate-power-amazon-big-law-department-of-justice-biden>, Accessed 10-16-2021)

It’s kind of trite, but personnel is policy. That goes doubly for the people you keep around you who aren’t on the books. People like Gorelick thrive because their relationships and their work are not scrutinized. This is how Biden is able to get away with the fact that unions helped put him in the Oval Office but some of his highest-level appointees have deep long-standing relationships with people who are anathema to labor’s agenda.

Biden is clearly signaling — and in some cases, moving — in a more left-wing direction on issues including labor, the environment, and so on. He’s certainly moving to the left of where Obama was at this point in his presidency. But a great number of the people who are staffing his administration across the board are still part of the same neoliberal groups that came up under Bill Clinton. They got their start in Democratic Party politics during the Reagan years, and that is still the frame through which they view a lot of these issues.

You’re seeing some of that, maybe, a little bit, begin to change. But absent significant pressure, the path of least resistance, and the path which Biden and his people are going to take, is to bring back the same people who have been doing and failing at these jobs for the last forty years.

### Alternative---2NC

#### “No alternative” is an elite fallacy — the pandemic provides a unique opening to challenge capitalism and unify globally.

Alexander and Gleeson, 20 \*Research Fellow with the Melbourne Sustainable Society Institute, University of Melbourne. \*\*Director of the Melbourne Sustainable Society Institute. (Samuel Alexander and Brendan Gleeson“EVERYTHING IS THINKABLE, SO WHAT IS TO BE DONE?” accessed online 9/16/2021 https://arena.org.au/everything-is-thinkable-so-what-is-to-be-done/)

