# 1AC

### 1AC---Ag

#### The Contention is Food Security:

#### Agriculture markets have become heavily consolidated through anticompetitive behavior, threatening the stability of the US agricultural supply chains.

Diana L Moss and Laura Alexander 20, President of the American Antitrust Institute and Vice President of Policy at the American Antitrust Institute. “When COVID-19 is the Symptom and Not the Disease: Consolidation, Competition, and Breakdowns in Food Supply Chains,” American Antitrust Institute, 5-7-2020, https://www.antitrustinstitute.org/work-product/when-covid-19-is-the-symptom-and-not-the-disease-consolidation-competition-and-breakdowns-in-food-supply-chains/

The integrity and stability of the food system is a matter of national health, safety, and security. Disruption of the meat or any other food supply chain is potentially catastrophic. But few analysts have looked beyond the immediate COVID-19 pandemic to isolate one of the deep-rooted causes of weakness, or even breakage, in supply chains. Were our food processing, manufacturing, and distribution markets more competitive, the current crisis (and government intervention) would be neither necessary nor warranted. Much like AAI’s recent commentary on COVID-19 and consolidation in medical equipment markets, this commentary explains how a lack of competition can imperil the stability and security of the food system.[3]

THE ROLE OF COMPETITION IN ENSURING STABLE, RESILIENT FOOD SUPPLY CHAINS

COVID-19-related disruptions are, in part, a symptom of underlying competition problems in our food system, and an early warning sign of the harms yet to come. Competition benefits consumers and producers in myriad ways. These include fair prices, high quality products and services, and incentives to innovate. Another key benefit of competition is promoting diversity and redundancy in sources of agricultural inputs, processing, manufacturing, and distribution. This promotes resiliency and stability in the interconnected markets that form the food system.

Supply chains are routinely subjected to shocks such as extreme weather, disease, and conflict.[4] But those that feature robust competition at various levels are far more likely to ensure the reliable and stable distribution of essential food products. If some parts of the supply chain are disrupted, competition works to ensure that rival suppliers fill the void to meet demand.

As the COVID-19 pandemic illustrates, food supply chains can fail the “resiliency” test. While a number of factors may account for this, we cannot ignore the role played by the wave of consolidation that has fundamentally reshaped the food system in the U.S. over the last two decades. Consolidation has diminished competition in the agricultural inputs, processing, manufacturing, and distribution segments. As the closures of meat processing plants demonstrate, when the few large firms that control these critical segments fail, the supply chain can break.

#### Specifically, Ag firms take advantage of lackluster antitrust merger enforcement efforts and favorable law to engage in anticompetitive mergers.

Diana L Moss and Laura Alexander 20, President of the American Antitrust Institute and Vice President of Policy at the American Antitrust Institute. “When COVID-19 is the Symptom and Not the Disease: Consolidation, Competition, and Breakdowns in Food Supply Chains,” American Antitrust Institute, 5-7-2020, https://www.antitrustinstitute.org/work-product/when-covid-19-is-the-symptom-and-not-the-disease-consolidation-competition-and-breakdowns-in-food-supply-chains/

Merger control is designed to prevent acquisitions that are likely to substantially lessen competition. This includes acquisitions of head-to-head rivals; customers or suppliers; and potential rivals. Vigorous enforcement prevents harmful outcomes by stopping illegal mergers in their “incipiency.” The U.S. antitrust agencies have historically divided up the food supply chain for the purposes of reviewing food and agriculture mergers. The Federal Trade Commission (FTC) reviews most proposed transactions involving the downstream part of the supply chain, including food manufacturing and retail grocery.[9]

The U.S. Department of Justice (DOJ) reviews mergers in the upper part of the supply chain, such as food processing (e.g., grain milling and meat packing), producers (e.g., cattle feeders and chicken growers), and biotechnology inputs such as GMO traits, seeds, and agrochemicals. It is not clear how the FTC and DOJ coordinate with each other in reviewing mergers along the supply chain, so that the proverbial “right hand knows what the left hand is doing.”

