# 1AC

### 1AC---Climate Denialism

#### Vote affirmative to reject climate denialism

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Abstract The way fossil fuel companies frame climate change in their annual sustainability reports shines light how the fossil fuel industry is addressing pressure from stockholders, investors, and the public to become less environmentally harmful. Through a qualitative frame analysis and critical discourse analysis of fossil fuel company sustainability reports, four major frames emerged: (1) techno-optimism, or, the belief that innovative technologies and fuels, without social change, can help solve the issue of climate change; (2) necessitarianism, or, the notion that the fossil fuel industry provides a necessary service; (3) compliance, or, adherence to established regulations and standards; and (4) countermeasures, or, strategies that indirectly counteract harms done. Two frames central to discourses surrounding fossil fuels and climate change are notably absent: (5) potential environmental and societal risks of fossil fuels (risk minimization) and (6) potential future scenarios that are significantly different from the growing economy powered by increased energy output (possibility blindness). Together, the frames are a subtle form of climate change denialism that acknowledges climate change as a problem without diagnosing the root cause of the problem (ideological denial), conceals environmentally harmful actions with the rhetoric of environmental friendliness (greenwashing), and justifies the status quo as necessary (reification). 1. Introduction The fossil fuel industry has a tenuous history with the public regarding information about climate change (for summary, see [1]: 310f). Major players in the industry, most notably ExxonMobil, actively sought to cover up and deny the reality of climate change despite knowing about the contribution of fossil fuels to global warming long before the public [2]. In addition to secrecy and denial, the fossil fuel industry worked to discredit climate scientists in the eyes of the public [3], [4], [5]. With growth in the public’s belief in anthropogenic climate change, and the increasing difficulty of denying climate change given the reality of climate change-related impacts, stockholders in the fossil fuel industry, other stakeholders, and members of the public, are increasingly demanding change from fossil fuel companies. These demands range from completely phasing-out fossil fuels to transitioning to greener sources of energy [6]. The industry is reacting to these demands in diverse and sometimes contradictory ways. For example, most fossil fuel companies now acknowledge that climate change is real and should be addressed, yet some are simultaneously members or leaders in organizations that spread disinformation about climate science or seek to block climate action [1], [3], [7], [8]. There is a wealth of literature on strategies the fossil fuel industry employs to actively undermine climate change policy (e.g., [5], [9]). However, there is not an extensive body of research, save the exceptions reviewed in Section 2, regarding how the industry frames, beyond outright denial, the causes, moral dimensions of, and solutions to climate change. This is a large gap in the literature considering the industry’s recent attempts to become, at least in appearance, more environmentally conscious by, for example, publishing sustainability reports. The way fossil fuel companies frame climate change in their sustainability reports opens a window into how the fossil fuel industry is managing the pressure from stockholders, investors, and the public to become more sustainable. The goal of this analysis is to identify the most coherent and polished framing strategies used by the fossil fuel industry to reconcile the demand to “go green” with the reality of extracting and distributing the commodity most responsible for carbon emissions [10], [11]. Through a qualitative frame analysis of fossil fuel company sustainability reports, four major frames emerged: (1) techno-optimism, or, the belief that innovative technologies, without fundamental social changes, can help solve the issue of climate change, as well as invoking the future potential of renewable and cleaner nonrenewable sources; (2) necessitarianism, or, the notion that the fossil fuel industry provides a necessary service that improves the quality of life of many people; (3) compliance, or, adherence to established regulations and standards; and (4) countermeasures, or, strategies that indirectly counteract harms done, especially through participation in other organizations that do work to benefit the environment and investing in other environmental projects. Furthermore, two frames central to discourses surrounding fossil fuels and climate change are notably absent in the annual sustainability reports: (5) potential environmental and societal risks of purely technological solutions and continued fossil fuel use (risk minimization) and (6) potential future scenarios that are significantly different from the growing economy powered by increased energy output (possibility blindness). Both omissions help overcome the paradox between the demand to “go green” with the reality of extracting fossil fuels by implicitly disregarding the existence of the contradiction. Below, we review of the concepts of frames and framing, as well as pertinent existing information regarding how fossil fuel companies framed climate change in the past (Section 2). Section 3 reviews the methods used to analyze fossil fuel industry sustainability reports. We then discuss the major frames that emerged during the analysis (Section 4), followed by a critical analysis of these framing strategies (Section 5). We conclude by examining the implications of the findings for climate change mitigation and the future of the fossil fuel industry in climate action (Section 6). 2. Research approach The concept of “frame” draws attention to the way experience is conditioned by the selection and salience of information [12]. The use of frames is prevalent in society, and perhaps an inherent feature of all perception [13], though we may not always be cognizant of their use and existence. Individuals and organizations can explicitly adopt framing strategies that select aspects of perceived reality that the individual or organization wants to make more salient. By enhancing salience, we mean that the piece of information selected is made more noticeable, meaningful, or memorable. Frames can be used as tools by organizations to control how they represent themselves to the public. Successfully employed frames can define problems, diagnose causes, make moral judgements, and suggest treatments or remedies [12]. Frames can shape the perception of information. By controlling what information is conveyed, and how salient that information is, the audience can be swayed, find other facts or perspectives irrelevant, etc. Furthermore, frames can provide insight into the ideals and priorities of the people or organizations using the frames. Frames are employed by the fossil fuel industry, a powerful actor in mainstreaming specific framings of climate change [14]. In an analysis of 38 previous studies on industry actors’ communications on climate change between 1990 and 2010, three overarching and evolving frames were used by industrial actors: scientific uncertainty, socioeconomic consequences of mandatory emissions reductions, and, most recently, industrial leadership in climate protection [15]. The latter frame, which took hold globally and is still prevalent today, refers to “industrial actors acknowledg[ing] responsibility for the climate. However, they portray technological innovations as the primary assets to combat climate change” ([15]: 505). The industrial leadership frame was pioneered by European oil and gas companies. The initial pushback towards carbon emission regulation was much more aggressive among US corporations than European corporations [16]. US corporations formed industry associations, lobbied politicians, cast doubt on climate science, and emphasized the high economic cost of forced emission reductions. In contrast, industries in Europe expressed a willingness to invest in technologies that would reduce emissions. Earlier, Le Menestrel et al. [17] also found that oil and gas actors emphasized technological investments (e.g., in green energy) to address a dilemma: that constraining emissions would lead to lower profits. However, these companies simultaneously invested substantially more money in fossil fuels and lent support to anti-climate action lobby groups. Green marketing and strategic framing help address this contradiction, and similar paradoxes. For example, in their Helios Power campaign, BP used background images of wind turbines, environmental buzzwords (reduce waste, conserve energy, etc.), green color schemes, a conservation advocacy section of the campaign, and a new green logo [18]. BP appears to align itself with green ideals and advocate for the pro-environmental movement. However, closer analysis shows that this behavior primarily serves to maintain company profits while appeasing environmentally friendly stakeholders and climate activists. The use of green images and rhetoric despite, or to mask, environmental harms and manipulate consumers is sometimes termed “greenwashing” [19]. A common form of greenwashing among fossil fuel companies is the hidden trade-off, where a product is framed as green or environmentally friendly based on a single attribute while other attributes are ignored [20]. Companies also often enhance these greenwashed frames by highlighting and amplifying science and technology, and the expertise of authorities. Pulling these historical trends together, Brulle [3] examined how the fossil fuel industry initially engaged in explicit denialism, despite knowing about climate science and the role of fossil fuels in climate change. More recently, the industry has shifted toward a more subtle framing that feigns positive change or provides minimal support towards a pro-environment agenda while continuing to harm the environment and prioritize profit outside of the public eye. This strategy includes the use of frames to shape public opinion, industrial leadership, community involvement, and focused campaigns to control the company’s public image. In summary, previous studies on fossil fuel framings of climate change focused on overarching frames or the evolution of frames and industry behaviors over long periods of time, such as Levy [16], Schlichting [17], and Brulle [3]. The goal of this project is to examine the most coherent and polished climate change-related framing strategies officially employed by the fossil fuel industry to date via an analysis of their annual sustainability reports to answer one overarching question: What framing strategies do fossil fuel companies employ to reconcile the demand for addressing the climate crisis with the reality that their product is the most significant immediate cause of climate change? This research question provides insight into the industry’s views on the interesting ethical dilemma they face, as described by Le Menestrel et al. [17], where the industry is trying to address a problem in which they are the primary contributor. This dilemma has snowballed due to growing pressure from stockholders, investors, and the public to become environmentally friendly. Answering this overarching question will require an examination of the four dimensions of frames identified in Entman’s [12] classic conceptualization: (1) How do fossil fuel companies define the problem of climate change?; (2) How do fossil fuel companies diagnose the problem of climate change? (i.e., Who or what is causing the problem of climate change, according to fossil fuel companies?); (3) How do fossil fuel companies evaluate the problem of climate change (i.e., What moral judgements do they make)?; (4) What solutions to climate change do fossil fuel companies propose? Addressing these questions will illuminate how the industry balances its role in driving climate change with its need to stay profitable, as well as how it works to shape the perceptions and opinions of its stakeholders and critics. 3. Methodology and materials 3.1. Qualitative frame analysis and critical discourse analysis (CDA) Typically, frames are identified via content analysis [21]. A distinct frame can be categorized as the definition of a problem or an issue, causal attribution, a moral evaluation, and a treatment [12]. Frames can be analyzed quantitatively and/or qualitatively. Qualitative content analysis identifies and categorizes the central themes or frames of interview transcripts, reports, or other forms of text [22], [23]. As the data was collected and analyzed, any recurrent concepts (such as faith in technology or an emphasis on adherence to regulation) were identified and, over time, categorized into specific frames (see Section 3.3). We adopt a qualitative approach here, which emphasizes focusing on, and understanding, frames as they relate to conceptual issues and societal contexts as opposed to solely the prevalence of the frames [24]. In addition to qualitative content analysis, the methodological approach also overlaps with critical discourse analysis (CDA), specifically a form of CDA that examines how language can be used to reproduce existing social conditions and contextualizes discourse with the sometimes-obscured social forces that influence it (for overview, see [25]: 8ff). Like CDA, we think the social context in which language is employed is of critical importance because discourse is shaped or “constituted” by this context. CDA has proven to be a valuable method in studying frames used in environmental and energy discourse [26], [27], [28], [29]. Our normative aim is to “demystify” frames employed by fossil fuel companies and analyze them as strategies to reproduce the status quo via minor reforms. This critical spotlight is based on the premise that to effectively reduce emissions at the pace and scale needed to avoid catastrophic climate change, fossil fuel companies must “end exploration, wind down extraction, [and] invest in low-carbon energy” ([30]: 3). Anything less than explicit plans to phase out nearly all fossil fuel extraction—for example, proposals to merely increase miniscule investments in renewables [31] or co-fund another carbon capture and storage facility—are inadequate for staying within internationally recognized climate targets [30]. For those who argue that this standard is unrealistic, we think our counterfactual is more realistic than meeting climate targets while simultaneously maintaining or expanding fossil fuel extraction – even if the companies extracting fossil fuels allocate a bit more than 0.22% (ExxonMobil) to 2.3% (BP) of total capital expenditures in low-carbon investments [31]. Following others, we make the case that minor reforms in lieu of phase-out are strategies of greenwashing, or even a new form of climate change denial (see Section 5). 3.2. Data The data was collected from the following eight companies: Chevron, ExxonMobil, BP, Royal Dutch Shell (hereafter Shell), ConocoPhillips, Peabody Energy (hereafter Peabody), CONSOL Energy (hereafter CONSOL), and Arch Coal. These eight companies were chosen because they are responsible for 15% of carbon emissions since 1850 [11], [32]. There are significant differences between these companies in terms of market focus and climate strategy. Most glaringly, Peabody, CONSOL, and Arch Coal are primarily coal companies, whereas Chevron, ConocoPhillips, ExxonMobil, BP, and Shell derive most of their profits from oil and gas. This difference not only impacts the viability of future markets—for example, some investor-owned coal companies are on their last leg ([30]: 8)—, but also climate strategy. For example, in “planning for a world free from carbon pollution,” all three coal companies were ranked as “egregious” by the Union of Concern Scientists [8], whereas the oil and gas companies were ranked as “poor” (BP, Chevron, ConocoPhillips, ExxonMobil) to “fair” (Shell). Despite these differences, we found that all eight companies employed the same four frames: techno-optimism, necessitarianism, compliance, and countermeasures. (These frames are discussed in detail below.) The only exception is Peabody’s sustainability report, which employs two of the frames (techno-optimism and necessitarianism), rather than all four. The consistency in framing across all eight companies is notable. As pressure from stockholders and investors may have more immediate financial consequences for companies when compared to public pressure, sustainability reports are a perfect data source to examine how fossil fuel companies reconcile the demand to address climate change with the fact that they are fossil fuel companies. Further, as explained above, our goal is to examine the most polished climate change-related frames produced by fossil fuel companies. Sustainability reports are fitting for this research goal as well. To use an analogy, sustainability reports show “the ideal self” of fossil fuel companies’ green self-presentation, one that conforms with the expectations of environmentally minded investors and other stakeholders. Fossil fuel companies can use sustainability reports to construct an ideal green self-image because, in contrast to financial statements, there are no established legal or regulatory risks in being excessively optimistic in sustainability reports.1 Thus, corporate sustainability reports, as a PR exercise, are a window into this ideal green self-image. A web search and a search of company websites uncovered sustainability reports for most of the companies listed above. A second, more directed search uncovered sustainability reports for every company except Arch Coal. The most recent sustainability report for each company available at the time (July 2020) was used as data. The reports analyzed are as follows: (1) Chevron’s “Climate Change Resilience: A Framework for Decision Making” [34], (2) ExxonMobil’s “2018 Sustainability Report Highlights” [35], (3) BP’s “Energy with Purpose: BP Sustainability Report 2019” [36], (4) Shell’s “Sustainability Report 2019: Delivering Energy Responsibly” [37], (5) ConocoPhillips’ “2018 Sustainability Report” [38], (6) Peabody’s “Delivering Results, Generating Value: Environmental, Social, and Governance Report 2019” [39], and (7) CONSOL’s “Forward Progress: 2019 Corporate Sustainability Report” [40]. We could not locate a sustainability report for Arch Coal, as mentioned above. Instead of using data from their annual report, data for Arch Coal was collected from the company’s website. The website has an “Our Approach” page with nine links to other sections (pages) that all deal with various sustainability and environmental issues [41]. Each of these nine other sections, as well as the original page, were examined for relevant data. 3.3. Analysis The data were analyzed by the first author in accordance with the qualitative content analysis of frames as described above in Section 3.1. The second author was consulted throughout the analysis to help conceptualize emergent codes. Relatively open coding was used when analyzing the data, which ensured that any prominent frames would emerge during analysis. Although open coding was used, the analysis was guided by the research questions and purpose (see Section 2), which was to identify what framing strategies fossil fuel companies use to reconcile the demand for action to address the climate crisis with the fact that their products are the most immediate cause of this crisis. Identifying these frames required attention to how fossil fuel companies define the problem of climate change; how fossil fuel companies diagnose the problem of climate change; how fossil fuel companies evaluate the problem of climate change; and what solutions fossil fuel companies propose to solve climate change. Further, past literature informed the “naming” of codes in cases of clear overlaps (e.g., “techno-optimism”). Finally, the analysis purposefully recorded what potentially relevant climate change information (e.g., risks of continuing fossil fuel extraction) was not discussed in sustainability reports. Drawing attention to what is “unsaid,” “backgrounded,” or “omitted,” despite being potentially relevant, is consistent with CDA (e.g., [27]) and frame analysis in general [12]. 4. Results All the reports analyzed discussed the fossil fuel industry’s relationship to environmental health and climate change. The extent and breadth of this discussion varied between reports. As discussed above, the analysis was guided by Entman’s [12] classic conceptualization of framing as the definition, diagnosis, evaluation, and prescription of a given issue or problem. One notable finding is that the sustainability reports did not diagnose or evaluate the problem of climate change. Instead, frames are almost entirely prescriptive. The problem itself, and its causes, are taken for granted. The absence of diagnosis is especially notable because diagnosing climate change requires an analysis of the primary immediate driver of climate change: fossil fuels. The only frame that can be interpreted as an evaluation of climate change is “necessitarianism,” which frames fossil fuels as a prerequisite for a decent standard of living (see 4.2 Necessitarianism, 4.5 Omissions). Four prescriptive frames emerged from the data: (1) techno-optimism, (2) necessitarianism, (3) compliance, and (4) countermeasures. Each frame is described with examples below, followed by a section on key omissions from the reports (Section 4.5). Table 1 below provides a summary of the prescriptive frames identified.

#### Advertising and big oil collude to “greenwash” fossil fuels

Cunningham 22, an independent journalist covering the oil and gas industry, (Nick, Over 450 Climate Scientists Say Advertising Industry Must End ‘Complicity’ in Climate Crisis, <https://www.desmog.com/2022/01/21/450-climate-scientists-advertising-climate-crisis/>)

As DeSmog has reported, a peer-reviewed study published late last year looked at the role that the PR industry has played in promoting climate denial and delay over three decades. The Brown University study uncovered that a relatively small group of the top ad agencies loomed large as the creative minds behind climate misinformation. “This study adds a new cast of characters to our understanding of the key actors in climate change politics,” Robert J. Brulle and Carter Werthman of Brown University wrote in their study. “Along with ExxonMobil, Koch Enterprises, Greenpeace, the Heartland Institute, and the Competitive Enterprise Institute, we need to add in PR firms such as Edelman, Glover Park, Cerrell, and Ogilvy.” PR and ad firms rake in substantial sums of money for this work. A 2019 study by the Climate Investigations Center found that the lobbyists and trade associations affiliated with the fossil fuel industry spent an estimated $1.4 billion on advertising and PR between 2008 and 2017. The American Petroleum Institute accounted for nearly half of that total, with the U.S. Chamber of Commerce ranked second. The PR firms on the receiving end of that spending included Edelman, DDC Advocacy, FleishmanHillard, and Blue Advertising (once part of Edelman). “We climate scientists have been trying to raise the climate crisis alarm for decades, but we’ve been drowned out by these fossil fuel industry-funded PR campaigns,” said climate scientist Michael Mann. “Greenwashing is a primary tactic in what I call the ‘New War’ on climate action and it must be called out for what it is — denial under another name.”

#### Disinformation campaigns are rampant and dangerous

Greenpeace 21, (WORDS VS ACTIONS The truth behind fossil fuel advertising, <https://www.greenpeace.org/static/planet4-netherlands-stateless/2021/10/3b500e9b-words-vs-actions-the-truth-behind-fossil-fuel-advertising.pdf>)

Fossil fuel companies use advertising and sponsorships to promote false solutions which are a dangerous distraction from the real renewable solutions we need. A recent investigation by Influence Map found that over $9.5 million was spent on over 25,000 adverts and promotions by oil and gas companies on Facebook adverts and promotions that promoted fossil gas as a clean alternative to younger target audiences16. These attempts from companies such as Exxon Mobil to promote the climate benefits of fossil gas (which is a fossil fuel) are a clear demonstration of the fossil fuel industry’s tendency to actively deny climate science or manipulate facts via their advertising in order to serve business interests. It can be considered likely that we will see an increase of false solutions promoted by fossil fuel companies as we get closer to the COP26 negotiations in November 2021 as fossil fuel companies continue to attempt to ‘green’ their brands. False solutions are often presented, even sometimes alongside renewable energies as a constructive solution and a legitimate part of decarbonisation plans which misleads the public, as well as decision makers as to which ‘solutions’ are safest for the planet.

#### Climate disinformation undermines climate solutions

Pals 21, J.D. NYU Law School and Editor-in-Chief, New York University Environmental Law Journal. (Bridget, TAXES V. TORTS: WHICH WILL MAKE FOSSIL FUEL PRODUCERS SHARE CLIMATE CHANGE BURDENS?, <https://www.nyuelj.org/wp-content/uploads/2021/04/Pals-Taxes-v.-Torts.pdf>)

Fossil fuel producers have known for decades that the use of fossil fuels would cause irreparable harm to the environment and, in response to that knowledge, led a massive misinformation campaign to prevent the public from understanding the full expected scope of damages.27 Prior to 1988, Exxon and other fossil fuel producers contributed to climate change research, however, when Congress began taking testimony and considering policy solutions to climate change, “oil-and-gas executives beg[an] to consider the issue’s potential to hurt their profits.”28 Indeed, within six weeks of important congressional testimony, Exxon passed around an internal memo encouraging the company to “emphasize the uncertainty in scientific conclusions,” a strategy that has continued to the present day.29 Between 2000 and 2016, over $2 billion was spent on climate change lobbying, with fossil fuel producers, electric utilities, and the transportation industry outspending pro-environmental lobbying groups by a factor of ten.30 This misinformation campaign has been wildly successful. While the American public increasingly understands the risks of climate change,31 even today, climate denialism percolates through the highest levels of government. In 2015, a U.S. Senator famously threw a snowball on the Senate floor to demonstrate that, given the presence of snow in Washington, D.C. in February, climate change was a hoax.32 This misinformation campaign by fossil fuel producers, perpetrated to secure their own future financial stability with little to no regard for the immense costs imposed on the rest of the world, is morally repugnant. To quote one of the climate change tort litigation complaints, “[a]ccounting for their wrongful promotion and marketing activities, Defendants bear a dominant responsibility for global warming generally.”33 Arguably, if fossil fuel producers had not fought, tooth and nail, to cloud society’s understanding of the damages associated with carbon emissions, a policy response may have been developed earlier.

#### Warming causes suffering, violence, and eventual uninhabitability---emissions, ocean acidification, extreme weather, and food shortages

Ripple and Wolf 20, are affiliated with the Department of Forest Ecosystems and Society at Oregon State University, in Corvallis and contributed equally to the work. Thomas M. Newsome is affiliated with the School of Life and Environmental Sciences at The University of Sydney, in Sydney, New South Wales, Australia. Phoebe Barnard is affiliated with the Conservation Biology Institute, in Corvallis, Oregon, and with the African Climate and Development Initiative, at the University of Cape Town, in Cape Town, South Africa. William R. Moomaw is affiliated with The Fletcher School and the Global Development and Environment Institute, at Tufts University, in Medford, Massachusetts. (William & Christopher, 11-5-2019, “World Scientists’ Warning of a Climate Emergency,” American Institute of Biological Science, https://academic.oup.com/bioscience/article/70/1/8/5610806)

Scientists have a moral obligation to clearly warn humanity of any catastrophic threat and to “tell it like it is.” On the basis of this obligation and the graphical indicators presented below, we declare, with more than 11,000 scientist signatories from around the world, clearly and unequivocally that planet Earth is facing a climate emergency. Exactly 40 years ago, scientists from 50 nations met at the First World Climate Conference (in Geneva 1979) and agreed that alarming trends for climate change made it urgently necessary to act. Since then, similar alarms have been made through the 1992 Rio Summit, the 1997 Kyoto Protocol, and the 2015 Paris Agreement, as well as scores of other global assemblies and scientists’ explicit warnings of insufficient progress (Ripple et al. 2017). Yet greenhouse gas (GHG) emissions are still rapidly rising, with increasingly damaging effects on the Earth's climate. An immense increase of scale in endeavors to conserve our biosphere is needed to avoid untold suffering due to the climate crisis (IPCC 2018). Most public discussions on climate change are based on global surface temperature only, an inadequate measure to capture the breadth of human activities and the real dangers stemming from a warming planet (Briggs et al. 2015). Policymakers and the public now urgently need access to a set of indicators that convey the effects of human activities on GHG emissions and the consequent impacts on climate, our environment, and society. Building on prior work (see supplemental file S2), we present a suite of graphical vital signs of climate change over the last 40 years for human activities that can affect GHG emissions and change the climate (figure 1), as well as actual climatic impacts (figure 2). We use only relevant data sets that are clear, understandable, systematically collected for at least the last 5 years, and updated at least annually.