The deep decarbonisation and degrowth required for such contraction would clearly require significant shifts in the ways our economies are structured, including exploring innovative new ways to govern access to land and housing, and having difficult but compassionate conversations about things such as redistribution and population growth. And, if the response to COVID-19 shows us anything, it is that governments can mobilise extraordinary amounts of money when there is political will. This is good news for funding a transition to renewable energy, if we can develop the political will. A degrowth transition would also mean a cultural recognition that high-consumption lifestyles are unsustainable and that only lifestyles of material sufficiency, moderation and frugality are consistent with social and ecological justice. This challenges us to reimagine the good life beyond consumer culture, thereby sowing the seeds of a politics and economics of sufficiency. Social movements will be needed to help create the support for these structural and cultural shifts. These might include post-consumerist movements that are prefiguring degrowth cultures of consumption by embracing material simplicity as a path to freedom, meaning and reduced ecological burdens; community-led resistance and renewal movements; transgressive and creative forms of the sharing economy as means of thriving even in a contracting biophysical economy; and other social movements and strategies that are seeking to develop new (or renewed) informal economies ‘beyond the market’. So, while the pandemic continues to unfold, as a society we need to consider whether our ambitions are merely to return to business as usual. Alternatively, shaken awake by this disruption, do we aspire to a radical and final break from neoliberal globalisation and aim to transition to a social form that prioritises human well-being and ecology over material accumulation? What now for degrowth? A cautionary tale There is no reason to believe that the current season of forced degrowth represents a permanent and final dislocation of the growth-machine ambitions of neoliberalism. The relatively recent experience of the 2008–09 Global Financial Crisis (GFC) and its aftermath is a worrying precedent. There was much joyous banging of cymbals and song from progressive interests as Keynesian desiderata were rediscovered and reapplied, especially and successfully by the Rudd government in Australia. The revealed downside of this reinstatement of ‘progress’ was a failure to grasp that Keynes’ theories predated political ecology and were intended to rescue, not transform, industrial capitalism. Hence, the way out of the GFC was a massive re-stimulation of consumption and all the ecological destruction that goes with it. After a major dip, carbon emissions were quickly restored and, after some mild disturbance, the planet was set back on its path to climate destruction. The shadow of Keynes lay heavy on the re-firing smokestack economies of the world. We fear this replay for the current crisis, our anxieties deepened by the observation earlier that neoliberalism is a particularly historically insentient beast. The forces willing snap back are immense and omnipresent throughout the Global North. It’s easy to highlight, not to say pillory, the ‘let’s reopen for business’ cant of President Trump, but, as Streeck reminds us, the European Union is a deeply neoliberal institution, essentially a free-trade bloc, that is equally committed in the current historical moment to the earliest possible resumption of the growth machine. The centre-left and green parties typically operate within the same growth paradigm, too often committed to little more than a limp ‘third way’ that talks of ‘greening capitalism’ or giving it a human face. But that is merely going down the wrong road more slowly. But caution is advised. The cloak of pessimism is too often the disguise of determinism, a tendency that we reject as bad science and politics. Both defeats and victories are snatched from the jaws of historical crises and it’s far too early now to say what will come from the current degrowth moment which we, with the support of Scott Morrison, can type as lockdown. We write, in April 2020, in the steaming mists of the volcanic eruption of the economy and of everyday life. New (or are some old?) social shadows and shapes are discernible: people (often harshly) freed from the neoliberal work frame and finding their way under a closely scripted regime of movement—and, critically, of consumption—laid down by a newly assertive state. A dialectical play of possibilities is evident, and they are certainly too many to try to list now. But we cannot fail to see on the one progressive hand the radical reassertion of the state and of its care infrastructure, as well as the freeing of households from the treadmill of the neoliberal work order (and all the fractured and gendered coping reflexes that went with it). Equally, we discern and recoil from the authoritarian possibilities unleashed by new state arrogation, especially in Anglophone nations, where populist conservatives reign. Who knows what will emerge from this historical clash of possibilities? Our bleakest vision is the emergence of authoritarian states that will ‘lockdown the snap back’—that is, reanimate the Earth-eating monster and drive us harder and faster to the graveside of capitalism. On better days, we hope-think for transition, however messy it might be, to a different social order that finally accepts new ideas of growth and progress. And what mature human being doesn’t desire a life marked by growth and self-realisation, a promise-idea seeded most wondrously by the Enlightenment? The simple point of degrowth, and of most radical thought traditions under capitalism, is that this journey mustn’t consume the social and ecological substrates that sustain us. Will crisis play a consciousness-raising role? It may be that ever-deepening crisis in the existing system of capitalism is the most likely spark for a paradigm shift in both the political economy of growth and its cultural underpinnings. To say this, however, is not to romanticise crisis like dreamy-eyed optimists. In fact, our view of change is based on a deep pessimism about the prospects of smoother and less disruptive modes of societal transformation. As the pandemic deepens or exacerbates the range of pre-existing crises, it seems that our collective task now is to ensure that these destabilised conditions are used to advance progressive humanitarian and ecological ends, rather than exploited to further entrench the austerity politics of neoliberalism. How to ground this great and terrible opportunity in everyday life? For those who recognise the potential in this moment to think and act differently, our basic function is to keep hopes of a radically different and more humane form of society alive. The encounter with crisis can play an essential consciousness-raising role, if it triggers a desire for and motivation towards learning about the structural underpinnings of the calamity itself. We believe that social movements should be preparing themselves to play that educational role, and in fact it is heartening to see this already unfolding in the many inspiring social responses to this tragic time. Among many examples of this, we highlight but one: David Holmgren and the permaculture movement, who are mobilising as we write for the creative renewal of our cities and suburbs. Holmgren’s relaunch of his brilliant RetroSuburbia: The Downshifter’s Guide to a Resilient Future during the pandemic exemplifies this vision and faith in grassroots activity. And, importantly, under its warm messaging about restoration of natural ecology and human values lies a serious prosecution of accumulative capitalism. In the midst of this pandemic, our challenge is to come together and set sail for newer, safer shores and resist the sirens of destruction that would woo us back to the sinking Atlantis of capitalism. This is not a time of species affirmation; it is the hour of gravest peril. It is also a reopening of human possibility. To liberate human prospect, we must cast down, not defend, the burning bridges of a dying capitalist order and be brave enough to entertain the possibility of a permanent and planned economics beyond growth. This pandemic is an ambivalent invitation, even an incitement, to humanity to confront this turning point in the human story with all the creativity, wisdom and compassion we can muster.