IS MERGER ENFORCEMENT KEEPING UP WITH CONSOLIDATION IN FOOD?

Between 1998 and 2018, almost 1,300 mergers in the processing, manufacturing, and food distribution sectors were reportable to the U.S. antitrust agencies under federal guidelines.[10] Government data reveals that about one-quarter of those transactions were cleared to either the DOJ or FTC for further review. About one-quarter of those “clearances,” in turn, received a request from either agency for additional information. This is a slightly higher rate of “Second Requests” for food mergers, as measured by the percentage of total clearances that received a Second Request, than for mergers across all sectors in the economy. The majority of these deals involved consolidation in the middle part of the supply chain—food processing and manufacturing.

Only a small fraction of the food mergers that were cleared to the DOJ and FTC between 1998 and 2018 were actually challenged by the government. Merger challenges can result in a number of outcomes: successfully enjoining a merger, unsuccessfully enjoining a merger (which then proceeds), forced abandonment of a transaction, and an order containing requirements to remedy competitive harms raised by a deal. The rate at which the government challenged food mergers, as measured by the percentage of total clearances that were challenged, is just below the average across all sectors. More than one-half of the merger deals that were challenged by the agencies were in the retail grocery segment where significant competition has been eliminated over time. The remainder include mergers in beef packing, poultry processing, and dairy, other food products, and broadline foodservice distribution.

Two major government wins were the DOJ’s successful challenge to the merger of two of the largest beef packers (JBS and National Beef) in 2009 and the FTC’s move to block the merger of the two largest broadline food distributors (Sysco and US Foods) in 2015.[11] U.S. consumers and producers need more of this type of aggressive, successful enforcement. But a major failure was the FTC’s approval of the merger of Safeway and Albertsons. The merger was allowed to proceed, subject to the divestiture of almost 150 stores to a regional west-coast grocer, Haggen. The failure of Haggen to maintain the divested stores led to their shuttering only a few months later.[12] In 2019, the DOJ declined to challenge the acquisition of Iowa Premium by one of the largest packers, National Beef, a deal that was opposed by numerous advocacy groups. The merger was projected to adversely affect the important cash market, which determines the base price for cattle sold on contracts or formulas.[13]

As shown in the figure below, over the last 20 years, the intensity with which the agencies have looked harder at food mergers through the Second Request process appears to have waned. The apparent downward trend in Second Requests over the past two decades is troubling. It may signal chronic resource constraints at the agencies. But it also likely reflects the view that has dominated enforcement for the last four decades. Namely, most deals are viewed as pro-competitive because cost-savings and consumer benefits are claimed to outweigh any anticompetitive, harmful effects.

Chart, line chart

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Regardless of the reason, U.S. consumers are still faced with a swath of mergers that have created larger integrated companies that reach to almost every part of the supply chain. These food goliaths can exercise their market power to suppress competition, which is problematic in its own right. But as the COVID-19 crisis has demonstrated, the lack of competition in food processing, manufacturing, and distribution has also created a fragile and unreliable supply chain.

POLICING ANTICOMPETITIVE CONDUCT IN THE FOOD SYSTEM

It should come as no surprise that in a supply chain with less and less competition, other violations of the antitrust laws, including collusion and monopolization, become more commonplace. Indeed, the dominant firms and oligopolies in food processing, manufacturing, and grocery have given rise to numerous concerns. The public and private antitrust cases in the food industry in recent years reflect both the rising incidence of troubling behavior and the challenges and limitations of antitrust enforcement.

The DOJ, for example, has prosecuted violations of Sections 1 and 2 of the Sherman Act in almost 20 cases in the food industry over the last 20 years. Notably, however, the Sherman Act claims appeared to be an afterthought in the majority of these cases, which were motivated principally by kickback schemes that defrauded the public. Competitive injury, and core antitrust concerns such as collusion or exclusionary conduct, did not feature prominently.[14] Smithfield, one of the largest pork processors in the U.S., which was acquired by the Chinese food behemoth Shuanghui International in 2013, was charged with violations on two separate occasions involving failure to comply with requirements under the Hart Scott Rodino Act before purchasing stock in a rival and pursuing an acquisition.[15] DOJ has launched several cartel investigations in food over the last two decades, but, with few exceptions, those investigations have yet to yield indictments or civil complaints.[16]

#### These anticompetitive mergers force farmers into unsustainable farming practices, such as monocultures, by limiting the variety of ag inputs and by forcing farmers to scale operations to remain in business.