[Graphs Excluded]

The climate crisis is closely linked to excessive consumption of the wealthy lifestyle. The most affluent countries are mainly responsible for the historical GHG emissions and generally have the greatest per capita emissions (table S1). In the present article, we show general patterns, mostly at the global scale, because there are many climate efforts that involve individual regions and countries. Our vital signs are designed to be useful to the public, policymakers, the business community, and those working to implement the Paris climate agreement, the United Nations’ Sustainable Development Goals, and the Aichi Biodiversity Targets. Profoundly troubling signs from human activities include sustained increases in both human and ruminant livestock populations, per capita meat production, world gross domestic product, global tree cover loss, fossil fuel consumption, the number of air passengers carried, carbon dioxide (CO2) emissions, and per capita CO2 emissions since 2000 (figure 1, supplemental file S2). Encouraging signs include decreases in global fertility (birth) rates (figure 1b), decelerated forest loss in the Brazilian Amazon (figure 1g), increases in the consumption of solar and wind power (figure 1h), institutional fossil fuel divestment of more than US$7 trillion (figure 1j), and the proportion of GHG emissions covered by carbon pricing (figure 1m). However, the decline in human fertility rates has substantially slowed during the last 20 years (figure 1b), and the pace of forest loss in Brazil's Amazon has now started to increase again (figure 1g). Consumption of solar and wind energy has increased 373% per decade, but in 2018, it was still 28 times smaller than fossil fuel consumption (combined gas, coal, oil; figure 1h). As of 2018, approximately 14.0% of global GHG emissions were covered by carbon pricing (figure 1m), but the global emissions-weighted average price per tonne of carbon dioxide was only around US$15.25 (figure 1n). A much higher carbon fee price is needed (IPCC 2018, section 2.5.2.1). Annual fossil fuel subsidies to energy companies have been fluctuating, and because of a recent spike, they were greater than US$400 billion in 2018 (figure 1o). Especially disturbing are concurrent trends in the vital signs of climatic impacts (figure 2, supplemental file S2). Three abundant atmospheric GHGs (CO2, methane, and nitrous oxide) continue to increase (see figure S1 for ominous 2019 spike in CO2), as does global surface temperature (figure 2a–2d). Globally, ice has been rapidly disappearing, evidenced by declining trends in minimum summer Arctic sea ice, Greenland and Antarctic ice sheets, and glacier thickness worldwide (figure 2e–2h). Ocean heat content, ocean acidity, sea level, area burned in the United States, and extreme weather and associated damage costs have all been trending upward (figure 2i–2n). Climate change is predicted to greatly affect marine, freshwater, and terrestrial life, from plankton and corals to fishes and forests (IPCC 2018, 2019). These issues highlight the urgent need for action. Despite 40 years of global climate negotiations, with few exceptions, we have generally conducted business as usual and have largely failed to address this predicament (figure 1). The climate crisis has arrived and is accelerating faster than most scientists expected (figure 2, IPCC 2018). It is more severe than anticipated, threatening natural ecosystems and the fate of humanity (IPCC 2019). Especially worrisome are potential irreversible climate tipping points and nature's reinforcing feedbacks (atmospheric, marine, and terrestrial) that could lead to a catastrophic “hothouse Earth,” well beyond the control of humans (Steffen et al. 2018). These climate chain reactions could cause significant disruptions to ecosystems, society, and economies, potentially making large areas of Earth uninhabitable. To secure a sustainable future, we must change how we live, in ways that improve the vital signs summarized by our graphs. Economic and population growth are among the most important drivers of increases in CO2 emissions from fossil fuel combustion (Pachauri et al. 2014, Bongaarts and O’Neill 2018); therefore, we need bold and drastic transformations regarding economic and population policies. We suggest six critical and interrelated steps (in no particular order) that governments, businesses, and the rest of humanity can take to lessen the worst effects of climate change. These are important steps but are not the only actions needed or possible (Pachauri et al. 2014, IPCC 2018, 2019). Energy The world must quickly implement massive energy efficiency and conservation practices and must replace fossil fuels with low-carbon renewables (figure 1h) and other cleaner sources of energy if safe for people and the environment (figure S2). We should leave remaining stocks of fossil fuels in the ground (see the timelines in IPCC 2018) and should carefully pursue effective negative emissions using technology such as carbon extraction from the source and capture from the air and especially by enhancing natural systems (see “Nature” section). Wealthier countries need to support poorer nations in transitioning away from fossil fuels. We must swiftly eliminate subsidies for fossil fuels (figure 1o) and use effective and fair policies for steadily escalating carbon prices to restrain their use. Short-lived pollutants We need to promptly reduce the emissions of short-lived climate pollutants, including methane (figure 2b), black carbon (soot), and hydrofluorocarbons (HFCs). Doing this could slow climate feedback loops and potentially reduce the short-term warming trend by more than 50% over the next few decades while saving millions of lives and increasing crop yields due to reduced air pollution (Shindell et al. 2017). The 2016 Kigali amendment to phase down HFCs is welcomed. Nature We must protect and restore Earth's ecosystems. Phytoplankton, coral reefs, forests, savannas, grasslands, wetlands, peatlands, soils, mangroves, and sea grasses contribute greatly to sequestration of atmospheric CO2. Marine and terrestrial plants, animals, and microorganisms play significant roles in carbon and nutrient cycling and storage. We need to quickly curtail habitat and biodiversity loss (figure 1f–1g), protecting the remaining primary and intact forests, especially those with high carbon stores and other forests with the capacity to rapidly sequester carbon (proforestation), while increasing reforestation and afforestation where appropriate at enormous scales. Although available land may be limiting in places, up to a third of emissions reductions needed by 2030 for the Paris agreement (less than 2°C) could be obtained with these natural climate solutions (Griscom et al. 2017). Food Eating mostly plant-based foods while reducing the global consumption of animal products (figure 1c–d), especially ruminant livestock (Ripple et al. 2014), can improve human health and significantly lower GHG emissions (including methane in the “Short-lived pollutants” step). Moreover, this will free up croplands for growing much-needed human plant food instead of livestock feed, while releasing some grazing land to support natural climate solutions (see “Nature” section). Cropping practices such as minimum tillage that increase soil carbon are vitally important. We need to drastically reduce the enormous amount of food waste around the world. Economy Excessive extraction of materials and overexploitation of ecosystems, driven by economic growth, must be quickly curtailed to maintain long-term sustainability of the biosphere. We need a carbon-free economy that explicitly addresses human dependence on the biosphere and policies that guide economic decisions accordingly. Our goals need to shift from GDP growth and the pursuit of affluence toward sustaining ecosystems and improving human well-being by prioritizing basic needs and reducing inequality. Population Still increasing by roughly 80 million people per year, or more than 200,000 per day (figure 1a–b), the world population must be stabilized—and, ideally, gradually reduced—within a framework that ensures social integrity. There are proven and effective policies that strengthen human rights while lowering fertility rates and lessening the impacts of population growth on GHG emissions and biodiversity loss. These policies make family-planning services available to all people, remove barriers to their access and achieve full gender equity, including primary and secondary education as a global norm for all, especially girls and young women (Bongaarts and O’Neill 2018). Conclusions Mitigating and adapting to climate change while honoring the diversity of humans entails major transformations in the ways our global society functions and interacts with natural ecosystems. We are encouraged by a recent surge of concern. Governmental bodies are making climate emergency declarations. Schoolchildren are striking. Ecocide lawsuits are proceeding in the courts. Grassroots citizen movements are demanding change, and many countries, states and provinces, cities, and businesses are responding. As the Alliance of World Scientists, we stand ready to assist decision-makers in a just transition to a sustainable and equitable future. We urge widespread use of vital signs, which will better allow policymakers, the private sector, and the public to understand the magnitude of this crisis, track progress, and realign priorities for alleviating climate change. The good news is that such transformative change, with social and economic justice for all, promises far greater human well-being than does business as usual. We believe that the prospects will be greatest if decision-makers and all of humanity promptly respond to this warning and declaration of a climate emergency and act to sustain life on planet Earth, our only home.

#### Fossil fuel giants promote climate denial, disparately affect minority communities, and crush activist climate movements

Funes 21, is a New Yok based journalist focusing on the intersection of race and the environment. (Yessenia, 8-11-2021, “’Abolish these companies, get ride of the’: what would it take to break up big oil?” The Guardian, https://bit.ly/3ArW0yh)

Ayisha Siddiqa doesn’t want fossil fuel companies to determine her future anymore. The industry has promoted climate denial for longer than the 22-year-old has been alive. Rather than watch companies pad their profits as the world burns, Siddiqa has a radical solution in mind. “Abolish these oil companies, finish them, get rid of them, no more,” she said. Siddiqa’s words echo a rallying cry for climate and environmental advocates who see limited options in finding justice for the low-income and communities of color whose lives the industry have ravaged – and will continue to as the climate crisis unfolds. Siddiqa is the founder of Polluters Out, a youth-led coalition dedicated to removing the oil and gas industry’s influence from international climate negotiations. She created the group in response to the failed COP25 climate talks in 2019, which made little progress toward curbing carbon emissions. In her mind, the major petroleum giants don’t deserve to be involved in the clean energy revolution. “The next stop cannot be for us to let the people who previously harmed us have a seat in the new world,” she said. For many frontline communities, the industry’s climate crimes aren’t matters of the future. They’re here. The climate denial propaganda machine, funded by big oil and gas, has left humanity with the earth spiraling into chaos: homes crushed by wildfires, loved ones dying from heat and crops withering from drought. In the past five years, extreme weather disasters have cost the US more than $525bn, with taxpayers footing the bill, not major carbon polluters. In 2020 alone, the global price tag tied to climate change adaptation towered at $150bn. Throughout all the damage, human lives were harmed, too. Now they’re asking: when will their voices matter? The push to hold the industry accountable for the climate emergency by breaking up powerful companies follows a string of similar movements that have bubbled up in recent years. Ideas that were once considered fringe – like defunding police departments or busting big tech – are now filtering into mainstream discourse. And as the climate crisis increases in urgency, activists are taking aim at oil and gas companies. Communities bearing the brunt of harm caused by climate change say that for too long the fossil fuel industry has prioritized profits over the public good. During the Texas winter storm in February, for example, gas and oil giants raked in billions by selling assets for exaggerated prices as the state struggled to provide consumers with power and heat. The state knew 10 years ago that cold temperatures could threaten the grid, but it left the decision on upgrading infrastructure up to private companies. As a result of the storm and subsequent power outages, some 700 people died, according to a BuzzFeed investigation. Carla Skandier, manager of the climate and energy program at the Democracy Collaborative, says groups like hers are now researching ways to end the cycle of harm through nationalizing segments of the fossil fuel industry. In the simplest terms, the process would involve the federal government buying out entire oil and gas companies to take ownership of their infrastructure and assets. “When we talk about abolishing the fossil fuel industry, we are really talking about the urgent need for an endgame to manage the industry’s fast decline,” Skandier said. Pro-abolition groups say this process would entail putting elected officials – not corporate executives – in charge of fossil fuel assets. The US government would slowly stop drilling or buying leases as it prioritizes lowering emissions and investing in clean energy. Nationalized ownership would allow the US to leave oil and gas reserves in the ground while simultaneously shrinking the fossil fuel company’s grip on the nation. Such public intervention would also prevent oil companies from simply shutting down operations, laying off their workers and leaving behind devastated towns and counties, as coal companies have done, Skandier said. “We need to consider that a lot of these communities are highly dependent on fossil fuel revenues, so we need to plan how we’re going to build community wealth and diversify their economies to make sure they’re not only economically stable but resilient to climate impacts in the future.” The US could take the land or reserves currently owned by the fossil fuel industry via eminent domain, the legal right governments have to seize land or infrastructure for the public interest. The federal government has done this before to create national parks and even to convert a private energy company in Tennessee into the now publicly owned Tennessee Valley Authority during the Great Depression. Any movement to break up big oil, however, will inevitably face enormous headwinds. The industry benefits from being deeply ingrained within American society, and it’s expected that oil and gas interests would push back hard in courts. Nationalizing profitable industries would also take an unprecedented amount of political will, which has yet to materialize. Law expert Sean Hecht warns that breaking up energy companies may lead to unintended ripple effects. History suggests that simply erasing a company’s existence may make it easier for them to ignore their financial responsibilities when they’ve caused harm. Hecht, the co-executive director of UCLA Law’s Emmett Institute on Climate Change and the Environment, saw this firsthand in Los Angeles, where he lives. When the Department of Justice shut down Exide Technologies in 2015 for illegally poisoning neighborhoods with lead for decades, the company filed for bankruptcy and left taxpayers to foot the cleanup bill. “An industry disappearing doesn’t mean that that industry is going to necessarily be accountable, and sometimes it’s the opposite of that,” Hecht said. “It creates a sense of justice but doesn’t materially help the conditions in communities.” A company simply signing a check may not help either, said Kyle Whyte, a professor of environment and sustainability at the University of Michigan, who also Environmental Justice Advisory Council. That won’t eliminate the root cause of the issue: companies responsible for driving the climate crisis are also stripping communities of the social, cultural and political capital to decide what happens to their homes and bodies. “Justice would mean a world where, for example, Native people and tribes are no longer in a dependency relationship with industries,” Whyte said. “There’s no dollar amount that could be spent in a community right now that would actually replace decades and generations of violations against self-determination.” There’s no cookie-cutter approach to rectifying what communities have inherited from big oil. And even if calls to break up the fossil fuel industry sound improbable in the current political climate, activists hope the conversation will expand the realm of possibilities for leaders to take action on climate change. For Siddiqa, any solution must also incorporate international players as well. “We vote for our world leaders,” Siddiqa said. “They represent us. If they are actively refusing to represent us, then their position is in question.” Siddiqa wants to see a cultural shift – a moment of political reimagination. She knows business as usual won’t stop the climate crisis – perhaps neither will the end of oil and gas – but she says it’s a good start.

### 1AC---Plan

#### Text: The United States federal government should substantially increase prohibitions on anticompetitive business practices by the private sector by establishing corporate climate disinformation as anticompetitive.

### 1AC---Solvency

#### Antitrust is best for challenging corporate deception

Carrier and Tushnet 21, Distinguished Professor, Rutgers Law School, and Professor of the First Amendment, Harvard Law School, (Michael & Rebecca, An Antitrust Framework for False Advertising, https://ilr.law.uiowa.edu/print/volume-106-issue-4/an-antitrust-framework-for-false-advertising/)

An antitrust-based framework for false advertising claims is necessary because of the unique role that the discipline can play. When companies engaging in false advertising have monopoly power, they possess the ability to harm not only an individual competitor but also the market as a whole. The consequences can be significant, especially for nascent competitors not able to enter the market, as the deception of consumers deprives them of the opportunity to obtain lower prices, more options, or enhanced quality. One way to understand the harms of false advertising to the market as a whole is revealed by George Akerlof’s classic explanation of the market for lemons. As Akerlof explains, in the absence of some way to guarantee the truth of claims about products, such as a used car’s quality, consumers reasonably respond by discounting all such claims. This distrust means that producers with actually superior products cannot charge the amount consumers would pay if they believed the superiority claim, which pushes superior (but more expensive to produce) products out of the market. If truthful advertisers are not able to guarantee their claims, producers unable to compete on their product characteristics suffer. And consumers are harmed by an unattractive (and perhaps even harmful, in the case of false health or safety claims) mix of products. Meanwhile, many false advertising techniques can be readily repurposed for new uses, meaning that a false advertiser can go from success to success in the absence of false advertising liability. Regulation that suppresses false claims—especially where such claims are most likely to have an effect—thus does more than protect individual consumers from fraud. It allows truthful producers to compete on a level playing field. In other words, addressing false advertising protects competition, not just competitors. The Supreme Court relied on Akerlof’s insights when it endorsed the pro-competitive effects of restrictions on false advertising. In California Dental Ass’n v. FTC, the Court addressed a dental association’s attempts to restrict “false or misleading” advertising that imposed significant limits on advertising “low prices” or other general price claims. The Court rejected the idea that such limits were inherently anticompetitive. Especially where information is hard to evaluate, even broad restrictions with the aim of preventing false advertising can be procompetitive. When false advertising threatens harms to the market as a whole, antitrust liability offers advantages over false advertising law. For starters, antitrust offers a more powerful toolkit deterring this conduct. Although false advertising law allows recovery of damages (albeit not as a penalty) and disgorgement of the profits from false advertising, courts impose high barriers to disgorgement, including requiring a showing of willfulness. In addition, courts have required plaintiffs to show a robust connection to the harm suffered to receive damages or disgorgement of profits. As a result, courts have denied awards in precisely the cases of concern: where there are a small number of potential competitors and where some of the monopolist’s gains from false advertising likely came at the expense of the overall market rather than a single plaintiff, making it difficult to allocate false advertising-based damage awards. There are two key ways in which antitrust offers more powerful protection against monopolists’ false advertising than federal false advertising law: remedies and eligible plaintiffs. First, antitrust offers the more powerful remedies of treble damages and automatic (as opposed to the Lanham Act’s exceptional) attorneys’ fees that promise to provide robust deterrence against companies considering this behavior. Antitrust also offers injunctive relief preventing the continuation of the conduct. While a Lanham Act false advertising injunction generally is limited to the specific false claims that have been proven, an antitrust injunction could more generally target false advertising and marketwide harm to competition. Antitrust offers a more expansive territorial jurisdiction. Second, unlike the federal Lanham Act, which denies consumers standing to sue despite the direct harm they suffer from false advertising, antitrust law, importantly, allows customers to challenge the harms they experience from false advertising. State consumer protection laws are limited in important ways, including state-law variation that makes multistate consumer class actions all but impossible and restrictions in many states that preclude businesses from bringing claims in their roles as consumers even though businesses are often important customers for the subset of false advertising cases involving monopolists and would-be monopolists. Thus, antitrust provides remedies that would otherwise be unavailable to plaintiffs who were themselves deceived by a monopolist or threatened monopolist’s false advertising. A separate and independently compelling reason to use antitrust where appropriate is that, in antitrust law, it would be possible to consider false advertising as part of an overarching scheme used to harm a competitor, something false advertising law by definition can’t do. In fact, the inclusion of this behavior could push the range of conduct over the threshold of antitrust liability. For example, in In re Suboxone Antitrust Litigation, the court found that the plaintiff could not demonstrate that its claim that the defendant had refused to participate in a safety program required by the U.S. Food and Drug Administration (“FDA”) individually made out a violation of antitrust law. But it found that “a plaintiff can allege a series of actions that when taken together make out antitrust liability even though some of the individual actions, when viewed independently, are not all actionable.” Such global assessment can allow consideration of a monopolist software provider’s practices of promising “vaporware” that it couldn’t deliver to prevent customers from turning to competing software alternatives and of creating fear, uncertainty, and doubt about the competition as part of a larger constellation of anticompetitive activities. As the Third Circuit noted in LePage’s Inc. v. 3M, “courts must look to the monopolist’s conduct taken as a whole rather than considering each aspect in isolation.”

#### Specifically, the oil industry gets dismantled by litigation

Bennett 19, Postgraduate research fellow at the University of Southampton. (Briony, 'Big Oil, Big Liability: Fossil Fuel Companies and Liability for Climate Change Harm' (2019) 23 New Zealand Journal of Environmental Law 153, KU Library)

Litigation against fossil fuel companies ultimately serves more than one purpose. 8 ' It helps separate facts from fiction and disseminate information regarding climate change to the public and political leaders. Also, even if claimants lose their case, it may serve to increase local, national and global awareness of the plight of victims suffering losses and damages resulting from climate change. Courts provide a forum for public debate, especially if a case attracts significant media attention.181 This may influence public and political opinion and eventually lead to a legislative response for victims. If cases continue to be dismissed on the grounds that political leaders ought to address losses and damages, both globally and within the US, then litigation is a means to draw attention to the failure of international and domestic legislation and regulation, and the need to lobby for reform. And, of course, some claimants may eventually win significant settlements, as happened with the tobacco suits. 182

#### Litigation will transform public understanding of climate change and lead to effective solutions

Benjamin 20, Assistant Professor, Lewis & Clark Law School. (Lisa, THE ROAD TO PARIS RUNS THROUGH DELAWARE: CLIMATE LITIGATION AND DIRECTORS’ DUTIES, <https://www.cssn.org/wp-content/uploads/2020/12/16741-the-road-to-paris-runs-through-delaware-climate-litigation-and-directors-duties.pdf>)

Courtrooms have become key battlegrounds in the public debate over climate change.326 As Blumm and Wood note, courts offer a deliberative fact-finding forum that can balance both scientific and political climate-related concerns.327 Corporatizing climate litigation, therefore, has expository value. It lays bare the previously secreted role of carbon-major corporations and relates it to the human pain and suffering, as well as financial costs caused by climate-induced extreme events. It also exposes the persistent refusal by the most regressive corporations to act in a societally responsible manner. Many of these corporations have pursued a self-fulfilling prophecy; the absence of regulation would ensure that fossil fuels would be a good investment and that corporations would, therefore, maximize their profits to the detriment of the world.328 As Fromhoff, Heede, and Oreskes note, many carbon-major corporations “are actively creating the future that they claim to accept the need to avoid.”329 The public narrative told in these cases is important, and provides a public forum for “an understanding of social and factual issues [to be] co-produced and settled.”330 The corollary of this understanding is the proposition that these corporations are also well placed in terms of their capacities in access to political power, wealth, technological advancement, and expertise to lead the transition to clean, safer energy.331 Having shed their previous reluctance to engage with climate science, judicial actors now recognize the important role that new scientific disciplines play in the arena of tort law. New scientific processes could also provide progressive judges with the opportunity to rethink older interpretations of legal and evidentiary thresholds around tort, burdens of proof and causation, as well as obligations under corporate law.332 This second wave of climate litigation demonstrates an evolving global conversation between courts, government actors, private victims, tortfeasors, directors, and investors in the context of climate change.333 As the negative impacts of climate change increase, the global responses are likely to increase in a corresponding fashion. While political will in the United States may still be lacking at the federal level, state-based actions have gained traction.334 Federal resistance may also wane as the impacts of climate change become more severe and apparent, more information is forthcoming due to improved climate science and corporate disclosures, and carbonmajors begin to spend less money opposing the science on climate change. State and local actions can also increase the costs of operating for carbon-majors through increased regulation and permitting processes and enhanced incentives for clean energy. New scientific processes give climate-focused political groups new tools to target these companies and increase public pressure. As a result, anti-carbon-major movements may grow, implicating directors and requiring that they respond to social media and other public campaigns. As a public forum to highlight the importance of climate science, courts can also act as drivers of public and private sector action on climate change, even if the cases themselves are unsuccessful.335 As Ganguly et al. note, these cases could be “sublime failures,” achieving the aims of the litigants without achieving judicial success.336 The simple act of adjudicating climate change can help to shape the norms and beliefs of the broader public about the importance of climate change, and the contributory role and responsibilities of carbon-major companies.337 These cases highlight the importance of the evolving nature of climate risk, even if no damages or liability awards are ever made. The public attention these cases garner should capture the attention of responsible directors, as these litigation trends may lead to shifting social norms and political contexts. While it is unclear what the causal relationship is between litigation and strengthened climate governance, enhanced regulatory obligations are certainly emerging.338 Common standards on disclosure are likely to become global industry norms, and therefore will affect the nature of what information directors should both consider and disclose to their shareholders.339 Disclosure obligations will put the issue of climate change directly on the agendas of AGMs, becoming an increasing concern for shareholders and, therefore, directors. The impacts of climate change are costly to corporations, and the bidirectional risk metrics of climate change should now necessarily inform directorial duties, significantly boosting the potential contribution of private law to resolving the climate crisis.

#### Academic debate is required to build a social consensus on the validity of climate science

Hoffman 12, is the Holcim (US) Professor of Sustainable Enterprise at the University of Michigan; a position that holds joint appointments in the Stephen M. Ross School of Business and the School for Environment & Sustainability. (Andrew, Fall 2012, “Climate Science as Culture War,” Stanford Social Innovation Review, https://ssir.org/books/reviews/entry/climate\_science\_as\_culture\_war)