#### Reject transition wars arguments – they’re *culturally biased projections of American exceptionalism* that reflect the importance of hegemony to *national identity* not *global stability*

Glaser 12 (John Glaser, Director of Foreign Policy Studies at the Cato Institute, “American Decline: What the Foreign Policy Elite Really Fear,” April 17, 2012, https://www.antiwar.com/blog/2012/04/17/american-decline-what-the-foreign-policy-elite-really-fear/)

There is a fixation in elite foreign policy circles these days to speculate on the impending decline of America’s global economic and military hegemony and to lament that decline as the dangerous end to international order. Without global American dominance, goes the thinking, lawless competition and chaos will rule. Former Carter administration national security advisor Zbigniew Brzezinski’s latest book Strategic Vision goes through this lament. He worries that, absent U.S. hegemony, regional powers will be less restrained. Russia will bully tiny Caucasian states like Georgia; China will bully Taiwan; North Korea will threaten South Korea; diminished unilateral support for Israel would destabilize the Middle East; et cetera. Thomas P.M. Barnett in World Politics Review takes a look at Ian Bremmer’s forthcoming book Every Nation for Itself, another lament of American decline. Post-hegemony, states will be “superseded by a generalized anarchy” in “an era [that] begets a ‘free for all'” and witnesses Asia’s rise, or even more ominously, China’s rise. Bremmer fears a world without the “global leadership” of America to “keep the peace.” Indeed, this is the most interesting insight I drew from Bremmer’s book: The real danger of a G-Zero world is not the accelerated decline of the West but the unbridled — and unpoliced — appetites of the East. As Bremmer points out repeatedly, Western states need not fear a “world of regions,” his term for an era of pronounced regionalism. By and large, their national structures are more than robust for that scenario. But if it’s regionalism run amuck, the clash of civilizations most unlikely to unfold is not East versus West or West versus South, but East versus South — without a West as referee. To buy into this is to have very little ability to self-criticize. This line of thinking assumes that the West, and America specifically, has acted like an impartial referee over the international system, which is really an absurd suggestion. What people like Brzezinski and Bremmer and Barnett really fear is not that the Benevolent Empire and the “global order” it preserves will be no more. Rather, the fear is that the selfish, unscrupulous, hypocritical, coercive disposition of other states will prevail instead of the U.S. government’s selfish, unscrupulous, hypocritical, coercive behavior. Other states will get to do the horrible things that only we’ve been able to do for decades. Overthrowing governments that threaten the state’s supremacy, supporting the world’s worst dictators, committing the supreme international crime of unprovoked war, military bases spanning the globe…these things will no longer be solely American prerogatives. “The concern over “’decline,'” writes Nikolas Gvosdev, ” is not that the U.S. is about to stop being a superpower; it is that future likely adversaries are not going to be the pushovers the U.S. has gotten used to for the past 20 years.” Daniel Larison comments: What doesn’t make much sense about “anti-declinist” fearmongering along these lines is that relative decline isn’t something that the U.S. can avoid by making certain policy choices rather than others. It’s certainly possible to sap and exhaust U.S. resources in the fruitless quest to reclaim an unsustainable position. We have spent the last decade doing just that. The U.S. can react to a multipolar world by demonizing and vilifying other major powers and by punishing them when they fail to fall in line on every international issue, which seems to be the preferred response of the most vocal “anti-declinist” presidential candidate, or it can attempt to find common interests with these other powers. The latter seems advisable, not least because a multipolar world is one in which the demands on and costs to the U.S. are fewer.

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## Case

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

Kareiva 18, Ph.D. in ecology and applied mathematics from Cornell University, director of the Institute of the Environment and Sustainability at UCLA, Pritzker Distinguished Professor in Environment & Sustainability at UCLA, et al. (Peter, “Existential risk due to ecosystem collapse: Nature strikes back,” *Futures*, 102)

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.