Patrick Woodall 18, Research Director at Food & Water Watch, “Monopoly Power Corrodes Choice and Resiliency in the Food System,” The Antitrust Bulletin, 63.2, https://doi.org/10.1177/0003603X18770063

But already high and increasing levels of economic concentration in the agricultural and food sectors impact far more than consumer and farmer prices. Consolidation has substantially curtailed the choices available to consumers and farmers. Grocery stores now teem with an illusory cornucopia of different products, but the vast majority of the supermarket items are manufactured by a few firms with dominant market positions.

Horizontal and vertical concentration in the agriculture sector has constrained farmers’ choices and autonomy. Concentration in the seed and fertilizer industries has significantly limited farmers’ cultivation options. Perhaps more importantly, the larger, vertically integrated agribusinesses have pushed farmers to increase the size, scale, and intensity of their farms in order to sell their crops or livestock and maintain economic viability. This limits farmers’ options and autonomy to control production decisions on their farms.

#### There are two scenarios.

#### First is Food Security---lack of variety in ag inputs means our entire supply line can be wiped out by a single crop disease, which will inevitably come.

Martin 13. DePaul JD, “Seed Savers v. Monsanto: Farmers Need a Victory for Wilting Biodiversity,” 24 DEPAUL J. ART TECH. & INTELL. PROP. L 95, HeinOnline