In May 2009, a development officer at the University of Michigan asked me to meet with a potential donor—a former football player and now successful businessman who had an interest in environmental issues and business, my interdisciplinary area of expertise. The meeting began at 7 a.m., and while I was still nursing my first cup of coffee, the potential donor began the conversation with “I think the scientific review process is corrupt.” I asked what he thought of a university based on that system, and he said that he thought that the university was then corrupt, too. He went on to describe the science of climate change as a hoax, using all the familiar lines of attack—sunspots and solar flares, the unscientific and politically flawed consensus model, and the environmental benefits of carbon dioxide. As we debated each point, he turned his attack on me, asking why I hated capitalism and why I wanted to destroy the economy by teaching environmental issues in a business school. Eventually, he asked if I knew why Earth Day was on April 22. I sighed as he explained, “Because it is Karl Marx’s birthday.” (I suspect he meant to say Vladimir Lenin, whose birthday is April 22, also Earth Day. This linkage has been made by some on the far right who believe that Earth Day is a communist plot, even though Lenin never promoted environmentalism and communism does not have a strong environmental legacy.) I turned to the development officer and asked, “What’s our agenda here this morning?” The donor interrupted to say that he wanted to buy me a ticket to the Heartland Institute’s Fourth Annual Conference on Climate Change, the leading climate skeptics conference. I checked my calendar and, citing prior commitments, politely declined. The meeting soon ended. I spent the morning trying to make sense of the encounter. At first, all I could see was a bait and switch; the donor had no interest in funding research in business and the environment, but instead wanted to criticize the effort. I dismissed him as an irrational zealot, but the meeting lingered in my mind. The more I thought about it, the more I began to see that he was speaking from a coherent and consistent worldview—one I did not agree with, but which was a coherent viewpoint nonetheless. Plus, he had come to evangelize me. The more I thought about it, the more I became eager to learn about where he was coming from, where I was coming from, and why our two worldviews clashed so strongly in the present social debate over climate science. Ironically, in his desire to challenge my research, he stimulated a new research stream, one that fit perfectly with my broader research agenda on social, institutional, and cultural change. Scientific vs. Social Consensus Today, there is no doubt that a scientific consensus exists on the issue of climate change. Scientists have documented that anthropogenic sources of greenhouse gases are leading to a buildup in the atmosphere, which leads to a general warming of the global climate and an alteration in the statistical distribution of localized weather patterns over long periods of time. This assessment is endorsed by a large body of scientific agencies—including every one of the national scientific agencies of the G8 + 5 countries—and by the vast majority of climatologists. The majority of research articles published in refereed scientific journals also support this scientific assessment. Both the US National Academy of Sciences and the American Association for the Advancement of Science use the word “consensus” when describing the state of climate science. And yet a social consensus on climate change does not exist. Surveys show that the American public’s belief in the science of climate change has mostly declined over the past five years, with large percentages of the population remaining skeptical of the science. Belief declined from 71 percent to 57 percent between April 2008 and October 2009, according to an October 2009 Pew Research Center poll; more recently, belief rose to 62 percent, according to a February 2012 report by the National Survey of American Public Opinion on Climate Change. Such a significant number of dissenters tells us that we do not have a set of socially accepted beliefs on climate change—beliefs that emerge, not from individual preferences, but from societal norms; beliefs that represent those on the political left, right, and center as well as those whose cultural identifications are urban, rural, religious, agnostic, young, old, ethnic, or racial. Why is this so? Why do such large numbers of Americans reject the consensus of the scientific community? With upwards of two-thirds of Americans not clearly understanding science or the scientific process and fewer able to pass even a basic scientific literacy test, according to a 2009 California Academy of Sciences survey, we are left to wonder: How do people interpret and validate the opinions of the scientific community? The answers to this question can be found, not from the physical sciences, but from the social science disciplines of psychology, sociology, anthropology, and others. To understand the processes by which a social consensus can emerge on climate change, we must understand that people’s opinions on this and other complex scientific issues are based on their prior ideological preferences, personal experience, and values—all of which are heavily influenced by their referent groups and their individual psychology. Physical scientists may set the parameters for understanding the technical aspects of the climate debate, but they do not have the final word on whether society accepts or even understands their conclusions. The constituency that is relevant in the social debate goes beyond scientific experts. And the processes by which this constituency understands and assesses the science of climate change go far beyond its technical merits. We must acknowledge that the debate over climate change, like almost all environmental issues, is a debate over culture, worldviews, and ideology. This fact can be seen most vividly in the growing partisan divide over the issue. Political affiliation is one of the strongest correlates with individual uncertainty about climate change, not scientific knowledge.1 The percentage of conservatives and Republicans who believe that the effects of global warming have already begun declined from roughly 50 percent in 2001 to about 30 percent in 2010, while the corresponding percentage for liberals and Democrats increased from roughly 60 percent in 2001 to about 70 percent in 2010.2 (See “The Growing Partisan Divide over Climate Change,” below.) Climate change has become enmeshed in the so-called culture wars. Acceptance of the scientific consensus is now seen as an alignment with liberal views consistent with other “cultural” issues that divide the country (abortion, gun control, health care, and evolution). This partisan divide on climate change was not the case in the 1990s. It is a recent phenomenon, following in the wake of the 1997 Kyoto Treaty that threatened the material interests of powerful economic and political interests, particularly members of the fossil fuel industry.3 The great danger of a protracted partisan divide is that the debate will take the form of what I call a “logic schism,” a breakdown in debate in which opposing sides are talking about completely different cultural issues.4 This article seeks to delve into the climate change debate through the lens of the social sciences. I take this approach not because the physical sciences have become less relevant, but because we need to understand the social and psychological processes by which people receive and understand the science of global warming. I explain the cultural dimensions of the climate debate as it is currently configured, outline three possible paths by which the debate can progress, and describe specific techniques that can drive that debate toward broader consensus. This goal is imperative, for without a broader consensus on climate change in the United States, Americans and people around the globe will be unable to formulate effective social, political, and economic solutions to the changing circumstances of our planet. Cultural Processing of Climate Science When analyzing complex scientific information, people are “boundedly rational,” to use Nobel Memorial Prize economist Herbert Simon’s phrase; we are “cognitive misers,” according to UCLA psychologist Susan Fiske and Princeton University psychologist Shelley Taylor, with limited cognitive ability to fully investigate every issue we face. People everywhere employ ideological filters that reflect their identity, worldview, and belief systems. These filters are strongly influenced by group values, and we generally endorse the position that most directly reinforces the connection we have with others in our referent group—what Yale Law School professor Dan Kahan refers to as “cultural cognition.” In so doing, we cement our connection with our cultural groups and strengthen our definition of self. This tendency is driven by an innate desire to maintain a consistency in beliefs by giving greater weight to evidence and arguments that support preexisting beliefs, and by expending disproportionate energy trying to refute views or arguments that are contrary to those beliefs. Instead of investigating a complex issue, we often simply learn what our referent group believes and seek to integrate those beliefs with our own views. Over time, these ideological filters become increasingly stable and resistant to change through multiple reinforcing mechanisms. First, we’ll consider evidence when it is accepted or, ideally, presented by a knowledgeable source from our cultural community; and we’ll dismiss information that is advocated by sources that represent groups whose values we reject. Second, we will selectively choose information sources that support our ideological position. For example, frequent viewers of Fox News are more likely to say that the Earth’s temperature has not been rising, that any temperature increase is not due to human activities, and that addressing climate change would have deleterious effects on the economy.5 One might expect the converse to be true of National Public Radio listeners. The result of this cultural processing and group cohesion dynamics leads to two overriding conclusions about the climate change debate. First, climate change is not a “pollution” issue. Although the US Supreme Court decided in 2007 that greenhouse gases were legally an air pollutant, in a cultural sense, they are something far different. The reduction of greenhouse gases is not the same as the reduction of sulfur oxides, nitrogen oxides, carbon monoxide, or particulates. These forms of pollution are man-made, they are harmful, and they are the unintended waste products of industrial production. Ideally, we would like to eliminate their production through the mobilization of economic and technical resources. But the chief greenhouse gas, carbon dioxide, is both man-made and natural. It is not inherently harmful; it is a natural part of the natural systems; and we do not desire to eliminate its production. It is not a toxic waste or a strictly technical problem to be solved. Rather, it is an endemic part of our society and who we are. To a large degree, it is a highly desirable output, as it correlates with our standard of living. Greenhouse gas emissions rise with a rise in a nation’s wealth, something all people want. To reduce carbon dioxide requires an alteration in nearly every facet of the economy, and therefore nearly every facet of our culture. To recognize greenhouse gases as a problem requires us to change a great deal about how we view the world and ourselves within it. And that leads to the second distinction. Climate change is an existential challenge to our contemporary worldviews. The cultural challenge of climate change is enormous and threefold, each facet leading to the next. The first facet is that we have to think of a formerly benign, even beneficial, material in a new way—as a relative, not absolute, hazard. Only in an imbalanced concentration does it become problematic. But to understand and accept this, we need to conceive of the global ecosystem in a new way. This challenge leads us to the second facet: Not only do we have to change our view of the ecosystem, but we also have to change our view of our place within it. Have we as a species grown to such numbers, and has our technology grown to such power, that we can alter and manage the ecosystem on a planetary scale? This is an enormous cultural question that alters our worldviews. As a result, some see the question and subsequent answer as intellectual and spiritual hubris, but others see it as self-evident. If we answer this question in the affirmative, the third facet challenges us to consider new and perhaps unprecedented forms of global ethics and governance to address it. Climate change is the ultimate “commons problem,” as ecologist Garrett Hardin defined it, where every individual has an incentive to emit greenhouse gases to improve her standard of living, but the costs of this activity are borne by all. Unfortunately, the distribution of costs in this global issue is asymmetrical, with vulnerable populations in poor countries bearing the larger burden. So we need to rethink our ethics to keep pace with our technological abilities. Does mowing the lawn or driving a fuel-inefficient car in Ann Arbor, Mich., have ethical implications for the people living in low-lying areas of Bangladesh? If you accept anthropogenic climate change, then the answer to this question is yes, and we must develop global institutions to reflect that recognition. This is an issue of global ethics and governance on a scale that we have never seen, affecting virtually every economic activity on the globe and requiring the most complicated and intrusive global agreement ever negotiated. Taken together, these three facets of our existential challenge illustrate the magnitude of the cultural debate that climate change provokes. Climate change challenges us to examine previously unexamined beliefs and worldviews. It acts as a flash point (albeit a massive one) for deeper cultural and ideological conflicts that lie at the root of many of our environmental problems, and it includes differing conceptions of science, economics, religion, psychology, media, development, and governance. It is a proxy for “deeper conflicts over alternative visions of the future and competing centers of authority in society,” as University of East Anglia climatologist Mike Hulme underscores in Why We Disagree About Climate Change. And, as such, it provokes a violent debate among cultural communities on one side who perceive their values to be threatened by change, and cultural communities on the other side who perceive their values to be threatened by the status quo. Three Ways Forward If the public debate over climate change is no longer about greenhouse gases and climate models, but about values, worldviews, and ideology, what form will this clash of ideologies take? I see three possible forms. The Optimistic Form is where people do not have to change their values at all. In other words, the easiest way to eliminate the common problems of climate change is to develop technological solutions that do not require major alterations to our values, worldviews, or behavior: carbon-free renewable energy, carbon capture and sequestration technologies, geo-engineering, and others. Some see this as an unrealistic future. Others see it as the only way forward, because people become attached to their level of prosperity, feel entitled to keep it, and will not accept restraints or support government efforts to impose restraints.6 Government-led investment in alternative energy sources, therefore, becomes more acceptable than the enactment of regulations and taxes to reduce fossil fuel use. The Pessimistic Form is where people fight to protect their values. This most dire outcome results in a logic schism, where opposing sides debate different issues, seek only information that supports their position and disconfirms the others’, and even go so far as to demonize the other. University of Colorado, Boulder, environmental scientist Roger Pielke in The Honest Broker: Making Sense of Science in Policy and Politics describes the extreme of such schisms as “abortion politics,” where the two sides are debating completely different issues and “no amount of scientific information … can reconcile the different values.” Consider, for example, the recent decision by the Heartland Institute to post a billboard in Chicago comparing those who believe in climate change with the Unabomber. In reply, climate activist groups posted billboards attacking Heartland and its financial supporters. This attack-counterattack strategy is symptomatic of a broken public discourse over climate change. The Consensus-Based Form involves a reasoned societal debate, focused on the full scope of technical and social dimensions of the problem and the feasibility and desirability of multiple solutions. It is this form to which scientists have the most to offer, playing the role of what Pielke calls the “honest broker”—a person who can “integrate scientific knowledge with stakeholder concerns to explore alternative possible courses of action.” Here, resolution is found through a focus on its underlying elements, moving away from positions (for example, climate change is or is not happening), and toward the underlying interests and values at play. How do we get there? Research in negotiation and dispute resolution can offer techniques for moving forward. Techniques for a Consensus-Based Discussion In seeking a social consensus on climate change, discussion must move beyond a strict focus on the technical aspects of the science to include its cultural underpinnings. Below are eight techniques for overcoming the ideological filters that underpin the social debate about climate change. Know your audience | Any message on climate change must be framed in a way that fits with the cultural norms of the target audience. The 2011 study Climate Change in the American Mind segments the American public into six groups based on their views on climate change science. (See “Six Americas,” below.) On the two extremes are the climate change “alarmed” and “dismissive.” Consensus-based discussion is not likely open to these groups, as they are already employing logic schism tactics that are closed to debate or engagement. The polarity of these groups is well known: On the one side, climate change is a hoax, humans have no impact on the climate, and nothing is happening; on the other side, climate change is an imminent crisis that will devastate the Earth, and human activity explains all climate changes. The challenge is to move the debate away from the loud minorities at the extremes and to engage the majority in the middle—the “concerned,” the “cautious,” the “disengaged,” and the “doubtful.” People in these groups are more open to consensus-based debate, and through direct engagement can be separated from the ideological extremes of their cultural community. Ask the right scientific questions | For a consensus-based discussion, climate change science should be presented not as a binary yes or no question,7 but as a series of six questions. Some are scientific in nature, with associated levels of uncertainty and probability; others are matters of scientific judgment. Are greenhouse gas concentrations increasing in the atmosphere? Yes. This is a scientific question, based on rigorous data and measurements of atmospheric chemistry and science. Does this increase lead to a general warming of the planet? Yes. This is also a scientific question; the chemical mechanics of the greenhouse effect and “negative radiative forcing” are well established. Has climate changed over the past century? Yes. Global temperature increases have been rigorously measured through multiple techniques and strongly supported by multiple scientific analyses.In fact, as Yale University economist William Nordhaus wrote in the March 12, 2012, New York Times, “The finding that global temperatures are rising over the last century-plus is one of the most robust findings in climate science and statistics.” Are humans partially responsible for this increase? The answer to this question is a matter of scientific judgment. Increases in global mean temperatures have a very strong correlation with increases in man-made greenhouse gases since the Industrial Revolution. Although science cannot confirm causation, fingerprint analysis of multiple possible causes has been examined, and the only plausible explanation is that of human-induced temperature changes. Until a plausible alternative hypothesis is presented, this explanation prevails for the scientific community. Will the climate continue to change over the next century? Again, this question is a matter of scientific judgment. But given the answers to the previous four questions, it is reasonable to believe that continued increases in greenhouse gases will lead to continued changes in the climate. What will be the environmental and social impact of such change? This is the scientific question with the greatest uncertainty. The answer comprises a bell curve of possible outcomes and varying associated probabilities, from low to extreme impact. Uncertainty in this variation is due to limited current data on the Earth’s climate system, imperfect modeling of these physical processes, and the unpredictability of human actions that can both exacerbate or moderate the climate shifts. These uncertainties make predictions difficult and are an area in which much debate can take place. And yet the physical impacts of climate change are already becoming visible in ways that are consistent with scientific modeling, particularly in Greenland, the Arctic, the Antarctic, and low-lying islands. In asking these questions, a central consideration is whether people recognize the level of scientific consensus associated with each one. In fact, studies have shown that people’s support for climate policies and action are linked to their perceptions about scientific agreement. Still, the belief that “most scientists think global warming is happening” declined from 47 percent to 39 percent among Americans between 2008 and 2011.8 Move beyond data and models | Climate skepticism is not a knowledge deficit issue. Michigan State University sociologist Aaron McCright and Oklahoma State University sociologist Riley Dunlap have observed that increased education and self-reported understanding of climate science have been shown to correlate with lower concern among conservatives and Republicans and greater concern among liberals and Democrats. Research also has found that once people have made up their minds on the science of the climate issue, providing continued scientific evidence actually makes them more resolute in resisting conclusions that are at variance with their cultural beliefs.9 One needs to recognize that reasoning is suffused with emotion and people often use reasoning to reach a predetermined end that fits their cultural worldviews. When people hear about climate change, they may, for example, hear an implicit criticism that their lifestyle is the cause of the issue or that they are morally deficient for not recognizing it. But emotion can be a useful ally; it can create the abiding commitments needed to sustain action on the difficult issue of climate change. To do this, people must be convinced that something can be done to address it; that the challenge is not too great nor are its impacts preordained. The key to engaging people in a consensus-driven debate about climate change is to confront the emotionality of the issue and then address the deeper ideological values that may be threatened to create this emotionality. Focus on broker frames | People interpret information by fitting it to preexisting narratives or issue categories that mesh with their worldview. Therefore information must be presented in a form that fits those templates, using carefully researched metaphors, allusions, and examples that trigger a new way of thinking about the personal relevance of climate change. To be effective, climate communicators must use the language of the cultural community they are engaging. For a business audience, for example, one must use business terminology, such as net present value, return on investment, increased consumer demand, and rising raw material costs. More generally, one can seek possible broker frames that move away from a pessimistic appeal to fear and instead focus on optimistic appeals that trigger the emotionality of a desired future. In addressing climate change, we are asking who we strive to be as a people, and what kind of world we want to leave our children. To gain buy-in, one can stress American know-how and our capacity to innovate, focusing on activities already under way by cities, citizens, and businesses.10 This approach frames climate change mitigation as a gain rather than a loss to specific cultural groups. Research has shown that climate skepticism can be caused by a motivational tendency to defend the status quo based on the prior assumption that any change will be painful. But by encouraging people to regard pro-environmental change as patriotic and consistent with protecting the status quo, it can be framed as a continuation rather than a departure from the past. Specific broker frames can be used that engage the interests of both sides of the debate. For example, when US Secretary of Energy Steven Chu referred in November 2010 to advances in renewable energy technology in China as the United States’ “Sputnik moment,” he was framing climate change as a common threat to US scientific and economic competitiveness. When Pope Benedict XVI linked the threat of climate change with threats to life and dignity on New Year’s Day 2010, he was painting it as an issue of religious morality. When CNA’s Military Advisory Board, a group of elite retired US military officers, called climate change a “threat multiplier” in its 2006 report, it was using a national security frame. When the Lancet Commission pronounced climate change to be the biggest global health threat of the 21st century in a 2009 article, the organization was using a quality of life frame. And when the Center for American Progress, a progressive Washington, D.C., think tank, connected climate change to the conservation ideals of Presidents Theodore Roosevelt and Richard Nixon, they were framing the issue as consistent with Republican values. One broker frame that deserves particular attention is the replacement of uncertainty or probability of climate change with the risk of climate change.11 People understand low probability, high consequence events and the need to address them. For example, they buy fire insurance for their homes even though the probability of a fire is low, because they understand that the financial consequence is too great. In the same way, climate change for some may be perceived as a low risk, high consequence event, so the prudent course of action is to obtain insurance in the form of both behavioral and technological change. Recognize the power of language and terminology | Words have multiple meanings in different communities, and terms can trigger unintended reactions in a target audience. For example, one study has shown that Republicans were less likely to think that the phenomenon is real when it is referred to as “global warming” (44 percent) rather than “climate change” (60 percent), but Democrats were unaffected by the term (87 percent vs. 86 percent). So language matters: The partisan divide dropped from 43 percent under a “global warming” frame to 26 percent under a “climate change” frame.12 Other terms with multiple meanings include “climate denier,” which some use to refer to those who are not open to discussion on the issue, and others see as a thinly veiled and highly insulting reference to “Holocaust denier”; “uncertainty,” which is a scientific concept to convey variance or deviation from a specific value, but is interpreted by a lay audience to mean that scientists do not know the answer; and “consensus,” which is the process by which the Intergovernmental Panel on Climate Change (IPCC) forms its position, but leads some in the public to believe that climate science is a matter of “opinion” rather than data and modeling. Overall, the challenge becomes one of framing complex scientific issues in a language that a lay and highly politicized audience can hear. This becomes increasingly challenging when we address some inherently nonintuitive and complex aspects of climate modeling that are hard to explain, such as the importance of feedback loops, time delays, accumulations, and nonlinearities in dynamic systems.13 Unless scientists can accurately convey the nature of climate modeling, others in the social debate will alter their claims to fit their cultural or cognitive perceptions or satisfy their political interests. Employ climate brokers | People are more likely to feel open to consider evidence when a recognized member of their cultural community presents it.14 Certainly, statements by former Vice President Al Gore and Sen. James Inhofe evoke visceral responses from individuals on either side of the partisan divide. But individuals with credibility on both sides of the debate can act as what I call climate brokers. Because a majority of Republicans do not believe the science of climate change, whereas a majority of Democrats do, the most effective broker would come from the political right. Climate brokers can include representatives from business, the religious community, the entertainment industry, the military, talk show hosts, and politicians who can frame climate change in language that will engage the audience to whom they most directly connect. When people hear about the need to address climate change from their church, synagogue, mosque, or temple, for example, they w ill connect the issue to their moral values. When they hear it from their business leaders and investment managers, they will connect it to their economic interests. And when they hear it from their military leaders, they will connect it to their interest in a safe and secure nation. Recognize multiple referent groups | The presentation of information can be designed in a fashion that recognizes that individuals are members of multiple referent groups. The underlying frames employed in one cultural community may be at variance with the values dominant within the communities engaged in climate change debate. For example, although some may reject the science of climate change by perceiving the scientific review process to be corrupt as part of one cultural community, they also may recognize the legitimacy of the scientific process as members of other cultural communities (such as users of the modern health care system). Although someone may see the costs of fossil fuel reductions as too great and potentially damaging to the economy as members of one community, they also may see the value in reducing dependence on foreign oil as members of another community who value strong national defense. This frame incongruence emerged in the 2011 US Republican primary as candidate Jon Huntsman warned that Republicans risk becoming the “antiscience party” if they continue to reject the science on climate change. What Huntsman alluded to is that most Americans actually do trust the scientific process, even if they don’t fully understand it. (A 2004 National Science Foundation report found that two thirds of Americans do not clearly understand the scientific process.) Employ events as leverage for change | Studies have found that most Americans believe that climate change will affect geographically and temporally distant people and places. But studies also have shown that people are more likely to believe in the science when they have an experience with extreme weather phenomena. This has led climate communicators to link climate change to major events, such as Hurricane Katrina, or to more recent floods in the American Midwest and Asia, as well as to droughts in Texas and Africa, to hurricanes along the East Coast and Gulf of Mexico, and to snowstorms in Western states and New England. The cumulative body of weather evidence, reported by media outlets and linked to climate change, will increase the number of people who are concerned about the issue, see it as less uncertain, and feel more confident that we must take actions to mitigate its effects. For example, in explaining the recent increase in belief in climate change among Americans, the 2012 National Survey of American Public Opinion on Climate Change noted that “about half of Americans now point to observations of temperature changes and weather as the main reasons they believe global warming is taking place.”15 Ending Climate Science Wars Will we see a social consensus on climate change? If beliefs about the existence of global warming are becoming more ideologically entrenched and gaps between conservatives and liberals are widening, the solution space for resolving the issue will collapse and the debate will be based on power and coercion. In such a scenario, domination by the science-based forces looks less likely than domination by the forces of skepticism, because the former has to “prove” its case while the latter merely needs to cast doubt. But such a polarized outcome is not a predetermined outcome. And if it were to form, it can be reversed. Is there a reason to be hopeful? When looking for reasons to be hopeful about a social consensus on climate change, I look to public opinion changes around cigarette smoking and cancer. For years, the scientific community recognized that the preponderance of epidemiological and mechanistic data pointed to a link between the habit and the disease. And for years, the public rejected that conclusion. But through a process of political, economic, social, and legal debate over values and beliefs, a social consensus emerged. The general public now accepts that cigarettes cause cancer and governments have set policy to address this. Interestingly, two powerful forces that many see as obstacles to a comparable social consensus on climate change were overcome in the cigarette debate. The first obstacle is the powerful lobby of industrial forces that can resist a social and political consensus. In the case of the cigarette debate, powerful economic interests mounted a campaign to obfuscate the scientific evidence and to block a social and political consensus. Tobacco companies created their own pro-tobacco science, but eventually the public health community overcame pro-tobacco scientists. The second obstacle to convincing a skeptical public is the lack of a definitive statement by the scientific community about the future implications of climate change. The 2007 IPCC report states that “Human activities … are modifying the concentration of atmospheric constituents … that absorb or scatter radiant energy. … [M]ost of the observed warming over the last 50 years is very likely to have been due to the increase in greenhouse gas emissions.” Some point to the word “likely” to argue that scientists still don’t know and action in unwarranted. But science is not designed to provide a definitive smoking gun. Remember that the 1964 surgeon general’s report about the dangers of smoking was equally conditional. And even today, we cannot state with scientific certainty that smoking causes lung cancer. Like the global climate, the human body is too complex a system for absolute certainty. We can explain epidemiologically why a person could get cancer from cigarette smoking and statistically how that person will likely get cancer, but, as the surgeon general report explains, “statistical methods cannot establish proof of a causal relationship in an association [between cigarette smoking and lung cancer]. The causal significance of an association is a matter of judgment, which goes beyond any statement of statistical probability.” Yet the general public now accepts this causal linkage. What will get us there? Although climate brokers are needed from all areas of society—from business, religion, military, and politics—one field in particular needs to become more engaged: the academic scientist and particularly the social scientist. Too much of the debate is dominated by the physical sciences in defining the problem and by economics in defining the solutions. Both fields focus heavily on the rational and quantitative treatments of the issue and fail to capture the behavioral and cultural aspects that explain why people accept or reject scientific evidence, analysis, and conclusions. But science is never socially or politically inert, and scientists have a duty to recognize its effect on society and to communicate that effect to society. Social scientists can help in this endeavor. But the relative absence of the social sciences in the climate debate is driven by specific structural and institutional controls that channel research work away from empirical relevance. Social scientists limit involvement in such “outside” activities, because the underlying norms of what is considered legitimate and valuable research, as well as the overt incentives and reward structures within the academy, lead away from such endeavors. Tenure and promotion are based primarily on the publication of top-tier academic journal articles. This is the signal of merit and success. Any effort on any other endeavor is decidedly discouraged. The role of the public intellectual has become an arcane and elusive option in today’s social sciences. Moreover, it is a difficult role to play. The academic rules are not clear and the public backlash can be uncomfortable; many of my colleagues and I are regular recipients of hostile e-mail messages and web-based attacks. But the lack of academic scientists in the public debate harms society by leaving out critical voices for informing and resolving the climate debate. There are signs, however, that this model of scholarly isolation is changing. Some leaders within the field have begun to call for more engagement within the public arena as a way to invigorate the discipline and underscore its investment in the defense of civil society. As members of society, all scientists have a responsibility to bring their expertise to the decision-making process. It is time for social scientists to accept this responsibility.

#### Antitrust can be used for socially beneficial purposes

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The central function of antitrust law is to allocate economic coordination rights. This means that private decisions to engage in economic coordination are always subject to public approval, which antitrust law grants either expressly or tacitly. Currently, its methods for accomplishing this function have the effect of anointing control and concentrated power as the preferred form of economic coordination, and to frown upon forms of economic coordination in which power and decision making are more broadly dispersed. Antitrust law's current methods for allocating coordination rights include what I call its firm exemption, as well as its preference for vertical over horizontal coordination beyond firm boundaries. Antitrust's methods of allocating coordination rights are ultimately indigenous and cannot be explained away by external referents: neither by other areas of law, nor by putatively neutral conclusions of social science. They are also historically contingent and have shifted over time.

Practically speaking, the reigning antitrust paradigm authorizes large, powerful firms as the primary mechanisms of economic and market coordination, while largely undermining others: from workers' organizations to small business cooperation to democratic regulation of markets. While deploying the legal concept of competition to undermine disfavored forms of economic coordination, antitrust law also quietly underwrites certain major exceptions to principles of competition, notably, the business firm itself. In surfacing the firm exemption, this Article also isolates the underlying, largely unexamined decision criteria for allocating coordination rights that it employs.

The current paradigm for thinking and decision making within antitrust law has a professed commitment to implementing the insights of neoclassical economic theory in legal decisionmaking.1 According to that framework, the aggregate of individual market transactions, rather than direct coordination, will result in an optimal allocation of society's resources. But this process of market allocation, which the law is supposed to facilitate but not displace, itself has no existence independent of prior legal allocations of economic coordination rights. Those coordination rights are shaped by numerous areas of law-from property to corporate to labor to antitrust, among others. This Article focuses on antitrust law, where this function is rarely acknowledged. Although the law and economics paradigm has enormous institutional sticking power in current antitrust law, the basic purposes and methods of antitrust law are also up for debate today in a way that they have not been in decades. Recent contributions to the antitrust revival have emphasized the law's traditional concerns with corporate power and fairness, which were largely written out of antitrust law in the Chicago School revolution? Dissenting voices asserted these as legitimate antitrust concerns even prior to the current challenge. 3 Mirroring the reformist call to put some limits upon the broad coordination rights of the powerful, a growing chorus of scholarship has emphasized the need to expand the coordination rights of small players to some extent or another, beginning with the question of workers and microenterprises caught between labor and antitrust regulation.4

However, proposals to reform antitrust, or to reconceptualize it, have thus far generally stopped short of questioning the basic premise that its primary function is to promote competition. At least officially, if increasingly uneasily, competition is still king. To be sure, many posit that antitrust performs this stated function badly, or does not perform it at all in certain markets.' Even when reintroducing values such as fairness and deconcentrating power, for the most part the reform camp has characterized those values as flowing from-or at least coextensive with-promoting or protecting competition. Thus, the political debate over antitrust has been characterized by all sides claiming the idea of competition and defining what it means to promote competition in different ways.

#### Antitrust debates are valuable

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IV. Antitrust in Civil Society

Competition issues are also part of the general civic discourse separate from the campaign rhetoric and legislative proposals offered by politicians. This is also a significant sign that antitrust has begun to be an important source of small “p” politics that engages substantial segments of the public at large. One example is the increased number of non-technical books intended for a lay audience that deal with the role of antitrust in a healthy economy and democracy. Recent and forthcoming books dealing with these themes include Tim Wu’s “The Curse of Bigness,”109 Matt Stoller’s “Goliath,”110 Maurice Stucke and Ariel Ezrachi’s “Competition Overdose,”111 Zephyr Teachout’s “Break ‘em Up,”112 and David Dayan’s “Monopolized.”113 On the academic side, there are a plethora of government and NGO studies of competition policy on digital competition114 and new works are flourishing which explore the broader ramifications of antitrust and competition in society.115 Long form and more mass-market journalism have also taken up the mantle of exploring the role of antitrust and competition policy. Such diverse magazines as The Atlantic,116 Time, 117 New Republic,118 American Prospect,119 Rolling Stone,120 New York Times magazine,121 Variety,122 National Review, 123 Foreign Policy,124 and other policy and opinion magazines have all run recent stories or profiles of individuals involved in antitrust issues. Before the COVID-19 pandemic effectively monopolized press coverage in the United States, there were thirty-three antitrust related stories on the front page of the New York Times or the front page of its business section over a three-month period in late 2019. 125 A majority of the stories focused on tech giants such as Apple, Microsoft, Google, Amazon, and Facebook.126 In addition, the New York Times also covered stories about mergers, merger policy, local issues such as the Chicago taxi market, and various smaller industries.127 This is separate from coverage during the same period of campaign issues and candidate statements relating to the field. A similar increase in coverage during this same period can be observed anecdotally in more business-oriented publications like Forbes, Barron’s, Wired, and the Wall Street Journal; general newspapers like USA Today, Washington Post, and Huffington Post; more local newspapers; as well as radio and television.128 Web pages and social media accounts on these issues have similarly proliferated on all ideological perspectives.129 Lobbying and public policy groups are growing in number and influence. Beyond the traditional trade associations and general think tanks there are now a number of active groups with antitrust as a large part of their focus. These include the Open Markets Institute, 130 American Antitrust Institute, 131 Anti-Monopoly Fund,132 Institute for Self-Reliance,133 Public Citizen,134 Public Knowledge,135 Demos, 136 and the International Center for Law and Economics.137 At the more technical legal end of the debate, antitrust is similarly flourishing as a field. One sees increased law school hiring in the field for the first time in decades. Academic institutes and centers abound with a wide variety of perspectives ranging from libertarian to enforcement oriented.138 Most major antitrust cases now feature multiple amicus briefs from legal and economic experts on both sides of an issue both in the Supreme Court or the Courts of Appeals.139 Conclusion Antitrust has always been political in nature. Antitrust law provides broad legal commands dealing with how governments and private individuals can challenge different types of market behavior. In this way, antitrust has not changed. Antitrust will never take the place of sports, the Dow Jones index, or the weather for conversation at the breakfast table, but it has become a meaningful part of the political and policy debate for candidates, the legislature, and important segments of civil society. What has changed, however, is the degree that antitrust has reentered the political arena. Once mostly the domain of technocrats, antitrust issues have been proposed and debated by Presidential candidates, political parties, legislators, pundits, journalists, lobby groups, and voters alike. There are also a flurry of serious proposals and investigations that would make significant changes to the current system if adopted. This is all to the good. Even if none of the current proposals come to fruition, the antitrust debate is part of a broader engagement with political economy issues dealing with fundamental concerns such as economic concentration, globalization, income inequality, social and racial justice, and even recently the proper response to the COVID-19 emergency. The many proposals, initiatives, and pressure groups represent at a minimum the return of antitrust as part of the progressive agenda.