### OV

#### Vote neg because

#### The AFF doesn’t solve climate change, that’s Meyer 21 and Kareiva 18, the bill promises to cut climate pollution in half and etc and if we don’t address this then we will go into extinction

#### Impact—

#### The aff doesn’t help education bc they read no evi that states that the money not used for stadiums will go to education, and the squo is fixing itself that s United States Census Bureau, 5/18/2021

#### They don’t resolve current stadiums, and they don’t have evi that states more are coming in.

#### Wages are increasing now so they don’t actually do anything to “help the working class” that’s Levanon 21

#### d.There are dozens of alt causes that the aff doesn’t address that’s Livingston 21

#### e.Their evi is old. (look at flow)

#### Their arg that we are not MLB specific doesn’t matter bc we prove that their plan fails their advantages, but we also prove that there is no need for the plan in the squo

## Off

## K

### Politics DA

#### 2AC 1- the reconciliation bill passes next week that’s Deese 11-9- 2021

#### 2AC 2-

#### 2AC3-

#### The president gets blamed

New Yorker 15 (“OBAMA’S GAME OF CHICKEN WITH THE SUPREME COURT”, *New Yorker*, <http://www.newyorker.com/news/daily-comment/obamas-game-of-chicken-with-the-supreme-court> , May 21, 2015)

No, it’s not. If the Obama Administration loses in the Supreme Court, the political pain will fall almost exclusively on the President and his Party. To paraphrase Colin Powell and the Pottery Barn rule, President Obama will have broken health care, so he owns it. To the vast mass of Americans who follow politics casually or not at all, Obamacare and the American system of health care have become virtually synonymous. This may not be exactly right or fair, but it’s a reasonable perception on the part of most people. The scope of the Affordable Care Act is so vast, and its effects so pervasive, that there is scarcely a corner of health care, especially with regard to insurance, that is unaffected by it. So if millions lose insurance, they will hold it against Obamacare, and against Obama. Blaming the President in these circumstances may be unfair, but it’s the way American politics works.¶ Republicans, of course, will encourage this sentiment. The precise legal claim in King v. Burwell is an esoteric one. It is not based on a claim that Obamacare is unconstitutional. (The Supreme Court upheld the constitutionality of the law three years ago.) Rather, the central assertion by the plaintiffs is that the Obama Administration violated the law itself. In any event, the subtlety of the issue at the heart of the case will surely be lost in its aftermath. The headlines will read, correctly, “Court rules against Obamacare,” and this will be all that matters. The Republicans will argue that the Supreme Court showed that the law was flawed from the start, that the Obama Administration is lawless, that a full repeal of the law is the only appropriate response to the Court’s decision—and that the millions who lose their subsides should blame the sponsor of the law. Watch for references to a “failed Presidency.” There’ll be plenty of them.¶ Understandably, perhaps, the Administration has courted this kind of reaction. Better than anyone, Administration officials know the scale of the problems that would be created by a loss in the Supreme Court. Advertising this possibility makes sense as a litigation strategy; Obama officials don’t want to make it easy for the Supreme Court to rule against them. In testimony before Congress and elsewhere, Sylvia Burwell, the Secretary of Health and Human Services (and the defendant in the case), said that the Administration has no contingency plan for an adverse ruling in the Supreme Court. But playing chicken with the Justices only works if it works. If the Supreme Court strikes down the subsidies, the Administration will also have to answer for why it didn’t prepare for this possibility.¶ For many people, the President of the United States is the government of the United States. It’s why he gets the credit and blame for so many things, like the economy, where his influence can be hard to discern. This is particularly true for a subject in which the President has invested so much of his personal and political capital. If the Supreme Court rules against him, the President can blame the Justices or the Republicans or anyone he likes, and he may even be correct. But the buck will stop with him.

#### That’s specifically true of Biden

**Cadelago and Daniels,** 6-28-**21**

(Christopher and Eugene, “Republicans ramp up attacks on Biden on … everything,” accessed 6-28-21, <https://www.politico.com/news/2021/06/28/spray-and-pray-biden-republicans-496660>) JFN