IV. “PLAGUE OF SAMENESS”: BIODIVERSITY CONSEQUENCES Many describe the increasing genetic uniformity as a “plague of sameness,” overtaking vast fields of crops with monoculture agriculture.’16 The economic effect of this “plague of sameness” is enormous: “pest[] and plant diseases are . . . estimated to exact a toll of $20-33 billion each year nationwide.”’ However, the dangers of this plague are not limited to economic concerns. When crops are threatened by pests or disease, genetically uniform crops could be wiped out. Without the ability to locate genetic resistance in any varieties, the world could lose entire major food crops, such as soybeans, corn, rice, and wheat. A. Genetic Resistance According to Cary Fowler and Pat Mooney, “today’s plant breeder will search for one major gene to confer resistance for the new variety.”’ One-gene resistance provides that there will be only “one line of defense” against pests and diseases.’59 When overcome by pest or disease, the gene can no longer provide resistance. 6 0 Breeding, then, is a “step by step evasion of the pathogen,” and the use of one-gene resistance lacks an “ultimate vision of permanent or stabilized resistance.”’6 ‘ In contrast, the traditional “landrace” confers resistance on a new variety as the product of a large number of genes working together.’6 2 The resistance conferred by the traditional “landrace” is long-lasting, because these varieties have survived among pests and diseases “in the center of diversity.”’ 3 Additionally, heirloom varieties, discussed above, are used to breed insect, disease, and drought tolerance into modern crops.’” In contrast to the conventional three- or four-way hybrid varieties, GE varieties, such as Roundup Ready soybeans, are “single-cross hybrids.”1 65 The “plague of sameness” becomes even riskier when farmers plant pure line varieties instead of a mixture of varieties, or where a “few successful crop varieties replace the great diversity of crop and types found in farmers’ fields.” 66 Monoculture agriculture is prominent in developed countries,’16 largely because of the predictability that single cross varieties offer farmers and the agricultural industry.16 1 With this monoculture agriculture, however, when part of the uniform crop is wiped out by pests or diseases, the entire crop is wiped out.’69 Furthermore, when the neighbor farmer plants the same variety, his crop is also wiped out.’ Finally, “when virtually every farmer plants the same variety or group of varieties, the risk becomes dangerous.””’ The lack of resistance and genetic variability leads to the vulnerability of crops to pests and diseases. B. Pest Management First, the “plague of sameness,” or monoculture agriculture, threatens crop resistance to pests. Specifically, “[p]athogens or insect pests that mutate to overcome a crop’s innate resistance or to escape the effects of fungicides or pesticides, together with monoculture conditions, heighten the risk that such novel pests could rapidly spread and cause great losses in crop yield and quality.”’ 72 In recent years, the percentage of annual crop lost to insects has doubled,’7 3 and global crop loss due to pests.’74 The rise of pest problems is an estimated 30-40% of potential yield is also evident through increased pesticide use: from 1945 to 1975, the amount of pesticide employed rose from less than 200 million pounds to 1600 million pounds.’75 Genetic mutations in these pathogens or pests require quick replacement with varieties that have resistance. 76 These replacements require the screening of gene resources to find new resistance. 7 7 However, with a narrowing genetic resource base, varieties that have resistance are slowly disappearing. C. Vulnerability to Diseases Second, monoculture agriculture increases vulnerability to disease causing widespread damage. Two historical examples show the dangers of monoculture agriculture in the face of disease. Ireland’s potato blight in 1846 that led to the Great Famine, was a result of a lack of crop diversity.”’7 The Irish were dependent on the potato for food, and about 90% of the potatoes eaten were a variety called “Lumper. “l79 When blight infected the potatoes, the Lumper variety lacked resistance in the tubers.’” This lack of resistance and the uniformity of the potatoes allowed the blight to dramatically wipe out Ireland’s potato supply. Potatoes “were the first crop in modem history to be devastated by lack of resistance.””’ Not only were potatoes nearly lost as a major food crop, but 1 to 2 million Irish people died or left Ireland as a result of the famine.18 2 In more recent history, the U.S. corn leaf blight of the 1970s provides another example of the dangers of “monoculture” agriculture. Similar to the uniformity of the Irish potato crop, in 1970, almost 85% of U.S. cornfields were planted with one corn variety, Texas cytoplasmic male sterile.’ This type of corn was highly susceptible to a new type of fungus that wiped out 15% of the corn crop and resulted in a $1 billion loss in the United States.’84 While the U.S. hybrid corn industry only “[took] one year to correct the problem and get resistant varieties back on the market,” Fowler and Mooney point out that biodiversity crises such as these raise many “unanswered questions.”’ One of the most troubling questions is: with such a narrow genetic base, will the seed industry be able to find a quick solution the next time a crisis occurs?’86 A potential soybean “rust” crisis in 2004, with a disease “that could ruin a field in two weeks, and . .. up to 80 percent of yield,” spurred plant scientists to screen seed samples in the USDA U.S. crop gene banks.’ Scientists identified some soybean varieties with weak resistance, but mostly found that none was fully immune to the rust.’ As a result, the scientists had to find resistance in wild relatives of soybeans from China, Taiwan, and Australia-countries where soybeans were first domesticated.’89 The dangers of the “plague of sameness” show that crop diversity needs to be preserved for future generations. The Genetic Resources Conservation Program has found that “[n]early every major U.S. food or fiber crop is battling pests and diseases against which it has no resistance.”’ Without resistant varieties from a diverse genetic resource pool, future plant scientists will not be able to locate or introduce resistance into modem crops. As a result, “without these infusions of genetic diversity, food production is at risk from epidemics and infestations.””’ The Food and Agriculture Organization of the United Nations has found that the Earth’s population will grow by 50% in the next fifty years; thus, “crop diversity must be managed in a manner that promotes productivity with reducing diversity.” 92

#### Market concentration ensures the failure of anyone ag producer will doom the entire sector---only the plan can rebuild resiliency to withstand inevitable food supply shocks.

Patrick Woodall 18, Research Director at Food & Water Watch, “Monopoly Power Corrodes Choice and Resiliency in the Food System,” The Antitrust Bulletin, 63.2, https://doi.org/10.1177/0003603X18770063

Concentration can also reduce quality and compromise safety. According to the U.S. Department of Agriculture (USDA), high concentration levels allow the largest companies to extract more economic value from food purchases, but “consumers typically bear the burden, paying higher prices for goods of lower quality.”7 The substantial scale combined with highly concentrated chokepoints make the food system vulnerable to potentially larger, more widespread food safety problems.