#### Default to consequentialism

Sikkink 8, Professor of political science at the University of Minnesota (Kathryn Sikkink, 2008, “The Role of Consequences, Comparison, and Counterfactuals in Constructivist Ethical Thought,” <http://www.polisci.umn.edu/centers/theory/pdf/sikkink.pdf)>

Ethical arguments of these different types are ubiquitous and necessary. But because they are also slippery and open to manipulation and misuse, we also need to be very careful and precise about how we go about using them. I would recommend that first we distinguish very carefully between the comparison to ideals and historical empirical comparison. I believe that many critical constructivist accounts rely on the comparison to the ideal or to the conditions of possibility counterfactual argument. In almost every critical constructivist work there is an implicit ideal ethical argument. This argument is implicit because it is rarely clearly stated, but it is found in the nature of the 36 critique. So, for example, in her discussion of U.S. human rights policy, Roxanne Doty critiques a human rights policy carried out by actors who sometimes use it for their own self aggrandizement and to denigrate others. 42 The implicit ideal this presents is a human rights policy that is not used for denigration or surveillance or othering those it criticizes or conversely, of elevating those who advocate it. What would be examples of such a policy? The book does not provide examples. We do not know if examples exist in the world. So the implicit comparison is a comparison to an ideal – a never fully stated ideal, but one present in the critique of what is wrong with the policies discussed. Nicolas Guilhot makes a similar argument in his recent book. The promotion of democracy and human rights, he argues, are increasingly used in order to extend the power they were meant to limit. “The promotion of democracy and human rights defines new forms of administration on a global scale and generates a new political science.” He historically examines how progressive movements for democracy and human rights have become hegemonic because they “systematically managed to integrate emancipatory and progressive forces in the construction of imperial policies.” But once again, the book offers no alternative political scenario. In the final sentence of the book, the author clarifies that “this book has no other ambition than to contribute to the democratic critique of democracy.” 43 In the introduction, he clarifies, “This book does not provide answers to these dilemmas. At most, its only ambition is to highlight them, in the hope that a proper understanding constitutes a first step toward the invention of new courses of action.”44 Ethically, I believe this is a cop-out. Politically and intellectually, I find it too comfortable and too easy. This critique has a crucial role to play in pointing to hypocrisy (as Price highlights in the introduction). It could also serve as a catalyst for policy change in the direction of policy that would include less surveillance or less cooptation of human rights discourse. But it is unlikely to serve as a catalyst for new action or policy change unless it ventures something more than pure critique, unless it risks a political or ethical proposal. Without that, it has the impact of delegitimizing any human rights policy without suggesting any alternative. Any policy to promote human rights of democracy policy is shown to be deeply flawed or even pernicious. It is portrayed as part of the problem, certainly not as offering any kind of solution. Human rights policy appears to make the situation worse, not better. The critique has the effect of telling us clearly what we do not want, what we can not support—human rights policies by imperfect and hypocritical actors like the U.S. In its historical comparisons, it also lumps human rights policy together with colonialism and does not provide any elements to distinguish between one policy of surveillance and other. All are equally flawed. The ethical effect is to remove normative support from existing policies without producing any alternatives. This is similar to what Price means when he says that “critical accounts which do not in fact offer constructive normative theorizing to follow critique ironically lend themselves to being complicit with the conservative agenda opposing erstwhile progressive change in world politics.” Neither Doty nor Guilhot, for example, contrast two human rights policies to give examples of policies that are more of less hypocritical or where there has been more or 44 Guilhot, p. 14. 38 less surveillance. They don’t contrast human rights policies or democracy promotion policies to previous policies that were also hypocritical and self aggrandizing, but more pernicious – e.g. national security ideology and support for authoritarian regimes in the third world. By presenting no contrasts, the critique would appear to say that there is no ethical or political difference between a policy that supports coups and funds repressive military regimes and a policy that critiques coups and cuts military aid to repressive regimes. These policies would appear to be ethically indistinguishable. Indeed, by these standards, a realist policy (a la Kissinger) might be preferable. Kissinger didn’t denigrate his authoritarianism allies. He took regimes as they were. He treated them as valuable allies. He didn’t lecture them on how they should change. He also, in doing so, encouraged, in some cases, coups and mass murder. But at least he didn’t “Other”. Doty and Guilhot give me no ethical criteria to distinguish between the policies of the Kissinger administration, the Carter administration, and current Bush administration policy. Because the comparison is an implicit ideal, never an empirical real world example, the critique is very telling and can delegitimize the critiqued policy. But nothing is put in its place. So, it demobilizes any support we might have for any human rights policy. It puts the analyst in an ethically comfortable position, but by not proposing any explicit comparison, it demobilizes the reader. We learn what to oppose, to critique, but we don’t learn explicitly what to support in its stead. The result can be political paralysis. One finds it difficult to act.

# 2AC

## ADV---Denialism

### !---Denialism---2AC

#### Vote affirmative to rupture the ideological frame of the fossil fuel industry---corporate misinformation campaigns from BP, Exxon, and Shell undersell the impact of climate change and ignore it’s anthropogenic nature---that’s Megura.

#### The status quo is ideological denial that allows corporate leaders to undermine public opinion and climate policy through lobbying, greenwashing, and explicit denialism.

#### There are two impacts:

#### 1---Violence--- Fossil fuel companies inflict disparate violence on low income communities of color stripping communities of the social, cultural, and political capital necessary to stimulate activist movements---that’s Funes.

#### 2---Extinction---Warming causes suffering, environmental degradation, and extinction through biodiversity collapse, food shortages, and excess emissions---that’s Ripple.

#### That outweighs the criticism because human life is an intrinsic good, and voting negative aligns with fossil fuel industry propaganda that climate change belongs on the backburner. Our research project is rock solid we are a broad criticism of climate misinformation and use academic debate as a mode of reaching a social consensus on the existence and magnitude of climate change.

### AT: Pester---2AC

#### Climate change is a real threat that risks extinction via cascading ripple effects — their author agrees

Pester ’21 — Patrick Pester; “Could climate change make humans go extinct?;” LiveScience; 2021; https://www.livescience.com/climate-change-humans-extinct.html

The impacts of climate change are here with soaring temperatures, stronger hurricanes, intensified [floods](https://www.space.com/satellites-monitor-flooding-in-germany-belgium-july-2021) and a longer and more severe [wildfire](https://www.livescience.com/wildfire-smoke-satellite-images-us-canada.html) season. Scientists warn that [ignoring climate change](https://www.livescience.com/earth-vital-signs-climate-change-suffering.html) will yield "untold suffering" for humanity. But if things are going to get that much worse, could climate change make humans go extinct?

Scientists predict a range of devastating scenarios if climate change is not kept under control, but if we just consider the direct impacts, then there's some good news; it's unlikely to cause our [mass extinction](https://www.livescience.com/mass-extinction-events-that-shaped-Earth.html).

"There is no evidence of climate change scenarios that would render human beings extinct," Michael Mann, a distinguished professor of atmospheric science at Penn State and author of "The New Climate War: [The Fight to Take Back Our Planet](https://target.georiot.com/Proxy.ashx?tsid=74387&GR_URL=https%3A%2F%2Famazon.com%2FNew-Climate-War-Fight-Planet%2Fdp%2F1541758234%3Ftag%3Dhawk-future-20%26ascsubtag%3Dlivescience-us-8234410381643557000-20)" (PublicAffairs, 2021), told Live Science in an email.

However, it's possible that climate change will still threaten the lives of hundreds of millions of people, such as by leading to food and water scarcity, which has the potential to trigger a societal collapse and set the stage for global conflict, research finds.

Too hot to handle?

Humans are increasing the amount of [greenhouse gases](https://www.livescience.com/37821-greenhouse-gases.html), such as [carbon](https://www.livescience.com/28698-facts-about-carbon.html) dioxide and methane, in the atmosphere through the burning of fossil fuels and other activities. These gases trap and hold heat from the sun, causing global [temperatures](https://www.livescience.com/temperature.html) to rise and the climate to change much faster than it otherwise would, putting humanity on a dangerous path.

A runaway [greenhouse effect](https://www.livescience.com/37743-greenhouse-effect.html) is probably the only way climate change impacts could directly cause human extinction, according to Luke Kemp, a research associate at the Centre for the Study of Existential Risk at the University of Cambridge in the United Kingdom. This effect happens when a planet is caught in an unstoppable, positive feedback loop of warming and absorbs more heat than it loses, until the planet's oceans evaporate and it can no longer sustain life.

Fortunately, the runaway greenhouse effect is not a plausible climate change scenario on Earth. For the effect to occur, a planet needs carbon dioxide levels of a couple of thousand parts per million (Earth has a little over 400 parts per million) or a huge release of methane, and there isn't evidence for that at this time, Brian Kahn, a research scientist at NASA’s Jet Propulsion Laboratory, told [NASA](https://climate.nasa.gov/news/2534/scientists-assess-potential-for-super-greenhouse-effect-in-earths-tropics/) in 2018.

Venus has the runaway greenhouse effect, but it is much closer to the sun and has a much thicker, carbon dioxide-rich atmosphere that traps more heat than Earth's, [Live Science previously reported](https://www.livescience.com/59693-could-earth-turn-into-venus.html). The science doesn’t support the notion of runaway warming scenarios, although climate doomists often make such claims, Mann said. "There’s no reason to exaggerate the climate threat. The truth is bad enough, and reason enough to take dramatic action."

According to Mann, a global temperature increase of 5.4 degrees Fahrenheit (3 degrees Celsius) or more could lead to a collapse of our societal infrastructure and massive unrest and conflict, which, in turn, could lead to a future that resembles some Hollywood dystopian films.

One way climate change could trigger a societal collapse is by creating food insecurity. Warming the planet has a range of negative impacts on food production, including increasing the water deficit and thereby reducing food harvests, [Live Science previously reported](https://www.livescience.com/58891-why-2-degrees-celsius-increase-matters.html). Food production losses can increase human deaths and drive economic loss and socio-political instability, among other factors, that may trigger a breakdown of our institutions and increase the risk of a societal collapse, according to a study published Feb. 21 in the journal [Climatic Change](https://go.redirectingat.com/?id=92X1590019&xcust=livescience_us_2912425602113125000&xs=1&url=https%3A%2F%2Flink.springer.com%2Farticle%2F10.1007%2Fs10584-021-02957-w&sref=https%3A%2F%2Fwww.livescience.com%2Fclimate-change-humans-extinct.html).

Past extinctions and collapses

Kemp studies previous civilization collapses and the risk of climate change. Extinctions and catastrophes almost always involve multiple factors, he said, but he thinks if humans were to go extinct, climate change would likely be the main culprit.

"If I'm to say, what do I think is the biggest contributor to the potential for human extinction going towards the future? Then climate change, no doubt," Kemp told Live Science.

All of the major [mass-extinction events](https://www.livescience.com/mass-extinction-events-that-shaped-Earth.html) in Earth's history have involved some kind of climatic change, according to Kemp. These events include cooling during the Ordovician-[Silurian](https://www.livescience.com/43514-silurian-period.html) extinction about 440 million years ago that wiped out 85% of species, and warming during the [Triassic](https://www.livescience.com/43295-triassic-period.html)-[Jurassic](https://www.livescience.com/28739-jurassic-period.html) extinction about 200 million years ago that killed 80% of species, Live Science previously reported. And more recently, climate change affected the fate of early human relatives.

While [Homo sapiens](https://www.livescience.com/homo-sapiens.html) are obviously not extinct, "we do have a track record of other hominid species going extinct, such as [Neanderthals](https://www.livescience.com/28036-neanderthals-facts-about-our-extinct-human-relatives.html)," Kemp said. "And in each of these cases, it appears that again, climatic change plays some kind of role."

Scientists don't know why Neanderthals went extinct about 40,000 years ago, but climatic fluctuations seem to have broken their population up into smaller, fragmented groups, and severe changes in temperature affected the plants and animals they relied on for food, according to the [Natural History Museum](https://www.nhm.ac.uk/discover/who-were-the-neanderthals.html) in London. Food loss, driven by climate change, may have also led to a tiny drop in Neanderthal fertility rates, contributing to their extinction, [Live Science previously reported](https://www.livescience.com/65594-neanderthal-fertility-led-to-extinction.html).

Climate change has also played a role in the collapse of past human civilizations. A [300-year-long drought](https://www.livescience.com/38893-drought-caused-ancient-mediterranean-collapse.html), for example, contributed to the downfall of ancient Greece about 3,200 years ago. But Neanderthals disappearing and civilizations collapsing do not equal human extinction. After all, humans have survived climate fluctuations in the past and currently live all over the world despite the rise and fall of numerous civilizations.

Homo sapiens have proven themselves to be highly adaptable and able to cope with many different climates, be they hot, cold, dry or wet. We can use resources from many different plants and animals and share those resources, along with information, to help us survive in a changing world, according to the [Smithsonian’s National Museum of Natural History](https://humanorigins.si.edu/research/climate-and-human-evolution/climate-effects-human-evolution).

Today, we live in a global, interconnected civilization, but there's reason to believe our species could survive its collapse. A study published on July 21 in the journal [Sustainability](https://www.mdpi.com/2071-1050/13/15/8161/htm) identified countries most likely to survive a global societal collapse and maintain their complex way of life. Five island countries, including New Zealand and Ireland, were chosen as they could remain habitable through agriculture, thanks to their relatively cool temperatures, low weather variability and other factors that make them more resilient to climate change.

New Zealand would be expected to hold up the best with other favorable conditions, including a low population, large amounts of good quality agricultural land and reliable, domestic energy. So, even if climate change triggers a global civilization collapse, humans will likely be able to keep going, at least in some areas.

Turning on ourselves

The last scenario to consider is climate-driven conflict. Kemp explained that in the future, a scarcity of  resources that diminish because of climate change could potentially create conditions for wars that threaten humanity. "There's reasons to be concerned that as water resources dry up and scarcity becomes worse, and the general conditions of living today become much, much worse, then suddenly, the threat of potential nuclear war becomes much higher," Kemp said.

Put another way, climate change impacts might not directly cause humans to go extinct, but it could lead to events that seriously endanger hundreds of millions, if not billions, of lives. A 2019 study published in the journal [Science Advances](https://advances.sciencemag.org/content/5/10/eaay5478) found that a nuclear conflict between just India and Pakistan, with a small fraction of the world's nuclear weapons, could kill 50 million to 125 million people in those two countries alone. Nuclear war would also change the climate, such as through temperature drops as burning cities fill the atmosphere with smoke, threatening food production worldwide and potentially causing mass starvation.

What's next?

While avoiding complete extinction doesn't sound like much of a climate change silver lining, there is reason for hope. Experts say it isn't too late to avoid the worst-case scenarios with significant cuts to greenhouse gas emissions.

"It is up to us," Mann said. "If we fail to reduce carbon emissions substantially in the decade ahead, we are likely committed to a worsening of already dangerous extreme weather events, inundation of coastlines around the world due to melting ice and rising sea level, more pressure on limited resources as a growing global population competes for less food, water and space due to climate change impacts. If we act boldly now, we can avoid the worst impacts."

### AT: Harrington---2AC

### AT: Tech Can’t Solve---2AC

#### Renewables adoption combined with emissions cuts solves climate change

Fisher et al 21, is a Senior Fellow with the Federation of American Scientists, working on a range of issues across the science and technology policy landscape. Mike earned his B.S. in Biology from The College of New Jersey and his Ph.D. in Molecular Biology from Princeton University. Miliken is a Policy Analyst for Science, Technology, and Innovation at the Federation of American Scientists. She supported both the Congressional Science Policy Initiative and the Technology and Innovation Initiative. Previously, she worked as a Legislative Research Assistant at Lewis-Burke Associates, a government relations firm specializing in science policy and higher education. (Michael, 07-8-2021, “Countering Climate Change With Renewable Energy Technologies,” Federation of American Scientists, <https://fas.org/blogs/sciencepolicy/countering-climate-change-with-renewable-energy-technologies/>)

Renewable energy technologies, such as advanced biofuels for transportation, are key for U.S. efforts to mitigate climate change Climate change is bringing about rising temperatures, which have significant negative impacts on humans and the environment, and transitioning to renewable energy sources, such as biofuels, can help meet this challenge. One consequence of higher global temperatures is the increasing frequency of extreme weather events that cause massive amounts of harm and damage. As depicted in Figure 1, six of the 10 costliest extreme weather events in the U.S. have occurred in the last 10 years, amounting to over $411 billion in damages (in 2020 dollars and adjusted for inflation). The other four occurred between 2004 and 2008, and the costs of future extreme weather events are expected to keep climbing. Moreover, the World Health Organization estimates that, globally, climate change is responsible for over 150,000 deaths per year. This is because in addition to extreme weather events, climate change contributes to the spread of diseases, reduced food production, and many other problems. Transitioning to renewable energy, and reducing reliance on fossil fuels, is one way to help slow down the effects of climate change. While renewables used to be a more expensive option, new clean energy technologies are lowering costs and helping to move economies away from fossil fuels. For example, solar panel prices decreased 75 to 80 percent between 2009 and 2015. Due to similar trends in other renewables like wind and hydropower, renewable energy generation technology accounts for over half of all new power generation capacity brought online worldwide every year since 2011. More must be done to ensure that renewable energy technologies are key contributors to the mitigation of climate change. As of 2018, solar and wind accounted for less than 4% of all the energy used in the U.S. (Figure 2). The amount of energy generated by solar panels has increased almost 46-fold since 2008, but still only amounts to about 1% of the total energy generated in the country. Unfortunately, renewables currently provide only a small fraction of the total energy produced, and to counter climate change, this contribution must drastically increase. Nonrenewable sources are still frequently used because they are very dense in energy. In the transportation sector, for example, gas or diesel fuels have about 40 times more energy, pound for pound, than the leading electric battery technologies. In order for an electric car to travel 360 miles, which is the average distance traveled on a full 12.4 gallon tank of gas, the car would need a battery weighing over 1,300 pounds. To reduce reliance on petroleum-based fuels, particularly for heavy-duty vehicles and airplanes, one potential solution is biofuels. Biofuels are produced by breaking down plant material and converting it into usable fuels, such as ethanol or biodiesel. Corn ethanol is already added to gas to cut down on greenhouse gas emissions. However, creating ethanol is not a zero-carbon process, and supplementing with corn ethanol averages just under 40 percent lower carbon emissions than using only gasoline. Corn ethanol also relies on land which could be used for growing other food crops. Researchers are currently studying how to use invasive plants, as well as plants that require little water, fertilizer, or land to grow, to create the next generation of biofuels. Some promising plant feedstock options include hemp, switchgrass, carrizo cane, jatropha shrubs, and algae. New biotechnologies are also being studied to develop more efficient ways to break down biomass into sugars, which microbes then convert into biofuels. There is also ongoing research to create microbes that can directly convert plants to biofuels, and to enable microbes to produce long-chain, energy-dense hydrocarbons that could be used to fuel heavy-duty vehicles and airplanes. The Information Technology and Innovation Foundation developed several recommendations which could bolster the implementation of biofuels. These recommendations include: Increasing investments in bioenergy and biomanufacturing research and development by 150 percent by the next five years; Engaging the Department of Energy and the Department of Agriculture to support the development of biofuels for aviation, shipping, and “other hard-to-electrify transportation sectors;” and Expanding research into gene-editing tools that can be used to improve biomass processing, increasing the diversity of plant feedstocks that could be leveraged for lower-cost biofuel production. By improving the efficiency of renewable energy technologies like biofuels, wind, and solar, and further innovating in the renewables space, the U.S. science and technology community can help ensure that renewables are leveraged in the effort to counter the climate crisis.

### AT: China Alt Cause---2AC

#### The US is a worse polluter than China

Zhao 22 Irene Zhao. The Foreign Policy Youth Collaborative. Jan. 2, 2022 https://fpyouthcollab.org/our-content/op-eds/global-climate-change/blaming-china-for-climate-change-is-counterproductive/

From October 31 to November 21, world leaders met at the 2021 United Nations Climate Change Conference (COP26) to discuss joint climate change policy for the first time since the 2015 Paris Agreement. Most notably, China and the U.S. released an announcement, agreeing to cooperate on the reduction of methane emissions and the production of greenhouse gas. Although the U.S.-China cooperation is absolutely vital to tackle climate change, this latest agreement is a rare occurrence, representing a rare blip rather than a long-term trend. Nearly nobody believed that the two countries would be able to come to a deal, even after the announcement, news outlets like the Wall Street Journal portrayed it as a “surprise.” Americans became accustomed to constant conflict with China. The media is flooded with depictions that associate China with disease, human rights violations, and debt-trapping. To the majority of Americans, the sustained good relations that are so necessary to form meaningful climate agreements are impossible. In a March 2021 Gallup poll, nine out of ten Americans expressed that they viewed China as a competitor or enemy, with over half believing that the U.S. should seek to limit China’s power. This deep distrust of China has seeped into climate policy, inevitably so. Believing a country to be an inherently evil actor, and an enemy, damages the trust and credibility needed for any purposeful negotiations. American rhetoric on climate change has reflected the negative attitude of the public and the government towards China. Instead of emphasizing collaboration and trust on climate issues, American politicians and media have focused on offloading responsibility and blame onto the Chinese. Even at the summit, Biden blamed China for a lack of progress. “China basically didn’t show up in terms of any commitments to deal with climate change,” he said. “There’s a reason why people should be disappointed in that. I found it disappointing myself.” Biden is wrong. China’s leaders have been committed to the fight against climate change, with President Xi Jinping promising that the country will reach carbon neutrality by 2060. These promises have been followed up with concrete shifts; China has cut coal usage from 70 percent of its total energy consumption in 2009 to around 57 percent in 2020. And, according to the Scientific American, they have promised to end coal financing abroad as well. Even despite challenges in meeting these goals, China’s progress cannot be taken lightly. For an economy so incredibly tied to fossil fuels, shifting fully away from coal without leaving people freezing or hungry during challenges is walking a dangerous tightrope. Biden’s comments are not just comments–they are also a verbal reflection of the hyperfocus on China in climate discussions. Many defenders have backed Biden’s approach, arguing that China is the world’s largest emitter of carbon dioxide, emitting over a quarter of the world’s greenhouse gas. Though the fact that China emits the most carbon dioxide is indisputable, focusing so heavily on this one number leads to the ignorance of the larger, more accurate picture. Saying that China is the world’s biggest polluter is true if one only looks at net emissions, not per capita emissions. Looking at both numbers is important because per capita data accounts for a larger population size–which logically should require more energy. When looking at this data, China is far from the biggest climate change culprit. Instead, data from the Global Carbon Project shows that China comes in 48th place, with only half the per capita emissions of the United States. In other words, the average American has a carbon footprint twice as large as the average Chinese person. Only examining numbers also ignores the wider historical context. Most of the world’s other top emitters have been fully industrialized countries for centuries now. As a result, DW finds that China’s historical emissions, the amount of CO2 emitted since 1750, is barely half of the United States’s. It is unfair to compare the capacity of an economy that has industrialized for centuries, to one that has just experienced an economic boom in recent decades. By the late 20th and early 21st century, when China integrated itself into the global capitalist system, the emissions-reliant development model had already been established. “There was already a problem before China came along,” explains research from the Center for International Climate Research. “So, effectively, China did not create the problem.” Narratives that blame China for failing to solve the climate problems we face today ignore the three centuries in which countries like the United Kingdom and the United States built their economies off massively polluting industries–a pattern which they are continuing to follow. Especially today, emissions in China have benefited consumers in the West. Western countries have outsourced their pollution by mass-consuming products made in carbon-intensive factories, such as machinery, clothing, and electronics. Although the root of the problem lies in Western overconsumption, the emissions show up under China’s data. In other words, Western countries are outsourcing their pollution–benefiting from the products produced through pollution, while escaping the blame. Pushing the culpability for today’s pressing issue of global warming onto China will do nothing to help the people already suffering from increased natural disasters and pollution. However, China is still critical in the fight against climate change. If it continues emitting at its current rate, meeting the goals outlined at the Paris summit in 2015 will become entirely impossible. But the United States has a more or less equal responsibility: our country cannot continue on its current trajectory either. A truly holistic approach to climate change will have to focus entirely on cooperation, and abandon the “blame game” that has dominated international climate summits for so long. As the UCLA Law Review explains, emissions limits adopted in just one country create a phenomenon of international emissions leakage. In this scenario, instead of creating net lower emissions, polluting industries will simply relocate from regulated to unregulated countries. The danger, according to the same UCLA Law Review study, is that “over time, leakage will also render the economy of the recipient of the leaking industry even more carbon intensive, as high-emitting industry relocates there.” Shifting blame and responsibility means that emissions will only shift from country to country, and never truly be eliminated. The solutions are already laid out: we must engage China, meaningfully and respectfully.