That hasn’t, however, kept Republicans from swinging away. Biden is far and away the GOP’s No. 1 villain on Facebook, according to an analysis conducted by the Democratic-leaning communications agency Bully Pulpit Interactive for POLITICO. Over the last three months, Republicans and affiliated groups and committees have spent nearly $2.5 million trying to paint Biden and his priorities in a negative light. That’s more than three times what they’ve spent on Facebook ads targeting other leading Democrats — from Sen. Bernie Sanders (I-Vt.), House Speaker Nancy Pelosi, Rep. Alexandria Ocasio-Cortez (D-N.Y.) and former President Barack Obama — and issues like socialism, fake news, and “defund the police” combined. POLITICO opted to review the last three months of data, after Facebook lifted the ban on political ads on its U.S. platform. But there has not been a consistent theme to the anti-Biden spots. The attack lines getting pushed most on the right go after Biden’s massive infrastructure push, his call for raising taxes, dark money groups that support his agenda, his position on guns and the rise of gun violence in U.S. cities, according to Bully Pulpit’s analysis. The conservative outfit Americans for Prosperity is leading the online barrage against Biden, with spots on infrastructure, taxes and the American Jobs Plan. The National Rifle Association has run online ads targeting Biden on guns, claiming that the “Biden Political Machine [will] dismantle the 2nd Amendment.” But others running ads go after Biden on wholly different topics. Sen. Ted Cruz (R-Texas) has run spots accusing the president of trying to pack the Supreme Court with “radical leftiest justices” (Biden has only put together a commission to study the composition of the courts).

#### 2AC 4-

BBB is key to solvency

Geman 10-15-2021 (Ben, “Key clean power provision likely won't survive in Dems' spending bill,” *Axios*, <https://www.axios.com/key-clean-power-provision-likely-wont-survive-in-dems-spending-bill-2f187c6b-51a3-4479-8646-19d5a940571f.html>)

What they're saying: Sam Runyon, a spokesperson for Manchin, tells Axios: "Senator Manchin has clearly expressed his concerns about using taxpayer dollars to pay private companies to do things they’re already doing." "He continues to support efforts to combat climate change while protecting American energy independence and ensuring our energy reliability," Runyon adds. The big picture: The CEPP is part of the wider White House executive and legislative agenda to sharply cut U.S. greenhouse gas emissions and, on the power front specifically, help achieve the aggressive goal of 100% carbon-free power by 2035. However, the brewing legislative package — which faces a very narrow political pathway — has a suite of other clean electricity investments and tax incentives. The House proposal has $273 billion worth of overall energy-related tax incentives, including a number aimed at the power sector such as extended and expanded renewables credits. What we're watching: The aide who confirmed Manchin's opposition to Axios cautioned that while the CEPP is significant, the package also has other measures to cut power sector emissions — such as expanded tax incentives — and that lawmakers’ offices are seeking other ways to enable the emissions cuts the CEPP would have created. The CNN piece suggests that something CEPP-related could still emerge. "Whatever comes through will not be called the CEPP, but we're strongly hoping and thinking there will be ways to meet what [Manchin] wants," a Democratic aide tells the outlet.

Romm et al 10/16 (Tony Romm, Congressional economic policy reporter at Washington Post; Tyler Pager, White House reporter at Washington Post; Jeff Stein, White House economics reporter; “White House looks to scale back climate initiative after stiff pushback from Manchin” 10/16/21 https://www.washingtonpost.com/business/2021/10/16/white-house-climate-manchin/)

White House officials have not decided to completely jettison the CEPP but are instead looking at how to make changes that would ensure Manchin’s support for the broader economic package. The Washington Post reported on Thursday that Manchin had voiced his strong opposition to the program to the White House last week, prompting a reassessment of the measure. White House officials are now working to weaken the program, which is part of a $3.5 trillion bill Manchin and another centrist Democrat, Sen. Kyrsten Sinema (Ariz.), consider too costly. If Manchin signals to the White House that he will oppose the package, it will not have enough votes to clear the Senate. That makes his support for any resolution crucial. The White House had pushed hard for the creation of the CEPP program, as Biden had campaigned aggressively on taking major steps that he said he would address global warming. It ranks as the most significant climate proposal under consideration on Capitol Hill. Still, Democrats had not relied solely on CEPP to try to address their climate agenda. There are other provisions of the pending budget agreement that are also targeted at addressing climate change, particularly the creation of tax credits. “We don’t comment on the state of our negotiations with the wide array of Senators offering views about the Build Back Better agenda,” White House spokesman Vedant Patel said in an email. “The White House is laser focused on advancing the President’s climate goals and positioning the United States to meet its emission targets in a way that grows domestic industries and good jobs.”