The scale of plants in a heavily consolidated industry means that a single problem in one larger plant can now impact the entire food chain. In 2011, Cargill voluntarily recalled more than 36 million pounds of ground turkey after an illness outbreak caused by antibiotic-resistant salmonella.8 The recall represented several months’ worth of production from a single plant in Arkansas in an industry where the top four firms processed 55% of turkey meat.9 In total, 136 people across thirty-four states were infected, causing thirty-seven hospitalizations and one death, disproportionately caused by the bacteria’s resistance to antibiotics.10

Food safety problems at even modestly sized suppliers can infiltrate a significant portion of the food system, when ingredients pass through the highly consolidated food processing sector. In 2007, the Food and Drug Administration (FDA) received reports of 17,000 pet illnesses, including 4,000 dog and cat deaths, believed to be the result of melamine contamination in imported Chinese gluten ingredients used to make pet food.11 Sixty million packages of over 150 brands of pet food were recalled in the United States, the largest recall in history—and all the pet food originated from one Kansas facility that had used the contaminated wheat gluten.12

A year later, the problem of consolidation and chokepoints struck the human food supply. A 2008 peanut butter salmonella outbreak led to nine deaths and more than 700 illnesses in forty-seven states.13 The problem began at a single company’s filthy plants that manufactured 3% of peanut products—but the company’s peanut ingredients passed through a highly consolidated food industry, leading to a recall of over 3,600 products.14

#### U.S. food shocks reverberate globally---causes multiple hotspots to escalate

Castellaw 17 – John Castellaw, National Security Lecturer at the University of Tennessee, Founder and CEO of Farmspace Systems LLC, Former President of the Crockett Policy Institute, Retired Lieutenant General in the United States Marine Corps, “Food Security Strategy Is Essential to Our National Security”, Agri-Pulse, 5-1, https://www.agri-pulse.com/articles/9203-opinion-food-security-strategy-is-essential-to-our-national-security

The United States faces many threats to our National Security. These threats include continuing wars with extremist elements such as ISIS and potential wars with rogue state North Korea or regional nuclear power Iran. The heated economic and diplomatic competition with Russia and a surging China could spiral out of control. Concurrently, we face threats to our future security posed by growing civil strife, famine, and refugee and migration challenges which create incubators for extremist and anti-American government factions. Our response cannot be one dimensional but instead must be a nuanced and comprehensive National Security Strategy combining all elements of National Power including a Food Security Strategy.

An American Food Security Strategy is an imperative factor in reducing the multiple threats impacting our National wellbeing. Recent history has shown that reliable food supplies and stable prices produce more stable and secure countries. Conversely, food insecurity, particularly in poorer countries, can lead to instability, unrest, and violence.

Food insecurity drives mass migration around the world from the Middle East, to Africa, to Southeast Asia, destabilizing neighboring populations, generating conflicts, and threatening our own security by disrupting our economic, military, and diplomatic relationships. Food system shocks from extreme food-price volatility can be correlated with protests and riots. Food price related protests toppled governments in Haiti and Madagascar in 2007 and 2008. In 2010 and in 2011, food prices and grievances related to food policy were one of the major drivers of the Arab Spring uprisings. Repeatedly, history has taught us that a strong agricultural sector is an unquestionable requirement for inclusive and sustainable growth, broad-based development progress, and long-term stability.

The impact can be remarkable and far reaching. Rising income, in addition to reducing the opportunities for an upsurge in extremism, leads to changes in diet, producing demand for more diverse and nutritious foods provided, in many cases, from American farmers and ranchers. Emerging markets currently purchase 20 percent of U.S. agriculture exports and that figure is expected to grow as populations boom.