#### Justifying US emissions by deflecting towards Chinese coal is racist and continues climate violence

Monbiot 15 Stop using China as an excuse for inaction on climate change. George Monbiot. June 12, 2015. The Guardian. https://www.theguardian.com/environment/georgemonbiot/2015/jun/12/china-excuse-inaction-on-climate-change

China is the world’s excuse for cruelty and barbarism. If we don’t behave atrociously, politicians and columnists assure us, China will, so we had better do it first, before we are outcompeted. You want holidays, collective bargaining rights and fair conditions in the workplace? Forget it. When Chinese workers have none, such fripperies would “hamper British/US/Australian/Canadian industry”, making it uncompetitive. Columnists like Thomas Friedman at the New York Times, gleefully regaling us with tales of Chinese workers being turfed out of their dormitories at midnight, marched to a workstation and obliged to perform a 12-hour shift to meet a last-minute order from Apple, insist that we either compete on these terms or perish. France, he once claimed, is doomed if it seeks to preserve a 35-hour week, while people in Asia “are ready to work a 35-hour day.” In fact French workers are doing fine: it turns out that European countries with shorter working hours (France, the Netherlands and Denmark for example) have higher productivity per hour than those whose workers have to spend longer at their desks (such as Germany and Britain). And a country whose people have both decent wages and time to relax can support millions of jobs – in leisure and pleasure – that don’t exist where workers are treated as little more than slaves. You want your rivers, air and wildlife protected? What planet are you on? China, we are told, doesn’t give a damn for such luxuries, with the result that if we don’t abandon our own regulations, it will take over the world. On no topic are these claims made more often than on climate change. What is the point of limiting our greenhouse gas emissions, a thousand bloggers (and a fair few politicians) insist, if China is building a new power station every two weeks (or days or minutes or whatever the latest hyperbole suggests)? Taking action on climate change is useless and ~~stupid~~ in the face of the Chinese threat. China is not just a country. It is whatever powerful interests want us to be. It is, they suggest, a remorseless, faceless, insuperable threat to civilisation, to which the only rational response is to abandon civilisation. So often is the threat invoked to justify the latest round of inhumane proposals that it needs a name. Perhaps we could hijack one: China Syndrome. China Syndrome is the 21st century extension of the Yellow Peril myth. First formulated by Kaiser Wilhelm II, whose extreme militarism, racism and anti-Semitism prefigured the rise of Nazism in Germany, the term reflects a long-standing apprehension about the people of Asia, dating back perhaps to the Mongol invasions of eastern Europe. It invokes an uncaring, undifferentiated horde of philistines, possessed perhaps with supernatural powers, but without moral limits or human qualities like empathy, pity, love or self-restraint. Unless we took extreme measures to defend ourselves against this threat, Wilhelm and others insisted, this human swarm would outbreed and overrun the nations of the west. The myth became a staple of schlock literature and films, spawning such characters as Fu Manchu and Ming the Merciless. The idea that the people of China might “steal our jobs” is also deep-rooted. It triggered a number of pogroms in the United States during the later decades of the 19thcentury, during which many Chinese immigrant workers were murdered. It is, of course, true that China contributes substantially to the threat of climate breakdown: it is now the world’s largest emitter of greenhouse gases. It is also true that its diplomats often prove to be a hindrance during international negotiations on the subject. That was certainly the case at the UN climate conference in Bonn that ended on Thursday, where they refused even to discuss the crucial issue: how much global warming the policies adopted by each nation will cause. This stands in apparent contrast to the agreement struck this week, as a result of Angela Merkel’s diplomacy, at the G7 meeting, calling for “a decarbonisation of the global economy over the course of this century”. But to suggest that China is an inherent and insuperable threat, as many of my correspondents do (mostly those who alternate between insisting that man-made climate change isn’t happening and insisting that we can’t do anything about it anyway), is grievously to misrepresent the people of that nation. First, of course, much of its energy use is commissioned by other nations. As manufacturing has declined in countries like the US and Britain, and the workforce is mostly engaged in other activities, the fossil fuel burning caused by our consumption of stuff has shifted overseas, along with the blame. Even so, when China’s total greenhouse gas production is divided by its population, you discover that it is still producing much less per head than we are. Partly as a result of a massive investment in renewables, the Chinese demand for coal dropped for the first time last year, and is likely to drop again this year. Perhaps because of the bureaucratic chaos of China’s centralised, unwieldy government, there is a gulf between the energy transition rapidly taking place within China and its negotiating positions in international meetings, which are “in the hands of completely different sets of bureaucrats.” But perhaps the biggest surprise for those who unwittingly invoke the old Yellow Peril tropes is that the Chinese people care more about climate change than we do. A survey released on Monday reveals that 26% of respondents in the UK and 32% in the US believe that climate change is “not a serious problem”, while in China the figure is only 4%. In the UK, 7% don’t want their government to endorse any international agreement addressing climate change. In the US the proportion rises to 17%. But in China, Hong Kong, Indonesia, Singapore, Malaysia and Thailand, only 1% want no action taken. Of course, the question that arises in undemocratic countries like China is the extent to which public desires can shape government policy. But what’s clear is that China’s failure to act decisively on climate change does not arise from any national characteristic. The paternalistic assumption that only the rich nations can afford to care is also based on myth: a myth that – like the Yellow Peril story – dates back to the colonial era. As the Greendex survey of consumer attitudes shows, people in poorer countries tend to feel much guiltier about their impacts on the natural world than people in rich countries, even though those impacts might be far smaller. Of the nations surveyed, the people of Germany, the US, Australia and Britain felt the least consumer guilt; while the people of India, China, Mexico and Brazil felt the most. The more we consume, the less we feel. There is no scope for moral superiority in the climate talks, least of all a moral superiority based on unfounded national stereotypes. Collectively, we are wrecking the delicate atmospheric balance that has allowed human civilisation to flourish. Collectively, we have to sort this out. And it will happen only by taking responsibility for our impacts, rather than by blaming other nations for what we don’t want to do.

### AT: Alt Cause---2AC

#### Be skeptical of alt causes, rejecting denialism from an ethical perspective outweighs. That means you should ignore small deficits to the plan because the magnitude of our impact is so large.

Tucker 12, J.D. Northeastern U. School of Law, is an Assistant Regional Counsel, U.S. Environmental Protection Agency. (William, Deceitful Tongues: Is Climate Change Denial a Crime?, Ecology Law Quarterly Vol. 39, No. 3 (2012), pp. 831-894 , <https://www.jstor.org/stable/24113621?seq=1>)

While consensus among legitimate climate scientists grew during the 1990s, certain corporations whose profits were seen to be jeopardized by limitations on CO2 emissions embarked on a massive, well-funded and highly successful public relations campaign to obscure the findings of the vast majority of climate scientists and confuse the general public about the causes of climate change. Like the campaign by Big Tobacco to conceal the dangers of smoking from the public, the purpose is to indefinitely forestall governmental response to a crisis. That this plan of deception would be at the expense of the environment should have been apparent to those involved in the deceit, including officers of large energy companies whose fiscal duty is to understand and anticipate the environmental impacts of their corporate actions.115 Yet the environmental consequences of their actions seem to have been given little or no consideration. It will be immediately clear to many that the public relations effort to confuse the public about climate change described above is unethical; however, that alone doesn’t make it criminal. To determine if such behavior rises to the level of crime, it first may be useful to examine the question from a philosophical perspective. Historically, there are two rationales under which deception has been condemned by philosophers: the first maintains that the act of lying is morally wrong in and of itself, whereas the second looks to the effects of the lie and the harm it may potentially cause to determine if the lie is severe enough to warrant legal prohibition.116 The first view is generally called the deontological theory, traced to St. Augustine and St. Thomas Aquinas, whose premise was that lying is intrinsically wrong as a sin contrary to the laws of nature.117 And yet to criminalize lying for its own sake, or based solely on the motives of the liar, would be to completely ignore the real reason such behavior has been deemed criminal down through the ages: its potentially harmful effects. Focusing on the effects of a deception, in contrast to the deontological theory, is termed the “consequentialist” or harm-oriented view— the germ of which can be found in the utilitarian writings of John Stuart Mill. In this view, the criminality of an act of deception can be found not so much in the intrinsic immorality of the act itself as in the degree of harm it has the potential to produce, that is, in its consequences. What, then, are the consequences of the program of deceit outlined above? Certainly, the deception itself must be morally condemned. But more than that, the perpetrators of this deception must have been aware that its foreseeable impacts could be devastating for both the human race and the Earth itself. It is not enough to say that the motives of deniers are less than vile; that they are simply guilty of a moral lapse in their zeal to protect the interests of their clients or shareholders. To say that implies that guarding the profits of fossil fuel companies, a purpose in and of itself without moral stigma, wholly absolves the denier of fraud in the service of that motive and all responsibility for the foreseeable consequences of the fraud to humankind. Although the actus reus is different, the same might be said of Jack the Ripper, whose underlying motives were never ascertained and will in all likelihood remain forever a mystery.118 In both instances, it is primarily the effects, not the motive, that steep a morally reprehensible act in criminality. The behavior of deniers is fundamentally and thoroughly deceptive: it sounds in fraud, not just based on the motives of its perpetrators, but because the foreseeable consequences of their acts are so grave. In a worst-case scenario, continued “business as usual” could cause the climate to pass “tipping points” leading to runaway warming that could spell the extermination of the human race and even the end of the Earth as a planet capable of sustaining life.119 Even without such an unthinkable outcome, the effects on humanity and its institutions will likely be devastating, long-lasting and lethal.

### AT: Manne & Moran---2AC

#### Lobbyists can’t use false climate science.

#### No circumvention---durable fiat means the plan is implemented and enforced. Any other model wrecks debate because the plan would lose to Republicans don’t like antitrust, which is bad especially in climate because it cedes politics to the right.

## AT: T---Practices

### AT: T---Practices---2AC

#### We meet---the plan bans the practice of climate denialism completely. Misinformation is a form of price fixing and trade association.

#### Prohibit can mean ‘severely hinder’---doesn’t necessitate a ban.

Washington Court of Appeals 19 (KORSMO-judge. Opinion in State v. Kimball, No. 35441-5-III (Wash. Ct. App. Apr. 2, 2019). Google scholar caselaw. Date accessed 7/13/21).

His argument runs counter to the meaning of the word "prohibit." It means "1. To forbid by law. 2. To prevent, preclude, or severely hinder." BLACK'S LAW DICTIONARY 1405 (10th ed. 2014). As "severely hinder" suggests, a "prohibition" need not be an all or nothing proposition.

#### Anticompetitive practices are strategies that have anticompetitive effects.

Wells 16, Executive Notes Editor, Washington University Global Studies Law Review, J.D., Washington University in St. Louis. (Todd Wells, “Exploring the Space for Antitrust Law in the Race for Space Exploration,” Washington University Global Studies Law Review, Vol. 15, 2016, LexisNexis)

Antitrust law attempts to fight anti-competitive actions. "Anticompetitive practices refer to a wide range of business practices in which a firm or group of firms may engage in order to restrict inter-firm competition to maintain or increase their relative market position and profits without necessarily providing goods and services at a lower cost or of higher quality." The Organization for Economic Cooperation and Development, Glossary of Statistical Terms, Anticompetitive Practices http://stats.oecd.org.proxy.library.georgetown.edu/glossary/detail.asp?ID=3145. Obviously, with such a broad definition of anticompetitive practices, many types of actions can fall under the regulation of anticompetitive law. This can cover forms of collusion, price fixing, bid rigging, bid suppression, complementary bidding, bid rotation, subcontracting, and market divisions. Price Fixing, Bid Rigging, and Market Allocation Schemes: What They Are and What to Look For, U.S. Dep't of Justice, http://www.justice.gov/atr/ public/guidelines/211578.htm. An even broader approach would put patents under antitrust law. "All of these developments, in Congress and the Courts, are in the spirit of harmonizing patent and antitrust law, generally in the direction of subsuming patent law under antitrust law. From the perspective of providing clarity and certainty for those who are the targets of patent and antitrust suits, harmonization has much appeal." Robin Feldman, Patent and Antitrust: Differing Shades of Meaning,13 Va. J.L. & Tech. 1, 7 (2008).

#### Prefer out interp:

#### Overlimiting DA---rule of reason is a core topic controversy.

#### Aff ground---rule of reason counterplan solves every aff with net benefits.

#### No limits or ground loss---innovation das, process cps, and politics. Per se is meaningless and functional limits solve.

#### Reasonability---the alternative causes substance crowd out.

## AT: K---Care Work

### Framework---2AC

#### Vote aff if the plan’s implementation is net positive over the status quo or a competitive alternative---the neg should be held accountable for uniqueness concerns and the consequences of their strategy. Three net benefits.

#### First---Fairness---mooting the 1AC rigs the game for the neg; any other interp is arbitrary and infinitely regressive.

#### Second---Education---rejoining the plan provides a stasis for clash; deliberation lacks value without discussions over applications, especially in the realm of antitrust and climate change---moves it from the domain of technocrats and interrogates solutions to monopolies---that’s Hoffman.

#### Third---Impact Framing---weighing consequences forces responsible decision-making and solutions, otherwise voting neg is an ethical cop-out---that’s Sikkink.

#### Fourth---Disruption DA---it’s impossible without a point of stasis. Limits are essential to effectively care for each other, running to the extremes of argumentation always leaves marginalized bodies behind.

### Permutations---2AC

#### Permutations:

#### 1---do both.

#### 2---the plan then the alternative in all other instances

### AT: Levasseur---2AC

#### No link---truths in the status quo are not implicated by the affirmative. Permutations resolve this offense because the plan does not make it worse, but the alternative alone does because climate change has a disparate effect on marginalized groups---that’s Funes.

### AT: Extinction K---2AC

#### No link---this is about transphobic people being afraid of queer folks which is not the claim the aff has made.

#### Climate fear mongering is good---it injects hope for a materially better future---imagining and debating strategies for policy response solves their offense

**Munger 19**, Online Historical and Communications Consultant, Kerkoporta LLC, previous Centric Law Senior Consultant, and attorney, Rose Law PC, Ph.D., Environmental History, University of Oregon, J.D., University of Tulane Law School. (Sean, 2019, “Addressing the Challenges in Communicating Climate Change Across Various Audiences”; *Climate Change Management*, ISBN 978-3-319-98293-9, Article 8: Avoiding Dispatches from Hell: Communicating Extreme Events in a Persuasive; University of Kansas Libraries, Springer)

A groundswell of literature on climate change communication bears out this simple analysis. “When communicators help people envision solutions to climate change,” counseled the Center for Research on Environmental Decisions, “they provide a positive vision of what the future could be like.” Leading with positive solutions—rather than another description of the problem—even helps with what might otherwise be considered threshold questions, such as whether climate change exists in the first place (CRED 2014). Psychologists and social scientists have argued that climate change communications should propose individual behavior change as part of a coordinated global strategy to transition the world’s economy away from fossil fuel dependence: in other words, a grand plan for constructing a better and cleaner world (Corner and Groves 2014). They have also argued that, because of the psychological nature of how human beings evaluate potential loss versus potential gain, “shifting the policy conversation from the potentially negative future consequences of not acting (losses) on climate change to the positive benefits (gains) of immediate action is likely to increase public support.” Furthermore, comparisons of negatively-framed scenarios versus positively-framed ones have shown that positive messages increase support for mitigation and adaptation efforts (Van der Linden et al. 2015).

Two interlocking issues should be considered next: first, which specific audiences should climate change communicators target with a proactive and positive message, and second, exactly which messages should they use? This paper seeks to raise the conceptual issue of positive messaging, but actually “market-testing” specific messages for discrete audiences is a task that is beyond the scope of my research, which has principally been to recognize general trends in developing literature. Nevertheless, “market-testing” and specific message campaigns could be considered by organizations, preferably with an international reach, interested in climate change communication. Climate Outreach (UK) and the Center for Research on Environmental Decisions (Columbia University, USA) have laid the groundwork for this sort of research. It should be broadened and applied on a larger scale, across national boundaries and involving international media, perhaps by NGOs or other organizations whose traditional focus has been on communicating climate change facts and science—in other words, the messengers whose messages could benefit most from a shift. Much more work needs to be done in this area.

4 Communicating Extreme Events: How Do You Make a Disaster “Positive”?

It is one thing to recognize the benefits of a positive messaging strategy on climate change in the abstract. It is quite another to fit extreme weather events into a more positive context. How does one “spin” events like the South Asia floods of 2017, or Hurricane Maria, into a forward-looking strategy to induce stakeholders to coalesce behind the efforts needed to build a better and cleaner world?

One suggestion is to deploy extreme events strategically to support other communication objectives. Many people feel that climate change is something distant, that’s happening somewhere else and affecting someone else—like the polar bears in the ubiquitous photo—and is not a local and immediate threat. Effective climate change communication should seek to narrow this gap by making people see local and personal impacts of climate change (CRED 2014). Extreme weather events offer the advantage of providing many opportunities for personal stories of how climate change is affecting real people.

One example is the story of Jayden F., a 13-year-old girl from Rayne, Louisiana, who filed a declaration with a U.S. federal district court in the groundbreaking climate change case of Juliana v. U.S. Jayden described the storms of August 2016 that caused rising floodwaters in her hometown. Awakened by her siblings at 5:00 AM, Jayden testified: “I noticed there was water coming from under the door to my room…When I stepped out of my bed, I stepped in water that came up to my ankles. I stepped right in the middle of climate change.…All day, floodwater continued to pour into our home…Our toilets, sinks, and bathtubs began to overflow with awful smelling sewage because our town’s sewer system also flooded. Soon the sewage was everywhere. We had a stream of sewage and water running through our house.” (Declaration of Jayden F. 2016)

Though certainly a “dispatch from Hell,” Jayden’s declaration also contains a statement of steadfast hope for the future: “I am scared. But I will not back down. We will conquer climate change.” To hear these words from a 13-year-old girl— who will likely be alive to experience the better world that climate change communicators should be describing to their audiences—injects a positive emotional note into what otherwise could be a relentlessly depressing story. This message certainly resonates more than the typical “I told you so” or “This is the future” narratives.

Though extreme weather events are by definition negative, people are magnetically drawn to the positive stories they generate. Stories focusing on kindness or altruism have a tendency to “go viral,” especially on social media platforms. For example, after Hurricane Sandy in 2012, numerous photos circulated on the Internet depicting random people in the New York area hanging power strips from fences and gates for strangers to charge their cell phones, homemade signs advertising free food (“Free Tacos @ Tacombi, 267 Elizabeth, today”), or messages thanking first responders posted at Union Square in Manhattan. One such collection was shared tens of thousands of times (Haberman 2012). Such displays invariably follow disasters with high media presence; Hurricane Irma’s version was the tale of Ramon Santiago, an Orlando resident who gave a total stranger he met at a Lowe’s home improvement store a power generator in advance of the hurricane (Fantozzi 2017). This kind of behavior is not as random or unusual as it might seem given the special attention often paid to such acts. While popular conception holds that the default reaction to a disaster situation is irrationality, selfish behavior and panic, scientific study has shown that these responses are comparatively rare (Cocking and Drury 2014). Indeed, witnessing a major disaster, especially one with an environmental component, seems to increase the psychological tendency toward altruism and cooperative behavior (Li et al. 2013).

Extreme weather events, therefore, clearly have the potential to motivate positive, cooperative and determined responses. Climate change communicators focused on positive messaging should always try to generate support for the choice to build a better world—a cleaner economy, with more (and better) jobs, enhanced national security, greater economic opportunity, technological responsibility and environmental justice—in response to climate change. Extreme weather events are incongruous with this vision, but they should be framed as challenges that must be overcome, rather than, as is so often depicted, punishments that must be endured for failing to heed prior warnings. Extreme weather events can also be used to enhance understanding of the enormous human capacity for cooperation, altruism and positive response. “Look how people came together during this event. Can’t we all do that, on a societal level, in response to climate change?” In any event, communicators discussing extreme weather events should, above all else, avoid making the problems of climate change communication worse by reinforcing uniformly destructive, dystopian and depressing narratives that are clearly counterproductive.

### AT: MacGregor---2AC

#### Our framing is structural warming is good, it is a problem and we shouldn’t ignore. The violence caused by climate change is different, but still bad.

#### The aff prevents class struggle by guiding political strategies towards ivory-tower pessimism

Kipcak 20, leading activist of Der Funke, the Austrian section of the IMT (Yola Kipcak, 12-2-2020, "Marxism vs Queer Theory," Socialist Revolution, https://socialistrevolution.org/marxism-vs-queer-theory/)

Resistance is futile!

If we remain in the natural habitat of Queer Theory, the world of academic papers, this debate seems like an intellectual thrill in which one passes philosophical quotes back and forth. However, as we wrote at the beginning, philosophical premises also lead to certain practical conclusions. The omnipresence of power in Queer Theory means that we can never escape from it, that every resistance is only an expression of power itself and ultimately serves stability. Hence, Foucault’s relatively well-known quote that resistance “is never in a position of exteriority in relation to power,” and that therefore there are only “possible, necessary, improbable, spontaneous, savage, solitary, concerted, rampant or violent … quick to compromise, interested or sacrificial” resistances. (History of Sexuality: 95–6.) Recent insights and practices surrounding “queer,” question the belief in the possibility of long-term social change or emancipation in general. (Jagose, 61) This absolute pessimism toward social movements, the belief that any resistance is automatically doomed, shows how little these philosophers understood of the revolutionary movements of the 1960s and 1970s and the reasons for their failure. They reflect the hopelessness of the feminist deadlock, of the petty bourgeoisie that doesn’t trust the working class (if they even believe it exists). Instead of understanding and criticizing the role of the mass organizations’ leadership, they look for new ways of “resistance” without a clear idea against who or what this resistance should be directed, and what methods should be used. The possibility of an overthrow of the ruling system appears unfeasible and impossible. As a consequence, Queer Theory suggests a practice that makes even the mildest reformism look radical. It retreats completely into the field of culture and language. There should be new “terms” for identity, a “new grammar” developed or a “new ethic” drawn up (Gayle Rubins). For instance, in order to “expose” the illusion of sexes, Butler suggests parodying gender identities through “cultural practices of drag, crossdressing and the sexual stylization of butch/femme identities” (GT, 137). This is the only practical suggestion in the whole book Gender Trouble! And Nancy Fraser, relieved, explains: The good news is that we do not need to overthrow capitalism in order to remedy [the economic disadvantage of gays]—although we may well need to overthrow it for other reasons. The bad news is that we need to transform the existing status order and restructure the relations of recognition. (285) Read: we need to improve the image of homosexuality. Here, Fraser, who is comparatively more practically inclined, openly displays her reformism: luckily she doesn’t have to overthrow capitalism! She only has to change how society views homosexuality! It is no wonder that Queer Theory has been willingly taken up by some reformists within the workers’ organizations in order to evade the responsibility of leading an actual struggle against discrimination with strikes, mass protests, in short, methods of class struggle, and instead focus on demands for language reforms, quotas, cultural free spaces and rainbow-colored crosswalks. By omitting the class question, Queer Theory is not only a useful tool in the hands of bureaucrats within the workers’ organizations, it also serves as an ideological justification for a section of the bourgeoisie and capitalist forces to present themselves as LGBT friendly and paint a liberal and progressive image of themselves. Corporations such as Apple or Coca Cola, who exploit tens of thousands of people in terrible working conditions, support LGBT campaigns in their companies or finance party trucks handing out free alcohol at commercialized Pride parades. In order to finance the production of seemingly radical, but actually (for the ruling class) completely harmless ideas, thousands of Euros are spent on gender studies professorships, departments and queer study scholarships, while the left-liberal media and publishers print benevolent articles and novels. Many queer activists are aware of these tendencies and are clearly against the coopting of their resistance by the ruling system. However, Queer Theory does not offer the ideas necessary to fight this usurpation by the ruling class; on the contrary it is part of the ruling ideology that individualizes and camouflages exploitation and oppression, while dividing the united struggle against the system, precisely because united struggle is alien to Queer Theory. Despite its origin as a criticism of traditional identity politics of the 1970s and 1980s, with its circle mentality and internal fights, it has failed to overcome precisely this type of identity politics. Since we can’t escape the omnipresence of power in society, it is also impossible to escape identities even though they are seen as fictitious. Since identifications “are, within the power field of sexuality, inevitable” (GT, 40), and we can at best hope to “parody” these identities, Queer Theory, which started out as a critique of identity politics, ends up exactly where it started: with identity politics. In practice, the old squabbles of who may represent whom continue unabashedly, just like in the radical feminist circles (and against them). Butler states aptly: “Obviously, the political task is not to refuse representational politics—as if we could.” (GT, 8). Any form of collective action and united struggle of all the oppressed becomes a fight, since “unity” and “representation” automatically lead to exclusion and violent oppression: “unity is only purchased through violent excision” (Butler, Merely Cultural, 44). This leads to an individualization of those who oppose the oppressive system under which we live. For instance, queer-feminist Franziska Haug complains that “the identity of the individual—origin, culture, gender etc.—becomes the crux of the matter” in queer-feminist debates, and “the right to speak and fight is being decided depending on the identity of the speaker” (Haug, 236). There is a competition about who is the most oppressed and thus has the right to speak, and who can’t be opposed. Against unwelcome arguments we often hear accusations along the lines of “you, being a white man/cis woman/white trans person don’t have the right to disagree with me, or revoke my subjective point of view.” While trying to exclude no one through “violent generalizations,” a countless number of identities are created that are supposed to cover all thinkable combinations of sexual, romantic, gender and other preferences and that are being administered in a range of queer cliques. Instead of a united struggle of all who want to fight against the system, this logic often leads to mobbing and exclusion within different groups. One queer feminist gives a vivid account of this in her paper, “Feminist Solidarity after Queer Theory” which almost reads like a desperate and intimate diary entry: Despite my qualms about the term bisexual, this descriptor provides a kind of home for me, when everywhere else feels worse. Both heterosexual and lesbian spaces have their own comforts for women, and I have often been excluded from both. I have also been told that I needed to change to ﬁt into those spaces—by acceding either to my true hetero-or homosexuality—and I have felt the moments of truth as well as the sometime hypocrisy and complacency of those demands … It is both necessary and troubling to seek out a home as a gendered or sexual being: necessary because community, recognition, and stability are essential to human flourishing and political resistance, and troubling because those very practices too often congeal into political ideologies and group formations that are exclusive or hegemonic. (Cressida J. Heyes, 1,097) From these lines we can sense the misery created by the pressures and the oppression of capitalism and what they do to our psyche and self-esteem. But it also shows the deadlock of identity politics. Even though the text sets itself the task of finding a form of solidarity between all feminists, it can’t imagine a unity that isn’t based on identity. In practice, identity politics leads to a split in the movement. For instance, in Vienna there have been two separate marches on women’s day on 8 March for years: one by the radical feminists (which can only be attended by women and, in one block, by LGBT persons), and one by the queer activists (where at first no cis men, but since 2019, all who see themselves as feminists can attend). A united demonstration was repeatedly declined by both sides. Against the background of the upswing of mass movements surrounding demands for women’s rights around the globe, and the dormant potential in Austria under a right-wing government, this example reveals the divisive role of identity politics. It is only natural that many people, in particular young people, question established norms in society such as sexuality and gender roles. This has always been the case and as Marxists we defend the rights of all people to express themselves and identify however they want to. But the problem arises here when the personal experience of individuals is theorized, raised to the level of a philosophical principle and generalized for the whole of society and nature. The Queer theorists tell us that being queer or non-binary is progressive and even revolutionary, as opposed to being binary (i.e. man or woman, which the vast majority of humanity is), which is deemed reactionary. Here, however, it is Queer Theory that shows its reactionary side. For all its radical talk against oppression, it opposes a united class struggle and promotes atomization of individuals on the basis of sexual and personal preferences, dividing the working class into ever smaller entities. Meanwhile, the whole rotten exploitative and oppressive edifice of capitalism remains in place.

**Engaging in status quo institutions enables a simultaneous process of critique and engagement that creates coalitional politics**

West 13 — Issac West (Iowa Communication Studies and Gender, Women’s, and Sexuality Studies professor), 2013, Transforming Citizenships Transgender Articulations of the Law

Although these intracommunity contestations of identity may seem far removed from the considerations of citizenship that we have taken up so far, the advocacy work aimed at gaining legal prohibitions against discrimination based upon gender identity may work against these divisive pressures. Of course, subversivism takes place in support groups, bars, and other social spaces, as well as in activist groups, and not every trans person participates in political advocacy. Still, gender identity protections, both the struggle to get them into law and their effects in culture, may continue to provide a center of gravity to unite trans people in common cause. As we have noted in this chapter and the two previous ones, gender identity protections often employ lan¬guage against discrimination based on one's actual or perceived gender identity. In our investigation of INTRA.A's advocacy work and United END.A's refusal to sacrifice gender identity protections, we saw how the law can serve as a site of coalitional politics. And we might find a simi¬lar phenomenon at work within trans communities. Visibility begets its own issues about respectability and who counts as a legitimate mem¬ber of an identity category. So, in this post-posttransexual era, what remains to be seen is whether disputes about subversivism will divide the community or present opportunities to rethink the bases of that community. Legal recognition may just initiate productive discussions towards these ends. What I want to stress most about post-postrans¬seuxality is the future of trans political action, if it is to be successful, cannot be guided by an orthodox commitment to any one philosophy about how best to enable more livable cultural conditions. Instead, in the final pages I want to outline the importance of approaching trans¬gender advocacy as a matter of impure politics how to think through advocacy as it both engages and critiques the state's ability to regulate bodies, genders, and sexualities, if not other identity categories. Originally introduced by cultural studies scholar Lawrence Grossberg, the the idea of impure politics was meant to open a way to move past the ~~paralyzing~~ impasse of programmatic theories of how the Left should respond to the growing threat posed by bur¬geoning hegemony of conservative thought and policies. We can profit¬ably translate Grossberg's concerns to transgender politics to advance an argument about the need to think of political advocacy within the frame of context and contingency in order to develop increasingly effective responses to the attempts to thwart the progress of transgender advocates and allies. The enactments of citizenship presented in this book remind pro¬gressive advocates that they need to attend to dominant logics as oppor¬tunities instead of impediments. As we have demonstrated in various ways throughout the preceding pages, critics and advocates have dif¬fering outlooks on how best to achieve equality. Whatever perspective one takes, at the end of the day, interacting with and in publics requires an acute awareness of the probable and the possible. Contrary to a view that assumes institutional discourses preemptively disable creative appropriations of the law, advocates must "find reasonably democratic structures of institutionalization;' as Grossberg argues, "even if they are impure and compromised:'40 Opposition to institutions in and of itself provides some worthwhile subject positions from which to oper¬ate, but it does not foIIow that these efforts are mutuaUy exclusive with engaging the state or are contrary to them. An impure politics accepts from the outset the need for "both inteIIectual and political progress by movement within the fragile and contradictory realities of people's lives, desires, fears and commitments, and not by some idealized utopia nor by its own theoretical criteria:'41 As a consequence, an impure poli¬tics is a "politics for people who are never innocent and whose hopes are always partly defined by the very powers and inequalities they oppose;' as well as a "modest politics that struggles to effect real change, that enters into the often boring chaIIenges of strategy and compro¬mise."42 For some, an impure politics may promise too little or mistak¬enly sell itself short. In the absence of any plausible political position free from the contamination of normativities, institutions for coIIective governance, and power more generally, we will have to learn how to tactically appropriate what is already available in the name of equality. By way of comparison, we might juxtapose impure politics with Dean Spade's proposed critical trans politics. From the start, I want to be clear about my admiration of Spade's activist and academic work. As the founder of the Sylvia Rivera Law Project and a prolific author on transgender legal issues, Spade has furthered the cause of trans justice in numerous ways. And Spade's recent defense of critical trans politics as one remedy for the violence perpetrated by administrative law ( e.g., state agencies tasked with issuing identity documents, prison regula¬tions, or immigration decisions) focuses much-needed attention to the implementation of abstract legal principles. As Spade describes it, critical trans politics "must move beyond the politics of recognition and inclusion'' because "meaningful transformation will not occur through pronouncements of equality from various government institutions" since "transformative change can only arise through mass mobilization led by populations most directly impacted by the harmful systems that distribute vulnerability and security'v It follows, then, that the agenda of critical trans politics requires "building a political context for mas¬sive redistribution" and "imagin[ing] and demandi[ng] an end to pris¬ons, homelessness, landlords, bosses, immigration enforcement, pov¬erty, and wealth?« Spade's repeated use of the phrase "distribution of vulnerability" sticks with me as one frame for remembering that the injustices trans people face are not isolated or accidental. Likewise, the overall thrust of critical trans politics reminds us that trans justice involves a commitment to addressing related forms of inequalities. As much as I am moved by Spade's work, I want to engage it as one option among many in the development of an impure politics. For me, an impure transgender politics is preferable because it is more than vulgar strategic essentialism or unreconstructed pragmatism; instead, it involves faith in the inventive capabilities of individuals to navigate the complicated discursive terrains of recognition. Transgender advo¬cates and allies may find coalitional opportunities with other activist communities beyond lesbian, gay, and bisexual groups, such as public health advocates, abortion rights activists, and others concerned with social justice. These efforts will transform the understanding of equal¬ity, justice, and freedom as they are deployed. They are also likely to frustrate the law's ability to regulate bodies, genders, and sexualities. J At times, demands for recognition may be complicit with prevailing norms and normativities, but we should also listen to them as public transcripts supported by hidden transcripts that may not invest them¬selves in these norms and normativities. As these discourses are cir-culated, they will both do and undo those who initiate and consume them. Understood in this manner, the future holds out hope because it is yet to be articulated.

### AT: Stanley---2AC

#### That expands neoliberalism AND any link re-intrenches racialized violence

Ludwig 16, \*Department of Political Science, University of Vienna (Gundula Ludwig, 10-5-2016, "Desiring Neoliberalism," Sex Res Social Policy, PubMed Central (PMC), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5080324/>, 13(4): 417-427, doi: 10.1007/s13178-016-0257-6)

Conclusion: Dangerous Entanglements

I agree with Duggan’s description of neoliberal sexual politics that “[t]his new homonormativity comes equipped with a rhetorical recoding of key terms on the history of gay politics: ‘equality’ becomes narrow, formal access to a few conservatizing institutions, ‘freedom’ becomes impunity for bigotry and vast inequalities in commercial life and civil society, the ‘right to privacy’ becomes domestic confinement, and democratic politics itself becomes something to be escaped” (Duggan 2003: 66). However, I want to add that neoliberalism does not only have an impact on sexual politics; the flexibilization of the apparatus of sexuality also advances neoliberal governmentality and neoliberal statehood and is therefore intrinsic to neoliberal governmentality. Neoliberalism is just as anti-social, anti-democratic and violent, as it is tolerant, flexible and pluralistic—not only are the former its hallmarks, the latter are too. Neoliberalism deploys the promise of tolerance, flexibility and pluralism in order to fulfill its anti-social, anti-democratic and violent agenda. The neoliberalization of sexual politics creates new forms of old power relations, which make subjects governable as sexualized subjects, incite a desire to a violent and anti-democratic state, and put nations, populations and subjects in unequal positions through employing a racialized and neocolonial matrix. In light of her diagnoses that neoliberalism is intrinsically anti-democratic (and we could add: also violent), Wendy Brown raises the question of “how much legitimacy neoliberal governance requires from a democratic vocabulary” (Brown 2005: 49)? As I have argued, despite its anti-democratic and violent elements, neoliberal governmentality does require the consensus and acceptance of the majority of the population—not least because neoliberalism is not and cannot be forced upon the population, as it is governed and therefore also relies on the subjects’ self-activation. Thus, neoliberalism also needs to be investigated as political project that engages people, deploys their hopes and promise them a good life, more freedom, wealth or personal fulfillment. Sexual politics need to be investigated as technologies of power that help to organize acceptance and consensus within neoliberalism. What are the consequences of this diagnosis of neoliberalism as embedded in homonormative and homonational politics, which help to incite an anti-democratic and violent state in political terms? Let me conclude with two thoughts. First, what follows from the entanglement of statehood with sexual politics as analyzed above, is that conceiving the state as a protector or guarantor of security limits queer politics’ emancipatory capacity because, as Foucault has taught us, the will and desire to address the state is already an effect of power. Given that the agenda of privatization and erasing all forms of alternatives contribute to the violence of the neoliberal state, queer politics that deploy ‘individual freedom’ and the ‘right to privacy’ also comply with neoliberal politics. Instead of struggling for the inclusion of some, queer emancipatory politics need to search for and invent new, different collective forms of organizing society, social relations, self-relations, care, kinship, and economy. Second, the analysis shows that emancipatory queer politics cannot be single-issue-politics—because sexual politics are always entangled with nationalist, racializing and capitalist projects and are a productive element in constituting them. Consequently, queer politics that aim to be emancipatory for everyone must address racialized, nationalist and capitalist biopolitics on a global scale. What Chandan Reddy problematizes regarding the struggles for obtaining recognition for same-sex partnerships in the USA also applies to the European and German contexts: Reddy critiques that these struggles are entirely disconnected from other social struggles such as those of (illegalized) migrants against the neo-colonial regime of migration (Reddy 2011). Reddy points out the paradox of struggles that focus on same-sex issues, which demand the realization of the promises of modernity—but at the same time these promises are only applied to people whose nationality is ‘proper’ because (illegalized) migrants were not viewed as part of these struggles in the first place. As long as queer struggles fail to address sexualized, racialized, capitalist, neo-colonial biopolitics on a larger scale, the dynamics that Foucault has described as crucial for modern Western biopolitics in a capitalist society cannot be overcome: a dynamics that not only divides humans into a group that is seen as worth of protection and a group that is framed as ‘disposable’ but also a dynamic where the ‘good life’ of the former requires the (social) death of the latter.

#### Taiwan Turn ⁠— queer theory disrupts histories of Taiwanese activism

Kao 21, Department of Sociology, Virginia Commonwealth University (Ying-Chao Kao, 2021, “The coloniality of queer theory: The effects of “homonormativity” on transnational Taiwan’s path to equality,” Special Issue: Queer Asia, Sexualities, Vol. 0(0), pp. 1-18, DOI: 10.1177/13634607211047518)

Colonial disruption between queer theory and practices

Green (2007: 34–36, 40) pinpointed the “oxymoronic formulation” of the “subjectless” queer theory extending to include queers of color, indigenous queers, and trans subjectivities (Eng and Puar, 2020).4 Glocalizing this oxymoron disruption of queer theory and practices in Taiwan has generated unintended coloniality. Ashley argued that homonormativity is “jumping into a future too far from the present […] Our theory and knowledge develop before the [queer collective] practices and histories. Our thinking precedes our action” (interviewee #21, transcript 2016-Jul-14). The preemptive homonormativity critiques deconstructed indigenous identities and self-made norms even before their full constructions. My indigenous interviewees Hana (Truku People) and an anonymous lesbian couple (Amis/Pangcah People) felt pressured by preemptive queering. Indigenous queers in Taiwan faced a two-fold struggle. Resisting inter-ethnic inequalities, they joined the indigenous rights movement to battle for decolonializing intersectional Japanese and Han-Chinese oppressions, pursuing identity reconstruction and reviving cultural traditions (Fell and Davies, 2021; Friedman, 2018). Resisting heteropatriarchy, they endeavored to earn recognition of their queer desires and identities within indigenous kinships/families while the Peoples’ leaders continued to hold authority over interpreting the tradition. Paradoxically, the cultural revival often facilitated the reproduction of heteronormative familism and exploited the decolonial rhetoric to reject LGBTQ+ discourses as Han and Western colonializations that threatened their traditions (Chen, 2013; Teyra et al., 2021). Here, queer anti-identitarianism and homonormativity intervened with double coloniality. They dismantled the already vulnerable Taiwanese indigenous identities before construction and destroyed indigenous queers’ burgeoning gender/sexual subjectivities prematurely with overwhelming deconstructive power. The double coloniality that oppressed Taiwanese indigenous queers echoes the queer Palestinian critique of the Western “empire of critique” (Atshan, 2020), “queer investments in ongoing settler colonialism” (Byrd, 2020: 105), and the tension between anti-colonialism and anti-heteropatriarchy in US indigenous queer studies (Driskill et al., 2011). Owing to queer theory’s preemptive success, Taiwanese activists consciously postponed marital rights for two decades (1990–2007) because of internal contentions. Taiwan’s marriage equality campaign had not officially begun until 2012, joining a triplepackage civil rights amendment (Hsu, 2015). Earlier, nationally leading tóngzh`ı NGOs like the TTHA focused on peer-counseling hotlines, community organization, school and social education, advancing institutional reforms, and promoting HIV/AIDS prevention and sexual health. Duggan’s critique of the Human Rights Campaign’s (HRC) homonormativity waned in Taiwan given that the TTHA provided services to trans, indigenous, and disabled queers years before its full participation in marital campaigns in 2016—three years before Taiwan’s legalization of same-sex marriage (interviews #83– 84; fieldnotes 2019–July–29). Glocalized homonormativity in Taiwan was [unaware] ~~blind~~ to these cross-cultural differences and disrespected queer activists’ collective wisdom. The [ignorance] ~~blindness~~ reproduced a colonial disruption between top-down, text-driven queer theory and the bottom-up, materially embodied queer struggles. For example, Ho’s (2008) critique of the global collusion of conservative Christian-based NGOs ignored the possibilities of change. One NGO that Ho had described as being conservative became vocally supportive of LGBTQ-friendly education and marriage equality because of its leader’s increasing interpersonal interactions with cross-dressing people, queer employees, and institutional collaborations with queer justice groups. Liu’s (2015) Queer Marxism in Two Chinas provides an extreme example of the colonial theory-practice disruption. This book, endorsed by Judith Butler, claimed that there were “two Chinas” but used only one interview from the People’s Republic of China (PRC) and relied predominantly on materials produced in Taiwan, where residents have felt increasingly offended by being mis-identified as part of the PRC and oppressed by PRC’s threats of military annexation and authoritarian dictatorship. Liu’s misidentification risked facilitating the PRC’s threat of assimilation of Taiwan by using the queer rhetoric of homonormativity. The academic success of “queer Marxism” and American queer desires for alternatives have come at the expense of partly exploiting Taiwanese queer activisms and obscured their daily fears and sufferings caused by a neighboring superpower with its military imperialism (Chiang, 2016). These examples revealed that the colonial disruption between queer theory and practices, produced by preemptive homonormativity glocalization, prematurely strangled vulnerable indigenous identities, overshadowed cross-cultural differences, ignored opportunities to change, and accumulated academic capital by exploiting subaltern queer lives.

#### It's collusion with the empire

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Radical queer temporality: Whose inequality is grievable at the right time?

The universalism of homonormativity has led to what I call “radical queer temporality,” a temporal hierarchy based on queer radicals’ American time and futuristic developmentalism that consolidates sexual colonialism. Radical queer temporality builds on a linear imagery of modern sexuality developmentalism—that rose from second-wave feminism (1960s–80s), feminist sex wars (1970s–80s), lesbian/gay liberation/studies (1960s–80s), through queer theory, intersectionality, and third-wave feminism (1990s), to homonormativity, pinkwashing, homonationalism, and queer of color critiques (2000– present). This simplified, US-centered temporality has assimilated queer radicalism to be part of cultural imperialism when used to gatekeep queer Asian publications and to evaluate the extent to which queer Asian studies are radical, critical, cutting-edge, or “outof-date”. Queer theory has a strong genealogy of futurism that radically imagines a “queer planet” (Warner, 1993), transcends the “post-gay” rhetoric (Ghaziani, 2014), and projects “post-queer” politics (Ruffolo, 2016). Radical queer futurism was integral to the 2006 strategic vision of “Beyond Same-Sex Marriage” (BeyondMarriage.org and DeFilippis, 2006; cf. Boggis et al., 2019; my emphasis), which inspired the Against Equality team, which was tired of “the same old rhetoric from the gay marriage movement” (Conrad, 2010, 2014; Nair, 2010: 7; my emphasis). The editors of the 2019 After Marriage Equality trilogy claim that “we” are living in an era “after” marriage equality because the 2015 US Supreme Court ruling has legitimated the US to join the marriage-equality club of over 20 countries (Yarbrough et al., 2019: xvi, xviii). However, who are “we” in these claims? Gay marriage is “old” to whom? Who has the power to periodize queer history? Did US-based queer radicals really care about us—the queer subalterns of “the rest” of the world (Hall, 1996)—when they “radically” proliferated futuristic discourses of “post,” “after,” “against,” and “beyond”? To be fair, no one can or should be expected to study everything. It is “normal” that American queers study American development. However, the banality of queer theory coloniality operates when American scholars conduct and gatekeep knowledge production without awareness that their English-language writing and provincial tastes project imperial power beyond their own borders and conscious control. Imposing the US-centric radical queer temporality on global queer struggles has colonially reproduced what Fabian (2002: 31) called the “denial of coevalness”—“a persistent and systematic tendency to place the referent(s) of anthropology in a Time other than the present of the producer of anthropological discourse”. Queer radicals—by denying living and feeling coevally with Southern queer subalterns—have colluded with imperialism to establish a temporal threshold between their “grievable” inequalities and the “ungrievable” queer traumas of those who fail to live in their “after” era (see grievability politics in Butler, 2010). Making sense of queer struggles between Taiwan and the US helps reveal the coloniality of radical queer temporality. The policies that queer temporality deemed “radical” (e.g., universal healthcare and LGBTQ-inclusive education) have been practiced for years in Taiwan. Why did it not frame the legitimate demands before marriage equality, or define them as infrastructures beneath marriage equality? In 2018–2019, whereas Taiwanese queers were resisting the American Christianity-inspired conservative backlash and requesting help, the HRC and Freedom to Marry—those being critiqued as “homonormative” (Duggan, 2003)—offered substantive aid. Meanwhile, American queer radicals discursively threw Taiwanese queers under the bus, branded with After Marriage Equality (DeFilippis et al., 2018; Jones et al., 2018; Yarbrough et al., 2019). In 2017, global queers in over 87% of the United Nations’ members, including former colonies, did not enjoy living in the “after” marriage equality era. Homosexual behaviors were criminalized in 71 states, including 10 punishing homosexuality with the death penalty. Freedom of sexuality-related speech was prohibited in 19 states; 26 states prohibited queers’ rights of assembly for sexual citizenship (Carroll and Mendos, 2017: 37–46). All these queer sufferings were framed as ungrievable in the queer radicals’ after era. “Radical queer temporality” became colonial while its deployment of the symbolic and affective orders was unconsciously othering Asian and Southern queers as backward, ungrievable, and conservative. Love (2009) has argued that endless futuristic queer desires come at the cost of forgetting and “backwarding” the underprivileged groups (such as queers of color, sexual “perverts,” and gender transgressors) who are currently battling with daily difficulties to access progress and the promised future (Liu, 2020: 10). Queer radicalism becomes complicit of American imperial epistemology and the “empire of critique” (Atshan, 2020) while its futurism consistently backwards subalterns with its rhetoric of post, after, and beyond.

Double standards

Radical queer temporality has further produced double standards that would constrain Asian sexualities to a colonial epistemology where Euro-American sexual modernity dominates. In the 17th–19th centuries, Christian colonizers condemned the prevalent East Asian homoeroticism as promiscuous, morally corrupt, and backward (Chou, 2000; Stevenson and Wu, 2013). Vitiello (2013: 12) indicated that, although male same-sex desires were evaluated moralistically in late imperial China, “sodomy significantly appear[ed] never to be punished per se, but only in conjunction with more serious crimes.” Homoeroticism was tolerated as “an integral part of male sexuality” that could coexist with patrilineal procreation (Vitiello, 2013: 1–14, 203–210), while being immune to the pathologization and religious demonization that Foucault (1990) examined in The [Western] History of Sexuality. The anti-sodomy ideology, fueled by Christian supremacism, had influenced East Asia through imperial intrusion, religious missions, and sexual science. Institutions of sex education, sexual psychology, the literature, tabloid, and the actor–patron relationship became the battlefields of sexuality where homophobia was glocalized as an intersectional consequence of nationalist shame, sexual science, women’s emancipation, and heteronormative free romantic love (Chiang, 2018; Kang, 2009; Sang, 2003). Homophobia and anti-sodomy ideology eventually suppressed the Chinese tradition of conditionally tolerating homoeroticism (Sang, 2003), marginalized the once existing sexual dissenters (Kang, 2009: 41–59), and overwrote the sexual normality based on Christian heteropatriarchy and Western modernity.5 This newly created Chinese “tradition” was introduced to postWWII Taiwan through the flows of migrants and books from China to Taiwan with Chiang Kai-shek’s Nationalist Government. Ironically, many Taiwanese, especially moral conservatives that I interviewed, have internalized anti-homosexuality as a “Chinese tradition”. Moral colonizers have flipped the sexuality standard in the 21st century, when major Euro-American countries have legalized same-sex marriage. The Asias not having done so are again being framed as backward, conservative, and under-civilized, waiting for Western enlightenment. Sexual modernity represents a colonial trap and an imperial trope, in which Asian sexualities have been interpreted as backward by Euro-American double standards for centuries. Pursuing queer radicalism without challenging one’s US-centric temporality, colonial epistemology, and Orientalist queer affective structure leads to a critical queer theory such as homonormativity colluding with American imperialism, Christian supremacy, and an epistemological hegemony that continues to dominate the Oriental Others (Said, 1979

### AT: Malatino---2AC

#### The alternative cedes politics to the right and re-inscribes gender roles

McCluskey 8 — Martha McCluskey (Professor of Law and William J. Magavern Faculty Scholar at SUNY Buffalo Law), 2008, How Queer Theory Makes Neoliberalism Sexy, Buffalo Legal Studies Research Paper No. 2008-15

Queer theory's anti-moralism works together with its anti-statism to advance not simply "politics," but a specific vision of good "politics" seemingly defined in opposition to progressive law and morality. This anti-statist focus distinguishes queer theory from other critical legal theories that bring questions of power to bear on moral ideals of justice. Kendall Thomas (2002), for example, articulates a critical political model that sees justice as a problem of "power, antagonism, and interest," (p. 86) involving questions of how to constitute and support individuals as citizens with interests and actions that count as alternative visions of the public. Thomas contrasts this political model of justice with a moral justice aimed at discovering principles of fairness or institutional processes based in rational consensus and on personal feelings of respect and dignity. Rather than evaluating the moral costs and benefits of a particular policy by analyzing its impact in terms of harm or pleasure, Thomas suggests that a political vision of justice would focus on analyzing how policies produce and enhance the collective power of particular "publics" and "counterpublics" (pp. 91—5). From this political perspective of justice, neoliberal economic ideology is distinctly moral, even though it appears to be anti-moralist and to reduce moral principles to competition between self-interested power. Free-market economics rejects a political vision of justice, in this sense, in part because of its expressed anti-statism: it turns contested normative questions of public power into objective rational calculations of private individual sensibilities. Queer theory's similar tendency to romanticize power as the pursuit of individualistic pleasure free from public control risks disengaging from and disdaining the collective efforts to build and advance normative visions of the state that arguably define effective politics. Brown and Halley (2002), for instance, cite the Montgomery bus boycott as a classic example of the left's problematic march into legalistic and moralistic identity politics. In contrast, Thomas (2002) analyzes the Montgomery bus boycott as a positive example of a political effort to constitute a black civic public, even though the boycott campaign relied on moral language to advance its cause, because it also emphasized and challenged normative ideas of citizenship (p. 100, note 14). By glorifying rather than deconstructing the neoliberal dichotomy between public and private, between individual interest and group identity, and between demands for power and demands for protection, queer theory's anti-statism and anti-moralism plays into a right-wing double bind. In the current conservative political context, the left appears weak both because its efforts to use state power get constructed as excessively moralistic (the feminist thought police, or the naively paternalistic welfare state) and also because its efforts to resist state power get constructed as excessively relativist (promoting elitism and materialism instead of family values and community well-being). The right, on the other hand, has it both ways, asserting its moralism as inherent private authority transcending human subjectivity (as efficient market forces, the sacred family, or divine will) and defending its cultivation of self-interested power as the ideally virtuous state and market (bringing freedom, democracy, equality to the world by exercising economic and military authoritarianism). From Egalitarian Politics to Renewed Conservative Identity Queer theory's anti-statism and anti-moralism risks not only reinforcing right-wing ideology, but also infusing that ideology with energy from renewed identity politics. Susan Fraiman (2003) analyzes how queer theory (along with other prominent developments in left academics and culture) tends to construct left resistance as a radical individualism modeled on the male "teen rebel, defined above all by his strenuous alienation from the maternal" (p. xii). Fraiman observes that this left vision relies on "a posture of flamboyant unconventionality [that] coexists with highly conventional views of gender [and] is, indeed, articulated through them" (p. xiii). Fraiman links recent left contempt for feminism to a romantic vision of "coolness ... epitomized by the modem adolescent boy in his anxious, self-conscious and theatricalized will to separate from the mother" who is by definition uncool—controlling, moralistic, sentimental and not sexy. (p. xii). Even though queer theory distinguishes itself from feminism by repudiating dualistic ideas of gender, its anti-foundationalism covertly promotes an essentialist "binary that puts femininity, reproduction, and normativity on the one hand, and masculinity, sexuality, and queer resistance on the other" (p. 147). This binary permeates queer theory's condemnation of "governance feminism." (Brown and Halley, 2002; Wiegman, 2004) a vague category mobilizing images of the frumpy, overbearing, unexciting, unfunny, and not-so-smart "schoolmarm" (Halley, 2002) whose authority will naturally be undermined when real "men" appear on the scene. Suggesting the importance of gender conventions to the term's power, similar phrases do not seem to have gained comparable academic currency as a way to deride the complex regulatory impact of other specific uses of state authority -for instance postmodernists do not seem to widely denounce "governance anti-racism," "governance socialism," "governance populism," "governance environmentalism" or "governance masculinism" (though Brown and Halley do criticize progressive law reform more generally with the term "governance legalism" (p. 11)). Queer attraction to an adolescent masculinist idea of the "cool' dovetails smoothly with the identity politics of the right. Right-wing politics and culture similarly condemn progressive and feminist policies with the term "nanny state" (McCluskey, 2000; 2005a). The "nanny state" epithet enlists femaleness or femininity as shorthand to make some government authority feel bad to those comfortable with or excited by a masculinist moral order, it adds to this sentimental power by coding the maternal authority to be resisted as a "nanny" (rather than simply a "mommy"), enlisting identities of class, age—and perhaps race and nationality—to enhance uncritical suspicions of disorder and illegitimacy. The "nanny state" slur tells us that a rougher and tougher neoliberal state, market, and family will bring the grown-up pleasures, freedom, and power that are the mark and privilege of ideal manhood. The "nanny state" is not an isolated example of the use of gender identity to disparage progressive or even centrist policies that are not explicitly identified as feminist or gender-related. For example, "girlie-man" gained currency in the 2004 presidential election to disparage opposition to George W. Bush's right-wing economic and national security policies (Grossman and McClain, 2004), and and in 2008 critics of presidential candidate Barack Obama similarly linked him to disparaging images of femininity (Campanile 2008; Faludi 2008). These terms open a window into the connections between economic libertarianism and moral fundamentalism. Libertarianism's anti-statism and anti-moralism requires sharp distinctions between public and private, morality and power, individual freedom and social coercion. The problem, if we assume these distinctions are not self-evident facts, is that libertarianism must refer covertly to some external value system to draw its lines. Identity conventions have long helped to do this work, albeit in complex and sometimes contradictory ways. Power appears weak, deceptive, illegitimate, manipulative, controlling, undisciplined, oppressive, exceptional, or naive if it is feminized; but strong, self-satisfying, public-serving, protective, orderly, rational, and a normal exercise of individual freedom if it is masculinized. Conventional political theory and culture identifies legitimate authority with an idea of a masculine power aimed at policing supposedly weaker or subordinate others. A state that publicly depends on and promotes such power enhances rather than usurps private freedom and security in citizenship, market, and family, according to the traditional theory of the patriarchal household as model for the state (see Dubber, 2005). Queer theory updates this pre-modern political ideology into smart postmodernism and transgressive politics by re-casting its idealized masculine power in the image of a youthful and sexy disdain for feminized concerns about social, bodily, or material limits and support. In her challenge to this queer romanticization of "coolness," Fraiman (2003) instead urges a feminism that will "question a masculinity overinvested in youth, fearful of the mutable flesh, and on the run from intimacy ... [to] claim, in its place, the jouissance of a body that is aging, pulpy, no longer intact... a subject who is tender-hearted ... who is neither too hard nor too fluid for attachment; who does the banal, scarcely narratable, but helpful things that moms' do" (p. 158). Feminist legal theory concerned with economic politics adds to this alternative vision an ideal that advances and rewards the pleasure, power, and public value of the things done by some of those moms' nannies (McCluskey, 2005a)—or by the many others engaged in the work (both paid and unpaid) that sustains and enhances others' pleasure and power in and out of the home (McCluskey, 2003a; Young, 2001). One means toward that end would be to make the domestic work (and its play and pleasure) conventionally treated as both banal or spiritual (see Roberts, 1997b) deserving of a greater share of state and market material rewards and resources on a more egalitarian basis, as Fineman's (2004) vision would do.

#### The 1NC has made a performative choice to omit race in their whitened K---inserting these examples from cross-ex

#### 1. Levasseur

Levasseur 15 M. Dru Levasseur, 2015, J.D. Western New England University School of Law, is the Transgender Rights Project National Director for Lambda Legal Defense & Education Fund, Inc. and co-founder of the Jim Collins Foundation, Inc., Vermont Law Review, [https://lawreview.vermontlaw.edu/wp-content/uploads/2015/05/39-4-06\_Levasseur.pdf //](https://lawreview.vermontlaw.edu/wp-content/uploads/2015/05/39-4-06_Levasseur.pdf%20//) wwu-kck (:33)

This section will provide an overview of the “legal horrors” that transgender people have historically faced when courts are uneducated or resistant to understanding sex, instead relying upon outdated and, at times, punishingly creative methods of determining sex. Transgender litigants have paid the ultimate price, particularly in the marriage, custody, and discrimination contexts. In his article, “If I Follow the Rules, Will You Make Me a Man?”: Patterns in Transsexual Validation, Dr. Jamison Green, the current President of WPATH, details the ways the legal system has always limited who was considered a “person” in the eyes of the law.105 For centuries, rights, privileges, and status could accrue only to male bodies (in some cases in British, European, and American societies, only to Caucasian, light-skinned, male bodies.) [sic] Women and non-white men were chattels, servants, or little more than beasts of burden, and were frequently regarded as lacking the capacity to reason, even lacking souls.106 Dr. Green notes that to be a “person” in the eyes of the law, to obtain the rights, privilege, and status afforded by the law, transgender people must fall into one of the two categories of the legal binary gender system: male or female.[A]s is apparent in the case law evolution, there have been exceptional barriers to transsexual people who attempt to exercise their civil rights and responsibilities simply because their transsexual status renders them suspect, or outside the law to the extent that their altered or different bodies make them seem less than human.108 As Professors Julie Greenberg and Marybeth Herald note in their article, You Can’t Take it With You: Constitutional Consequences of Interstate Gender Identity Rulings, in limiting determinations of sex to these two categories, the U.S. judiciary is out-of-step with the latest medical understanding of sex and lags behind other countries in acknowledging and implementing a non-binary system.109 The courts have looked to history and precedent and have generally ignored or rejected the scientific information found in medical testimony that other countries have been acknowledging for years.110 “Medical testimony [is] crucial in shedding light” on the range of human variation in sex and the fact that the transgender and intersex111 experience is part of human variation.112 However, “a need for consistency, in conjunction with law’s requirement to look to precedent and statutes for guidance, can compel judges to reduce complexity and even reject inconvenient new information.”113 As Dr. Green states, the result is that in the United States, “trans litigants remain at the mercy of individual judges who are free to exercise their personal biases as they interpret whatever laws they can find to apply to the facts at hand.”114 Even as they make strides inside mainstream culture,115 transgender people remain “strangers to the law.”116 When seeking legal recognition in the courts, transgender people “face the possibility of a systematic obliteration of their personal identity,”117 what Professor Taylor Flynn labels, “a legal shredding of self.”118 Transgender people have been dehumanized, have had core, intimate aspects of their selves legally erased and their bodies publicly dissected for purported function and appearance.119 Transgender people have been judged defiant and worthy of punishment,120 immoral,121 fraudulent,122 mentally ill,123 delusional,124 medically wrong,125 or imaginary/nonexistent.126 Behind the “legal horror”127 of courts’ inability to accept and validate transgender people as full human beings is the courts’ failure to embrace the medical understanding of sex, which gives primacy to gender identity when weighing the factors of sex. A. Courts Have Used Dehumanizing and Inconsistent Methods of Determining Sex That Are Contrary to Medical Authority 1. Marriage/Custody Context In the past, courts have used a variety of approaches to determine a person’s legal sex that have been inconsistent with, and at times, contrary to the latest understandings of medical science—with harmful and degrading results.128 In the marriage context, for example, courts have used an “essentialist approach [where] sex is immutable and fixed at birth,” rather than multifaceted.129 Using this fixed-determination theory,130 courts have concluded that sex is determined by a person’s genitals, or sometimes chromosomes, and that no matter what one does to one’s body,131 one can never alter one’s originally assigned sex.132 The defining case for the notion that sex is fixed at birth was the 1970 English case, Corbett v. Corbett.133 In Corbett, the court would not consider the gender identity, or even medical interventions, of the transgender litigant, April Ashley Corbett.134 Instead, the court used dehumanizing language to refer to Ms. Corbett’s body, finding that surgical intervention created “artificial” sex attributes.135 Even though the court was presented with expert medical testimony as to the nature of transsexualism, including testimony about how transsexualism can be considered an intersex condition and the existence of a “male or female brain,” the court determined “that the biological sexual constitution of an individual is fixed at birth (at the latest), and cannot be changed, either by the natural development of organs of the opposite sex, or by medical or surgical means.”136 Though U.S. courts are not bound by court decisions of other countries, they relied almost without exception on the Corbett reasoning and other “determinism” approaches,137 rather than the scientific literature other countries were beginning to consider.138 The U.S. courts embraced what Greenberg and Herald call a “kaleidoscope of approaches”139 for determining sex, including the ability to have children,140 religious rhetoric,141 “public policy against same-sex marriages,”142 the plain meaning rule,143 chromosomes,144 and Webster’s dictionary,145 all of which robbed transgender people of their dignity, and at times their families.146 In England, Corbett’s legacy lasted an unfortunate thirty-five years, until in 2004, Parliament adopted the Gender Recognition Act. This law gives credence to gender identity for all purposes of determining sex.147 The Corbett reasoning, however, took hold in the United States, and its impact continues to linger in some U.S. courts, even though it has now been completely overruled in its country of origin. Noting the impact of this case and its legacy in the United States, Dr. Green writes: This desire to pin, cement, or stabilize sex, based on a narrow view of human experience has damaged the lives of countless transsexual and other sex and gender-variant people by denying them any possibility of personal development, self-discovery, or access to medical technologies that might permit them to live full lives.148 Interestingly, Greenberg and Herald point out that the lower courts in Kantaras v. Kantaras (Florida trial court)149 and In re Estate of Gardiner (Kansas Court of Appeals)150 “conducted a thorough review of the [latest] medical and legal literature on transsexualism,”151 which included “well- substantiated medical information about the diversity of biological variations in sex.”152 Specifically, the courts were offered evidence “refuting the rigid binary of exclusive male and female categories” that “can be objectively detected by observation at the moment of birth . . . and the assumption that chromosomes always comport with genital configuration, both significant premises in the Corbett reasoning.”153 After reviewing the evidence, the Gardiner court “rejected the earlier decisions as ‘a rigid and simplistic approach to issues that are far more complex than addressed.’”154 However, the court of appeals reversed the trial court’s decision, which had relied entirely upon the record, and instead relied upon Webster’s New Twentieth Century Dictionary and Black’s Law Dictionary155 to define “male” as “designating or of the sex that fertilizes the ovum and begets offspring: opposed to female” and “female” as “designating or of the sex that produces ova and bears offspring: opposed to male.”156 The court of appeals stated: “The plain, ordinary meaning of ‘persons of the opposite sex’ contemplates a biological man and a biological woman and not persons who are experiencing gender dysphoria.”157 In the marriage and custody context, transgender litigants often must undergo a barrage of intrusive inquiries about their bodies, their medical histories and their sex lives in cases where these questions have nothing to do with their parenting ability.162 The courts, using cisgender bodies as a presumed norm, de-humanize transgender and intersex bodies.163 “Trans women and men thus must participate in a system that robs them of dignity and privacy to protect the most precious and personal aspects of their lives.”164 Similarly, when seeking protections under discrimination laws, particularly in the workplace context, courts have historically treated transgender litigants’ claims as somehow separate and undeserving of the law’s promises of formal justice. 2. Discrimination Context Although it may seem obvious that an employer’s decision to fire an employee based on gender transition could not be anything other than discrimination based on sex,165 early judicial opinions involving Title VII of the federal Civil Rights Act of 1964 excluded transgender people from the concept of “sex.” Courts in the 1970s and 1980s deemed transgender people as legally nonexistent—not a man or a woman.166 Courts repeatedly rejected claims of sex discrimination by transgender people on the grounds that “Congress had a narrow view of sex in mind” when it added sex to Title VII and it did not “believe[] that transsexuals should enjoy the protection of Title VII.”167 In doing so, courts revealed a deep lack of understanding of who transgender people are, dismissing the experience as a choice or personal belief, and referring to the litigants’ bodies as “surgically altered” for appearance’s sake.168 For example, in Holloway v. Arthur Anderson & Co., the Ninth Circuit held that Holloway, a transgender woman who was fired when she transitioned on the job, was not discriminated against “because she is male or female, but rather because she is a transsexual who chose to change her sex.”169 Similarly, in Ulane v. Eastern Airlines, Inc., the Seventh Circuit held that a transgender woman, fired from her job as an airline pilot because she transitioned, failed to state a viable claim of sex discrimination under Title VII.170 In dismissing her claim, the court provided a graphic example of the level of disrespect toward transgender plaintiffs bringing Title VII claims at the time: Ulane is entitled to any personal belief about her sexual identity she desires. . . . But even if one believes that a woman can be so easily created from what remains of a man, that does not decide this case. . . . [I]f Eastern did discriminate against Ulane, it was not because she is female, but because Ulane is a transsexual—a biological male who takes female hormones, cross-dresses, and has surgically altered parts of her body to make it appear to be female. Just as lower courts in the marriage and custody cases tended to pay deference to medical experts’ views of sex and find for the transgender litigant, only to be overturned by the appeals court, the district court in Ulane had held: [S]ex is not a cut-and-dried matter of chromosomes, and . . . that the term, “sex,” as used in any scientific sense and as used in the statute can be and should be reasonably interpreted to include among its denotations the question of sexual identity and that, therefore, transsexuals are protected by Title VII.172 The U.S. Supreme Court’s expansion of the interpretation of the term “sex” in both the 1989 Price Waterhouse decision (sex stereotyping)173 and the 1998 Oncale decision (same-sex sexual harassment)174 extended the reach of Title VII and state nondiscrimination laws for transgender people, as did the erosion of the Court’s distinction between the terms “sex” and “gender.”175 The exclusion of transgender people from the meaning of sex under Title VII was rooted in a distinction between sex as a fundamental “biological truth” and gender as a psychological, expressive self-identity.176 A handful of courts recognized that sex was, perhaps, not clear-cut, easy to measure, or somehow distinct from self-identity.177 But, in the discrimination context, the conflation of “sex” and “gender” allowed courts leeway to generally avoid examining what sex means where sex could simply be seen as the motivating factor behind the unlawful conduct.178

#### 2. Malatino

Malatino ’18 (Hil Malatino: assistant professor in the departments of women's, gender, and sexuality studies and philosophy at Penn State. He is author of Trans Care and Queer Embodiment: Monstrosity, Medical Violence, and Intersex Experience , “Tough Breaks: Trans Rage and the cultivation of Resilience,” Hypatia) /wwu-kck

CARE CeCe McDonald’s prison letters, edited by Omise’eke Natasha Tinsley for publication in Transgender Studies Quarterly, illuminate the high cost of rage for black trans women. McDonald was imprisoned for twenty-six months in the Hennepin County Jail Stillwater and St. Cloud facilities in Minnesota following an act of self-defense where she fought off a transphobic attacker, emerging with her life intact. Her letters, written from within what she calls the “concrete chaos” of prison life (McDonald 2017, 243), speak to us of the genesis of black trans rage, but also of the resilience and love that both motivates such rage and emerges in its wake. In these letters, McDonald uses her story as an opportunity to reflect on the failure of the carceral state to address violence against women—all women, but especially trans women and women of color. She discusses the assumption of the police that the group of black queer and trans youth were the aggressors in the attack, writing “surely, for them, it had to have been the group of black kids who started all this drama” (258). This is not at all surprising; as Lugones reminds us, the racist, sexist typology of the irrationally angry black woman runs deep in official worlds of sense. In the imaginary of the arresting officers, we can safely assume it was compounded by assumptions about the supposedly endemic aggression and violence of black urban youth. McDonald’s conclusion, drawn from a lifetime of violence, shunning, scapegoating, with no viable institutional or legal means to redress this abuse, is this: given her status as a trans woman of color, she would be foolish to believe that the state will protect her. The people who will save her life, who will make her life livable, are herself and her friends. In this environment, rage is a resource: it quite literally saves lives. Embracing her learned willingness to protect herself in the context of repeated bashings (which she recounts, in detail, in her letters), she reflects, Street violence and transwomen go hand in hand, and I’m sure that if asked any transwoman can agree that most of her conflicts occurred outside of her dwelling. For me, all of the incidents that I’ve experienced were outside of the home. I, and most transwomen, have to deal with violence more often and at a higher rate than any cissexual person, so every day is a harder struggle, and the everyday things that a cissexual person can do with ease are a constant risk, even something as simple as taking public transportation. Street violence has affected me drastically, and I think—no, I know—that if I never learned to assert myself that I would’ve never gained the courage to defend myself against those who have no respect or gratitude towards others in the world, I would have met my demise years ago. (258; emphasis mine) In situations of abuse, particularly those wherein calling the police only redoubles violence and injustice, an infrapolitical ethics of care is called for. By “infrapolitical ethics of care,” I mean a reliance on a community of friends to protect and defend one from violence, to witness and mirror one another’s rage, in empathy, and to support one another during and after the breaking that accompanies rage. Infrapolitics, a concept developed by James C. Scott in Domination and the Arts of Resistance, names the forms of resistance enacted by subordinate groups that don’t tend to register on the radar of oppressors. It indexes “the circumspect struggles waged daily” that are, “like infrared rays, beyond the visible end of the spectrum” (Scott 1990, 183). Infrapolitics takes many forms, very few of which register as conventional forms of political resistance. It is shaped by an attention to the forms of care that enable coconstituted, interdependent subjects to repair, rebuild, and cultivate resilience— whether that is housing someone after they’ve been ousted from the dwelling of their family of origin, cooking for someone in a moment where healing might be needed (post-surgical transition, in the context of an emotional crisis, or because someone is in danger of activist burnout), defending one’s beloveds in the face of multivalent forms of violence, or simply empathetically listening to someone describe such forms of violence. Crucially, Scott contends that infrapolitics “provides much of the cultural and structural underpinning of... more visible forms of political action” (184). By conjoining the term “infrapolitics” to “ethics of care,” I explicitly position care ethics— the embodied, person-to-person practices of assistance and support that foster capacities for personal and communal flourishing—as integral to political movement, in a way that disrupts any rending of the private (the ostensible realm of care) from the public (the ostensible realm of political action). In doing so, I build on the work of feminist care ethicists like Nel Noddings and Fiona Robinson, who have argued for the necessity of understanding care as a fundamental component not just of kin relations, but of public policy and international relations, thus disrupting the assumption that an ethic of care is limited to the domestic sphere (Robinson 1999; Noddings 2002). Somewhat differently, an infrapolitical ethics of care is located in excess of this binary. Rather, it is a form of care that circulates among a beloved community that enables both political resistance and intracommunal survival and resilience. It moves us beyond (sometimes troublingly neoliberal) understandings of “self-care” and into a terrain shaped by the recognition that caring, in the context of structural marginalization and systemic violence, must always be collective. An infrapolitical ethics of care is comprised of all of those phenomena that enable one to piece themselves together in the aftermath of a break, all those forms of caring labor, from attending to basic survival needs to generating, supporting, and co-elaborating continued reasons for living. We see this ethic throughout trans and queer histories, from Stonewall to the uprising at Compton’s Cafeteria to the activism of Bash Back! and pink-bloc antifascist protesters. Maintaining one’s life sometimes comes down to the ability of a squad, crew, or clique to counteract street violence. We also see an infrapolitical ethics of care at work in the experiences of the New Jersey 4, the group the New York Post indicted as a “Lesbian Wolf Pack” who were imprisoned for self-defense when they fought back against a homophobic street attacker (Richie 2012, 12). We see it again in the phenomenon of the queer/trans DC gang documented in the film Check It (2017). Although certain actions undertaken in the name of this ethics might open the door to imprisonment and other forms of institutional abuse, particularly if one is racialized as nonwhite and thus subject to intensified forms of state, carceral, and administrative violence, they do make it more possible to emerge with one’s life. To put this differently: one of the central aspects of an infrapolitical ethics of care is to support vulnerable and traumatized persons in the context of a break: to witness, hold space for, and, when appropriate, amplify and intensify their anger, especially if this amplification serves the greater purpose of keeping one another alive. This is the precise opposite of shunning, wherein a break brought on by trauma is met with communal criticism and rejection, and especially distinct from the practice of calling the police in the hopes that they, or some other state actor, might successfully manage or mitigate a break. Sarah Schulman, in Conflict is Not Abuse, expounds on the importance of such practices of empathetic witnessing, writing, “nothing disrupts dehumanization more quickly than inviting someone over, looking into their eyes, hearing their voice, and listening” (Schulman 2016, 280). She positions this form of infrapolitical care as a communal responsibility shared between and among marginalized subjects, calling it the “duty of repair” (31). Repair is essential to an infrapolitical ethics of care. It is crucial that that we support practices of healing and accountability as we move through and beyond breaks and aid one another in the process of envisioning and inhabiting more livable lives. Situating ethics infrapolitically and collectively, as something that happens among friends and parallel to, outside of, or beyond institutions, means that we assume responsibility for one another’s lives. It means that our support in the context of a break should remain present in the aftermath of one; that we do our best to recognize, simultaneously, the possibilities that breaks enable and the vulnerability and precarity that is often exaggerated in their aftermath. My thinking about infrapolitical ethics of care is derived from Butler’s writing on “ethics under pressure” (Butler 2015, 63), which is a form of ethics that takes as central the idea that each one of us desires life, which means desiring the endless renegotiation of the social and political conditions that enable life. Within an ethics under pressure, bodies “incite one another to live” (89). It would seem, on the face of it, that rage has no place in an ethics under pressure, but rage is a manifestation of dealing with pressure and responding to trauma. Rage is what must be grappled with to come to a place wherein we incite one another to live; it is a manifestation of the conatus, of the drive to keep living, in and through conditions that seem inimical to our survival. Put differently, the desire to live well, to lead a life under conditions that support resilience and flourishing, sometimes manifests as rage. If we understand rage to be an extroverted response to forms of trauma that, when internalized, manifest as depression, this means that rage is closely allied to desire. Rage is a legitimate response to significant existential impediments, to roadblocks that minimize, circumscribe, and reduce one’s possibilities, and it is a response that seeks to transform—and destroy—such impediments. It is instructive to revisit Audre Lorde’s writings on the anger experienced by women of color in response to the racism of white feminists, as what she says about anger illuminates the ties between rage and desire. This commentary resonates, as well, with Schulman’s discussion of the “duty to repair” insofar as processing and working with anger is central to negotiating infrapolitical support, even—perhaps especially—in moments of conflict, dissension, and affective and communicative difficulty. Lorde situates her meditation on anger by highlighting that minoritized subjects engaged in social-justice movements are “working in a context of opposition and threat, the cause of which is certainly not the angers which lie between us, but rather that virulent hatred leveled... against all of us who are seeking to examine the particulars of our lives as we resist our oppressions, moving toward coalition and effective action” (Lorde 1984, 128). For Lorde, it is necessary to dignify and learn from both forms of anger: the anger generated by the violence of dominant culture(s), of which all marginalized subjects have a “well-stocked arsenal” (127), as well as anger that occurs between and among differently marginalized subjects. Lorde writes of the infrapolitical imperative to attend to these angers, to voice them and listen to them, reporting that “anger has eaten clefts into [her] living only when it remained unspoken, useless to anyone” (131). She unpacks the transformative significance of such voicings and hearings, writing, “it is not the anger of other women that will destroy us but our refusals to stand still, to listen to its rhythms, to learn within it, to move beyond the manner of presentation to the substance, to tap that anger as an important source of empowerment” (130), and, further, that “anger between peers births change, not destruction, and the discomfort and sense of loss it often causes is not fatal, but a sign of growth” (131). Anger is a sign of our desire for transformation; infrapolitical engagement with anger is an integral form of repair that supports transformative and visionary world-making, a crucial way in which minoritized subjects can incite on another to live.

#### Their totalizing rejection of identity goes too far—contextualized analysis is key

Latchford 14 — Frances Latchford (Associate Professor in the School of Gender, Sexuality and Women’s Studies at York University in Toronto), 2014, “Unidentified Remains: The Impolitics of Non-Identity”, Atlantis 36.2,

Just like Michel Foucault, queer theory has always regarded identity with deep suspicion and it upholds this aversion as an antidote that redresses the constraints posed by the subject, ones that various feminist, critical race, and lesbian and gay identity politics are said to leave intact (Ryan 2001, 325-326; Ford 2007, 479-482).2 Queer theory enlists Foucault’s politics of non-identity, and variations thereof, to ferret out and undo the limits of the subject so that you might “cease to be imprisoned in your own face, in your own past, in your own identity” (Miller 1993, 264). The distrust of identity that drives queer theory is so ingrained that it often turns its suspicion back in on itself in that even “queer anti-identity narratives” are now located, for instance by Jasbir Puar (2007), on the same “continuum that privileges the pole of identity as the evolved form of Western modernity” (222). Queer practices of non-identity, it turns out, are just as vulnerable to (re) presenting the subject through homonationalist re-territorializations that institute queer non-identity as an identity politic after all.3 Turned back on itself, queer theory’s mistrust of identity politics has lead it to take up the politics of assemblage and to pursue identity’s collapse: with a “cacophony of informational flows, energetic intensities, bodies, and practices that undermine coherent identity and even queer anti-identity narratives” (222), “to conceive the pure experience, event and dramatization of many sexes without falling back onto the ontological constitution of queer sexuality” (Parisi 2009, 72), by “opening up to the fantastical wonders of futurity” and affect to resist forces that rationalize identities into finite and narrow existence (Puar 2007, 222), and to evade “singularity” in favour of “collectivity, imagination and a kind of situationist commitment to surprise and shock” (Halberstam 2011, 29).4 As a result, queer Deluezean approaches also demonstrate the deep suspicion of identity that reverberates throughout queer theory and Foucauldian approaches; as Chrysanthi Nigianni and Merl Storr (2009) explain, Deleuzean approaches set out to “queer the queer” by circumventing the question of (non-)identity, because they are “not just against this or that particular identity as not being politically useful, but against the very concept of identity and the thinking it engenders” (5).5 Where queer theory more recently engages Gilles Delueze to undercut the influence of Foucault’s politics of non-identity, as an identity politic, the similarity of purpose to which both philosophers have been put is uncanny, because it was always with “flows,” “intensities,” “bodies,” “practices,” and new “pleasures,” or affect, that queer theories set out, originally with Foucault, to disrupt the trap of identity. To this extent, the suspicion of identity with which queer theory, like a reflex, turns on itself again and again, must also demand, if it hasn’t already, this inevitable conclusion: the queer politics of assemblage recreates the same problems of (non-)identity that Deleuze is used to dodge, for instance, via the claim that queer non-identity is penetrated by the pole of identity. To illustrate, consider for a moment that the opposition of queer assemblages against queer non-identity to reduce the latter to identity politics, by virtue of being a non-identity politics, really is a (queer) critique to which assemblage is susceptible too. Queer assemblage politics sets out to “escape[s] the traditional strategy of negation (queer as the non-, anti-, contra-)” and thereby avert the binary thought it locates in queer non-identity politics; it claims to do so because it avoids questions of (non-)identity altogether (Nigianni and Storr 2009, 2). This is the appeal of Deleuzian approaches to queer theory: they appear to avoid the binary thinking that anti-identity politics, as such, find unavoidable. The logic behind a queer move to avoidance, Margaret Shildrick (2009) explains, is that it is only when “queer theory explicitly intervenes in the parameters of social exclusion,” for instance, as anti-identity politics must, that queer theory “to an extent must always reiterate binary thinking in order to contest it” (129; emphasis added).6 However, the strategic avoidance of identity can be exposed as just as much of a negation as any explicit rejection of identity because queer theorists, like myself, are groomed from the outset to be on the lookout for identity everywhere; the only difference between the two is that an avoidance is a covert mode of rejection that is implicit, subterranean, and passive—like centers and margins, the explicit and implicit are extant co-operatives in negation, even if they “cannot be naturalised as ‘having always existed’” (Deleuze qtd. in Conley 2009, 26). So regardless of the opacity of its anti-identity strategy, queer assemblage politics can also be placed on a continuum with queer non-identity politics; it is just as buggered by the pole of identity if and when queer theory renders it suspect, as I have here. Moreover, as long as the suspicion of identity is allowed to remain totalizing in queer theory, queer theory is going to eat its tail. All of which causes me to say that queer theory really needs to ask a different question: is identity precisely the problem that faces queer theory or is it the rejection of identity, as queer reflex, that poses today’s greatest threat to queers? This paper responds to what I think is the largely uncritical belief that operates implicitly and explicitly throughout queer theory: it is the belief that identity politics must always be rejected. As Hiram Perez (2005) observes, “a great deal of queer theorizing has sought to displace identity politics with an alternative anti-identitarian model,” one he also challenges, because it conflates queerness uncritically and too often with a “race-neutral objectivity” (172). The central claim in this paper is that queer theory’s totalizing rejection of identity is socially and politically incautious; and since queer praxes of non-identity and assemblage are on a continuum in that both are suspicious of identity politics, this essay makes no attempt to differentiate between them—they are equally anti-identitarian.7 It argues that it is a mistake to think that either identity or anti-identity politics, solely, is fitting in every context that demands a social-political response. It also demonstrates that a balance must be struck between identity politics and queer politics that intends to interrupt the subject and visibility politics.

# 1AR

## Case

### 1AR ⁠— O/V

#### Case outweighs:

#### 1---violence via misinformation---fossil fuel industries inflict disparate violence using misinformation to stifle climate movements---none of the turns case applies to this

#### 2---climate change---causes global suffering through resource shortages, environmental degradation, bio-d collapse, and emissions---that’s [Ripple]

#### Outweighs the K---has a disparate impact that targets people of color and disabled folk---try-or-die aff---lowers bar for aff solvency given magnitude

#### AND probability---the alt takes too long to scale up and is utopian

#### Turns K---affects trans folk BUT they don’t have a scalable turns case arg to warming

#### Even if we lose framework AND case, our K of their climate research is an advantage---turns their offense

#### Here’s the 1AC quote…

Funes 21, is a New Yok based journalist focusing on the intersection of race and the environment. (Yessenia, 8-11-2021, “’Abolish these companies, get ride of the’: what would it take to break up big oil?” The Guardian, https://bit.ly/3ArW0yh)

Ayisha Siddiqa doesn’t want fossil fuel companies to determine her future anymore. The industry has promoted climate denial for longer than the 22-year-old has been alive. Rather than watch companies pad their profits as the world burns, Siddiqa has a radical solution in mind. “Abolish these oil companies, finish them, get rid of them, no more,” she said. Siddiqa’s words echo a rallying cry for climate and environmental advocates who see limited options in finding justice for the low-income and communities of color whose lives the industry have ravaged

## Critique

### 1AR ⁠— Framework

#### Framework: must rejoin the plan AND defend an instrumentalization of their politics---the judge decides the better debating AND the ballot signifies a win or loss:

#### 1. Fairness---their interp’s arbitrary AND stacks the deck for the neg---will set the win condition low and justifies “you link, you lose”---outweigh because debate’s predicated on fair resolution of args---this arg is dropped in the 2NC---no 2NR cross-applications AND they agreed on T it’s an impact---it’s a prerequisite to any of their framework arguments too---plus, other elements of debate prove it’s an intrisinic good---the ballot, speaks, awards, balanced speech times, line by line all prove debate’s a game, so they’ve agreed preserving the game’s good

#### 2. Education---creates incentives to regress to tiny indicts of the aff without a defense of a climate strategy and ignoring nuances of antitrust to crackdown on companies, which turns their offense---<<\_\_\_\_\_>>

#### 3. Impact Framing---weighing consequences forces ethical decision-making---voting neg is an ethical cop-out absent a material strategy to address climate denialism

### Perm reform

#### Reform is good---disengaging from institutions is not an option for most people. The law can create coalitional politics to respond to threats. The plan creates agency for queer folks impacted by Big Oil to join class action lawsuits to dismantle neoliberal power structures---that's West. Our strategy operationalizes their rage to engage in the political networking necessary for activist movements.

### The Alt is Racist

#### That’s textbook “Yellow Peril”

Monbiot 15 Stop using China as an excuse for inaction on climate change. George Monbiot. June 12, 2015. The Guardian. https://www.theguardian.com/environment/georgemonbiot/2015/jun/12/china-excuse-inaction-on-climate-change

China is the world’s excuse for cruelty and barbarism. If we don’t behave atrociously, politicians and columnists assure us, China will, so we had better do it first, before we are outcompeted. You want holidays, collective bargaining rights and fair conditions in the workplace? Forget it. When Chinese workers have none, such fripperies would “hamper British/US/Australian/Canadian industry”, making it uncompetitive. Columnists like Thomas Friedman at the New York Times, gleefully regaling us with tales of Chinese workers being turfed out of their dormitories at midnight, marched to a workstation and obliged to perform a 12-hour shift to meet a last-minute order from Apple, insist that we either compete on these terms or perish. France, he once claimed, is doomed if it seeks to preserve a 35-hour week, while people in Asia “are ready to work a 35-hour day.” In fact French workers are doing fine: it turns out that European countries with shorter working hours (France, the Netherlands and Denmark for example) have higher productivity per hour than those whose workers have to spend longer at their desks (such as Germany and Britain). And a country whose people have both decent wages and time to relax can support millions of jobs – in leisure and pleasure – that don’t exist where workers are treated as little more than slaves. You want your rivers, air and wildlife protected? What planet are you on? China, we are told, doesn’t give a damn for such luxuries, with the result that if we don’t abandon our own regulations, it will take over the world. On no topic are these claims made more often than on climate change. What is the point of limiting our greenhouse gas emissions, a thousand bloggers (and a fair few politicians) insist, if China is building a new power station every two weeks (or days or minutes or whatever the latest hyperbole suggests)? Taking action on climate change is useless and ~~stupid~~ in the face of the Chinese threat. China is not just a country. It is whatever powerful interests want us to be. It is, they suggest, a remorseless, faceless, insuperable threat to civilisation, to which the only rational response is to abandon civilisation. So often is the threat invoked to justify the latest round of inhumane proposals that it needs a name. Perhaps we could hijack one: China Syndrome. China Syndrome is the 21st century extension of the Yellow Peril myth. First formulated by Kaiser Wilhelm II, whose extreme militarism, racism and anti-Semitism prefigured the rise of Nazism in Germany, the term reflects a long-standing apprehension about the people of Asia, dating back perhaps to the Mongol invasions of eastern Europe. It invokes an uncaring, undifferentiated horde of philistines, possessed perhaps with supernatural powers, but without moral limits or human qualities like empathy, pity, love or self-restraint. Unless we took extreme measures to defend ourselves against this threat, Wilhelm and others insisted, this human swarm would outbreed and overrun the nations of the west. The myth became a staple of schlock literature and films, spawning such characters as Fu Manchu and Ming the Merciless. The idea that the people of China might “steal our jobs” is also deep-rooted. It triggered a number of pogroms in the United States during the later decades of the 19thcentury, during which many Chinese immigrant workers were murdered. It is, of course, true that China contributes substantially to the threat of climate breakdown: it is now the world’s largest emitter of greenhouse gases. It is also true that its diplomats often prove to be a hindrance during international negotiations on the subject. That was certainly the case at the UN climate conference in Bonn that ended on Thursday, where they refused even to discuss the crucial issue: how much global warming the policies adopted by each nation will cause. This stands in apparent contrast to the agreement struck this week, as a result of Angela Merkel’s diplomacy, at the G7 meeting, calling for “a decarbonisation of the global economy over the course of this century”. But to suggest that China is an inherent and insuperable threat, as many of my correspondents do (mostly those who alternate between insisting that man-made climate change isn’t happening and insisting that we can’t do anything about it anyway), is grievously to misrepresent the people of that nation. First, of course, much of its energy use is commissioned by other nations. As manufacturing has declined in countries like the US and Britain, and the workforce is mostly engaged in other activities, the fossil fuel burning caused by our consumption of stuff has shifted overseas, along with the blame. Even so, when China’s total greenhouse gas production is divided by its population, you discover that it is still producing much less per head than we are. Partly as a result of a massive investment in renewables, the Chinese demand for coal dropped for the first time last year, and is likely to drop again this year. Perhaps because of the bureaucratic chaos of China’s centralised, unwieldy government, there is a gulf between the energy transition rapidly taking place within China and its negotiating positions in international meetings, which are “in the hands of completely different sets of bureaucrats.” But perhaps the biggest surprise for those who unwittingly invoke the old Yellow Peril tropes is that the Chinese people care more about climate change than we do. A survey released on Monday reveals that 26% of respondents in the UK and 32% in the US believe that climate change is “not a serious problem”, while in China the figure is only 4%. In the UK, 7% don’t want their government to endorse any international agreement addressing climate change. In the US the proportion rises to 17%. But in China, Hong Kong, Indonesia, Singapore, Malaysia and Thailand, only 1% want no action taken. Of course, the question that arises in undemocratic countries like China is the extent to which public desires can shape government policy. But what’s clear is that China’s failure to act decisively on climate change does not arise from any national characteristic. The paternalistic assumption that only the rich nations can afford to care is also based on myth: a myth that – like the Yellow Peril story – dates back to the colonial era. As the Greendex survey of consumer attitudes shows, people in poorer countries tend to feel much guiltier about their impacts on the natural world than people in rich countries, even though those impacts might be far smaller. Of the nations surveyed, the people of Germany, the US, Australia and Britain felt the least consumer guilt; while the people of India, China, Mexico and Brazil felt the most. The more we consume, the less we feel. There is no scope for moral superiority in the climate talks, least of all a moral superiority based on unfounded national stereotypes. Collectively, we are wrecking the delicate atmospheric balance that has allowed human civilisation to flourish. Collectively, we have to sort this out. And it will happen only by taking responsibility for our impacts, rather than by blaming other nations for what we don’t want to do.

#### The aff prevents class struggle by guiding political strategies towards ivory-tower pessimism

Kipcak 20, leading activist of Der Funke, the Austrian section of the IMT (Yola Kipcak, 12-2-2020, "Marxism vs Queer Theory," Socialist Revolution, https://socialistrevolution.org/marxism-vs-queer-theory/)

Resistance is futile!

If we remain in the natural habitat of Queer Theory, the world of academic papers, this debate seems like an intellectual thrill in which one passes philosophical quotes back and forth. However, as we wrote at the beginning, philosophical premises also lead to certain practical conclusions. The omnipresence of power in Queer Theory means that we can never escape from it, that every resistance is only an expression of power itself and ultimately serves stability. Hence, Foucault’s relatively well-known quote that resistance “is never in a position of exteriority in relation to power,” and that therefore there are only “possible, necessary, improbable, spontaneous, savage, solitary, concerted, rampant or violent … quick to compromise, interested or sacrificial” resistances. (History of Sexuality: 95–6.) Recent insights and practices surrounding “queer,” question the belief in the possibility of long-term social change or emancipation in general. (Jagose, 61) This absolute pessimism toward social movements, the belief that any resistance is automatically doomed, shows how little these philosophers understood of the revolutionary movements of the 1960s and 1970s and the reasons for their failure. They reflect the hopelessness of the feminist deadlock, of the petty bourgeoisie that doesn’t trust the working class (if they even believe it exists). Instead of understanding and criticizing the role of the mass organizations’ leadership, they look for new ways of “resistance” without a clear idea against who or what this resistance should be directed, and what methods should be used. The possibility of an overthrow of the ruling system appears unfeasible and impossible. As a consequence, Queer Theory suggests a practice that makes even the mildest reformism look radical. It retreats completely into the field of culture and language. There should be new “terms” for identity, a “new grammar” developed or a “new ethic” drawn up (Gayle Rubins). For instance, in order to “expose” the illusion of sexes, Butler suggests parodying gender identities through “cultural practices of drag, crossdressing and the sexual stylization of butch/femme identities” (GT, 137). This is the only practical suggestion in the whole book Gender Trouble! And Nancy Fraser, relieved, explains: The good news is that we do not need to overthrow capitalism in order to remedy [the economic disadvantage of gays]—although we may well need to overthrow it for other reasons. The bad news is that we need to transform the existing status order and restructure the relations of recognition. (285) Read: we need to improve the image of homosexuality. Here, Fraser, who is comparatively more practically inclined, openly displays her reformism: luckily she doesn’t have to overthrow capitalism! She only has to change how society views homosexuality! It is no wonder that Queer Theory has been willingly taken up by some reformists within the workers’ organizations in order to evade the responsibility of leading an actual struggle against discrimination with strikes, mass protests, in short, methods of class struggle, and instead focus on demands for language reforms, quotas, cultural free spaces and rainbow-colored crosswalks. By omitting the class question, Queer Theory is not only a useful tool in the hands of bureaucrats within the workers’ organizations, it also serves as an ideological justification for a section of the bourgeoisie and capitalist forces to present themselves as LGBT friendly and paint a liberal and progressive image of themselves. Corporations such as Apple or Coca Cola, who exploit tens of thousands of people in terrible working conditions, support LGBT campaigns in their companies or finance party trucks handing out free alcohol at commercialized Pride parades. In order to finance the production of seemingly radical, but actually (for the ruling class) completely harmless ideas, thousands of Euros are spent on gender studies professorships, departments and queer study scholarships, while the left-liberal media and publishers print benevolent articles and novels. Many queer activists are aware of these tendencies and are clearly against the coopting of their resistance by the ruling system. However, Queer Theory does not offer the ideas necessary to fight this usurpation by the ruling class; on the contrary it is part of the ruling ideology that individualizes and camouflages exploitation and oppression, while dividing the united struggle against the system, precisely because united struggle is alien to Queer Theory. Despite its origin as a criticism of traditional identity politics of the 1970s and 1980s, with its circle mentality and internal fights, it has failed to overcome precisely this type of identity politics. Since we can’t escape the omnipresence of power in society, it is also impossible to escape identities even though they are seen as fictitious. Since identifications “are, within the power field of sexuality, inevitable” (GT, 40), and we can at best hope to “parody” these identities, Queer Theory, which started out as a critique of identity politics, ends up exactly where it started: with identity politics. In practice, the old squabbles of who may represent whom continue unabashedly, just like in the radical feminist circles (and against them). Butler states aptly: “Obviously, the political task is not to refuse representational politics—as if we could.” (GT, 8). Any form of collective action and united struggle of all the oppressed becomes a fight, since “unity” and “representation” automatically lead to exclusion and violent oppression: “unity is only purchased through violent excision” (Butler, Merely Cultural, 44). This leads to an individualization of those who oppose the oppressive system under which we live. For instance, queer-feminist Franziska Haug complains that “the identity of the individual—origin, culture, gender etc.—becomes the crux of the matter” in queer-feminist debates, and “the right to speak and fight is being decided depending on the identity of the speaker” (Haug, 236). There is a competition about who is the most oppressed and thus has the right to speak, and who can’t be opposed. Against unwelcome arguments we often hear accusations along the lines of “you, being a white man/cis woman/white trans person don’t have the right to disagree with me, or revoke my subjective point of view.” While trying to exclude no one through “violent generalizations,” a countless number of identities are created that are supposed to cover all thinkable combinations of sexual, romantic, gender and other preferences and that are being administered in a range of queer cliques. Instead of a united struggle of all who want to fight against the system, this logic often leads to mobbing and exclusion within different groups. One queer feminist gives a vivid account of this in her paper, “Feminist Solidarity after Queer Theory” which almost reads like a desperate and intimate diary entry: Despite my qualms about the term bisexual, this descriptor provides a kind of home for me, when everywhere else feels worse. Both heterosexual and lesbian spaces have their own comforts for women, and I have often been excluded from both. I have also been told that I needed to change to ﬁt into those spaces—by acceding either to my true hetero-or homosexuality—and I have felt the moments of truth as well as the sometime hypocrisy and complacency of those demands … It is both necessary and troubling to seek out a home as a gendered or sexual being: necessary because community, recognition, and stability are essential to human flourishing and political resistance, and troubling because those very practices too often congeal into political ideologies and group formations that are exclusive or hegemonic. (Cressida J. Heyes, 1,097) From these lines we can sense the misery created by the pressures and the oppression of capitalism and what they do to our psyche and self-esteem. But it also shows the deadlock of identity politics. Even though the text sets itself the task of finding a form of solidarity between all feminists, it can’t imagine a unity that isn’t based on identity. In practice, identity politics leads to a split in the movement. For instance, in Vienna there have been two separate marches on women’s day on 8 March for years: one by the radical feminists (which can only be attended by women and, in one block, by LGBT persons), and one by the queer activists (where at first no cis men, but since 2019, all who see themselves as feminists can attend). A united demonstration was repeatedly declined by both sides. Against the background of the upswing of mass movements surrounding demands for women’s rights around the globe, and the dormant potential in Austria under a right-wing government, this example reveals the divisive role of identity politics. It is only natural that many people, in particular young people, question established norms in society such as sexuality and gender roles. This has always been the case and as Marxists we defend the rights of all people to express themselves and identify however they want to. But the problem arises here when the personal experience of individuals is theorized, raised to the level of a philosophical principle and generalized for the whole of society and nature. The Queer theorists tell us that being queer or non-binary is progressive and even revolutionary, as opposed to being binary (i.e. man or woman, which the vast majority of humanity is), which is deemed reactionary. Here, however, it is Queer Theory that shows its reactionary side. For all its radical talk against oppression, it opposes a united class struggle and promotes atomization of individuals on the basis of sexual and personal preferences, dividing the working class into ever smaller entities. Meanwhile, the whole rotten exploitative and oppressive edifice of capitalism remains in place.

### AT: “Not Our Queer Theory”

#### These links are endemic to the alt, evident by their 1AC where they said:

#### Our links critique fundamental assumptions of Queer Theory; independently, the alt’s reliance on idealism trades off with material strategy AND in this case, links of omissions matter

Kipcak 20, leading activist of Der Funke, the Austrian section of the IMT (Yola Kipcak, 12-2-2020, "Marxism vs Queer Theory," Socialist Revolution, https://socialistrevolution.org/marxism-vs-queer-theory/)

The philosophical basis of the gender question

Queer Theory’s as well as Judith Butler’s main argument is that the problem of identity politics lies in its quest to search for a “true identity” of woman. After all, every woman is unique and different, and how can we determine an ever-valid definition of “woman” that hasn’t already been distorted and influenced by prejudices in society? Every representation of “woman” is therefore incomplete and excludes some women. “Woman,” says Butler, does not exist—she is nothing but a projection of prejudices and opinions on human bodies. There is no woman before she has been made into one by the power structures in society. However, as we will see later, Queer Theory does not in any way see its task as understanding what it calls “power structures,” much less breaking them. Here, it is necessary to go on a philosophical excursion and examine how Butler reaches her argument that “woman” (or rather “genders”) do not exist, and what lies behind this argument. Because in the history of philosophy, her assertions are neither new, nor original. The only difference is that she applies old philosophical patterns exclusively to the gender question. In fact, Marxists thoroughly answered more than 100 years ago the same arguments that are being rehashed today by Queer Theory. In particular, Lenin’s excellent work Materialism and Empirio-criticism reads like a specific rebuttal of Queer Theory. As point of departure for her argumentation, Butler takes the Dualism between biological sex and social gender described above, which she criticizes. This Dualism in fact represents the relationship between matter and idea. What is the origin of “woman”—is it nature, biology, the fact that she can bear children, or is it the cultural notion of femininity—and what is the relation between these two aspects? Behind this issue of biological sex and gender roles lies the question of which philosophical foundation we build our worldview on, idealism or materialism—since Queer Theory views the world, first and foremost, through the lens of the gender question. Friedrich Engels described the two opposing philosophical approaches in the following way: Which is primary, spirit or nature—that question, in relation to the church, was sharpened into this: Did God create the world or has the world been in existence eternally? The answers which the philosophers gave to this question split them into two great camps. Those who asserted the primacy of spirit to nature and, therefore, in the last instance, assumed world creation in some form or other—and among the philosophers, Hegel, for example, this creation often becomes still more intricate and impossible than in Christianity—comprised the camp of idealism. The others, who regarded nature as primary, belong to the various schools of materialism. (Engels, Ludwig Feuerbach and the End of Classical German Philosophy) The question of the philosophical foundation of any theory is far from pedantic. Depending on whether we see ideas or matter as fundamental to the world, the answer to how or whether the world can be fundamentally changed is different. Can we eradicate ~~women’s~~ oppression with ideas (i.e. with language, education) or through material changes (with class struggle, by changing the way we produce)? Ultimately, no one can evade the choice between idealism and materialism. That doesn’t mean that many philosophers haven’t tried to do just that. In his book Ludwig Feuerbach and the End of Classical German Philosophy, Engels refers to what he defines as “agnostics” who stand apart from idealists and materialists. He is referring to those who try to evade the question of whether thought or matter is primary by treating them as two separate spheres. This agnosticism reached its highest form with Immanuel Kant (1724–1804), who assumed that the material reality does exist (he called it the thing-in-itself) but that this reality can’t truly be known, because by default we would impose our preconceived categories onto the world and thus “interpret” it without being able to determine whether our interpretation is actually accurate. The Dualism of sex and gender is precisely such an agnosticism: a woman’s body is one thing, the cultural prejudices about women a completely different thing. The relation between these two aspects thus becomes mysterious and unknown. But even the genius Kant couldn’t avoid the question of whether thought or nature is primary. If humans perceive the world through their categories and senses, where do these categories with which we think come from? Do the human brain and science deduce them from nature, or do they originate from an immaterial, spiritual world, in other words, from a God? Kant himself answers this question with the latter and, though he was a genius of a scientist and philosopher, he was nevertheless an idealist. By contrast, Marxism stands on the side of materialism: matter is primary; our ideas are functions of our brain, our senses are the connection of our (material) bodies to the material world, our culture is an expression of humans in their interaction with nature, of which they are a part. The materialist elimination of the “dualism of mind and body” (i.e., materialist monism) consists in the assertion that the mind does not exist independently of the body, that mind is secondary, a function of the brain, a reflection of the external world. The idealist elimination of the “dualism of mind and body” (i.e., idealist monism) consists in the assertion that mind is not a function of the body, that, consequently, mind is primary, that the “environment” and the “self” exist only in an inseparable connection of one and the same “complexes of elements.” Apart from these two diametrically opposed methods of eliminating “the dualism of mind and body,” there can be no third method, unless it be eclecticism, which is a senseless jumble of materialism and idealism. (Lenin, Materialism and Empirio-criticism, chapter 1, section 5, Does Man Think With The Help of the Brain?)

Subjective idealism

Regarding the question of idealism vs. materialism, Queer Theory is not neutral. It takes decidedly one side—the side of idealism. Butler writes: Lévi-Strauss’s structuralist anthropology, including the problematic nature/culture distinction, has been appropriated by some feminist theorists to support and elucidate the sex/gender distinction: the position that there is a natural or biological female who is subsequently transformed into a socially subordinate “woman,” with the consequence that “sex” is to nature or “the raw” as gender is to culture or “the cooked.” (GT, 47) She wants to dissolve this problematic distinction between sex and gender, get rid of the Dualism, namely by declaring biological sex a cultural construct. Are the ostensibly natural facts of sex discursively produced by various scientific discourses in the service of other political and social interests? If the immutable character of sex is contested, perhaps this construct called “sex” is as culturally constructed as gender; indeed, perhaps it was always already gender, with the consequence that the distinction between sex and gender turns out to be no distinction at all. (GT, 10–11) Thus sexes are not real—we are simply led on by the dominating discourse! Through regular repetitions and by acting as a certain sex, we perform sexes that are thus incorporated. That’s why our human bodies are neither male nor female (or something else), they are a complete unknown, something that cannot exist independently of our ideas about them. Even the thought that they could exist independently from our culture is unacceptable: Any theory of the culturally constructed body, however, ought to question “the body” as a construct of suspect generality when it is figured as passive and prior to discourse. (GT, 164) Defending Judith Butler, some people on the left say that she does not actually deny the existence of sexes and to insinuate otherwise is a malicious exaggeration of her ideas. This is true only insofar as she understands biology also as language, as a cultural attribute. For all her inaccessible writing style she is relatively consistent in the defense of her idealistic views: The presumption here is that the “being” of gender is an effect, an object of a genealogical investigation that maps out the political parameters of its construction in the mode of ontology. To claim that gender is constructed is not to assert its illusoriness or artificiality, where those terms are understood to reside within a binary that counterposes the “real” and the “authentic” as oppositional. Her inquiry seeks to understand the discursive production of the plausibility of that binary relation and to suggest that certain cultural configurations of gender take the place of “the real” and consolidate and augment their hegemony through that felicitous self-naturalization. (GT, 43) If we translate this pompous formulation into comprehensible English, Butler tells us that every form of Being is simply an effect of “discourses” (language), that is to say: Idea, the word, language is primary, matter an effect derived from it, ultimately also only language. This means that, for her, anatomy, biology and the natural sciences are all language constructs. That’s why sexes are not “artificial”—because from her point of view there is nothing outside of cultural constructs. To think of material reality as something that exists independently from our ideas only means to be hoodwinked by the ruling discourse, which tells us that there is such a thing as a Dualism between “matter” and “culture.” This ruling opinion (“hegemony”) makes us believe that there is a “real” sex and an “unreal” gender. But Butler has seen through it all! ALL is culture, all is language—all is “Idea!” Butler says: The “real” and the “sexually factic” are phantasmatic constructions—illusions of substance—that bodies are compelled to approximate, but never can … This failure to become “real” and to embody “the natural” is, I would argue, a constitutive failure of all gender enactments for the very reason that these ontological locales are fundamentally uninhabitable. (Gender Trouble, 186) This idealism is not a peculiarity of Judith Butler with whom we have dealt so far. It is a founding pillar of Queer Theory, which is that men, women, but also sexual orientation are cultural constructs. Thus Queer texts often like to put nature, biology, sex, man, woman, etc. in inverted commas to demonstrate that the authors no longer fall for the trick that the real world exists. Just to give a few examples: Annamarie Jagose argues: By pointing out the impossibility of a “natural” sexuality, queer questions seemingly stable categories such as “man” and “woman.” (Jagose, 15) David Halperin: To be socialized in a sexual culture means just that: the conventions of this system gain the status of a self-fulfilling inner truth of “nature.” (quoted in Jagose, 31, translated from the German). Gayle S. Rubin: My position on the relationship between biology and sexuality is a “Kantianism without transcendental libido.” (read: a Kant that doesn’t trespass [“transcend”] beyond the realm of immediate experience to the real body, ergo a Dualism that eliminates matter = pure idealism) (Thinking Sex, 149). Chris Weedon writes about her philosophical foundation that: Language, far from reflecting a given societal reality, constitutes social reality. Neither societal reality nor the “natural” world have fixed, inherent meanings that are being reflected or expressed through language […] Language is not … expression and naming of the “real” world. There is no meaning beyond language. (Feminist Practice and Poststructuralist Theory, 36, 59, translated from the German). Nancy Fraser, a professor and feminist with an affinity to Queer Theory, isn’t quite as sure about her own philosophy and thus vacillates between a Kantian Dualism and pure idealism. She first defends “a quasi-Weberian dualism” only to assure us later on that “The economic/cultural distinction, not the material/cultural distinction, is the real bone of contention between Butler and me” (Heterosexism, Misrecognition, and Capitalism, 286). And finally Michel Foucault, the postmodern philosopher and “father of Queer Theory”: The secret [of sex] does not reside in that basic reality in relation to which all the incitements to speak of sex are situated … It is … a fable that is indispensable to the endlessly proliferating economy of the discourse on sex. (The History of Sexuality, 35) To sum up: Queer Theory stands on an idealistic philosophical basis, which says that sex as well as gender are cultural constructs that are continuously “performed.” As we stated earlier, these intellectual games are not original at all. In Materialism and Empirio-criticism, Lenin shows this by making reference to a number of well-known idealist philosophers. He paraphrases Bishop George Berkeley from the 17th century: The world proves to be not my idea but the product of a single supreme spiritual cause that creates both the “laws of nature” and the laws distinguishing “more real” ideas from less real, and so forth. (Empirio-Criticism, 32) Or let us take Johann Gottlieb Fichte (1762–1814): Take care, therefore, not to jump out of yourself and to apprehend anything otherwise than you are able to apprehend it, as consciousness and the thing, as the thing and consciousness; or, more precisely, neither the one nor the other, but that which only subsequently becomes resolved into the two, that which is the absolute subjective-objective and objective-subjective. (Quoted in Empirio-Criticism, 68) Here, Bogdanov (1873–1928, a Russian revolutionary who was swayed by idealist ideas) states: The objective character of the physical world consists in the fact that it exists not for me personally, but for everybody and has a definite meaning for everybody, the same, I am convinced, as for me … In general, the physical world is socially-coordinated, socially-harmonized, in a word, socially-organized experience. (Quoted in Empirio-Criticism, 124) Lenin commented drily: This is all one and the same proposition, the same old trash with a slightly refurbished, or repainted, signboard. (Empirio-Criticism, 69) And he also points out what the consequences of this philosophical view are. Because if thoughts and reality are actually the same and only constructed by humans, we cannot distinguish between correct ideas (which increase our understanding of the real world) and wrong ideas (which describe the world in a distorted and incorrect way)—it is impossible to tell what helps us to comprehend and change the world, and what is fantasy, utter nonsense: Religion is just as true as physics, the flying spaghetti monster as real as gravity. If truth is only an organizing form of human experience, then the teachings, say, of Catholicism are also true. For there is not the slightest doubt that Catholicism is an “organizing form of human experience.” (Empirio-Criticism, 124) As a further consequence this also means that we cannot question the subjective reality of anyone, that everybody is right for him or herself (in the realm of “discursive reality”). Who can prove that women aren’t inferior to men? Why shouldn’t it be true that poverty is the result of laziness and personal failure? Why, during a workers’ struggle, isn’t a scab right in their own way? The fact that subjective idealism treats any opinion as valid as any other shows what reactionary role it plays in its practical conclusion.