Moving early to ensure stability in strategically significant regions requires long term planning and a disciplined, thoughtful strategy. To combat current threats and work to prevent future ones, our national leadership must employ the entire spectrum of our power including diplomatic, economic, and cultural elements. The best means to prevent future chaos and the resulting instability is positive engagement addressing the causes of instability before it occurs.

This is not rocket science. We know where the instability is most likely to occur. The world population will grow by 2.5 billion people by 2050. Unfortunately, this massive population boom is projected to occur primarily in the most fragile and food insecure countries. This alarming math is not just about total numbers. Projections show that the greatest increase is in the age groups most vulnerable to extremism. There are currently 200 million people in Africa between the ages of 15 and 24, with that number expected to double in the next 30 years. Already, 60% of the unemployed in Africa are young people.

Too often these situations deteriorate into shooting wars requiring the deployment of our military forces. We should be continually mindful that the price we pay for committing military forces is measured in our most precious national resource, the blood of those who serve. For those who live in rural America, this has a disproportionate impact. Fully 40% of those who serve in our military come from the farms, ranches, and non-urban communities that make up only 16% of our population.

Actions taken now to increase agricultural sector jobs can provide economic opportunity and stability for those unemployed youths while helping to feed people. A recent report by the Chicago Council on Global Affairs identifies agriculture development as the core essential for providing greater food security, economic growth, and population well-being.

Our active support for food security, including agriculture development, has helped stabilize key regions over the past 60 years. A robust food security strategy, as a part of our overall security strategy, can mitigate the growth of terrorism, build important relationships, and support continued American economic and agricultural prosperity while materially contributing to our Nation’s and the world’s security.

#### Those conflicts go nuclear.

FDI 12 – Future Directions International (“International Conflict Triggers and Potential Conflict Points Resulting from Food and Water Insecurity Global Food and Water Crises Research Programme”, May 25, <http://www.futuredirections.org.au/files/Workshop_Report_-_Intl_Conflict_Triggers_-_May_25.pdf>)

There is a growing appreciation that the conflicts in the next century will most likely be fought over a lack of resources. Yet, in a sense, this is not new. Researchers point to the French and Russian revolutions as conflicts induced by a lack of food. More recently, Germany’s World War Two efforts are said to have been inspired, at least in part, by its perceived need to gain access to more food. Yet the general sense among those that attended FDI’s recent workshops, was that the scale of the problem in the future could be significantly greater as a result of population pressures, changing weather, urbanisation, migration, loss of arable land and other farm inputs, and increased affluence in the developing world.¶ In his book, Small Farmers Secure Food, Lindsay Falvey, a participant in FDI’s March 2012 workshop on the issue of food and conflict, clearly expresses the problem and why countries across the globe are starting to take note. .¶ He writes (p.36), “…if people are hungry, especially in cities, the state is not stable – riots, violence, breakdown of law and order and migration result.” “Hunger feeds anarchy.” This view is also shared by Julian Cribb, who in his book, The Coming Famine, writes that if “large regions of the world run short of food, land or water in the decades that lie ahead, then wholesale, bloody wars are liable to follow.” He continues: “An increasingly credible scenario for World War 3 is not so much a confrontation of super powers and their allies, as a festering, self-perpetuating chain of resource conflicts.” He also says: “The wars of the 21st Century are less likely to be global conflicts with sharply defined sides and huge armies, than a scrappy mass of failed states, rebellions, civil strife, insurgencies, terrorism and genocides, sparked by bloody competition over dwindling resources.” As another workshop participant put it, people do not go to war to kill; they go to war over resources, either to protect or to gain the resources for themselves. Another observed that hunger results in passivity not conflict. Conflict is over resources, not because people are going hungry. A study by the International Peace Research Institute indicates that where food security is an issue, it is more likely to result in some form of conflict. Darfur, Rwanda, Eritrea and the Balkans experienced such wars. Governments, especially in developed countries, are increasingly aware of this phenomenon.¶ The UK Ministry of Defence, the CIA, the US Center for Strategic and International Studies and the Oslo Peace Research Institute, all identify famine as a potential trigger for conflicts and possibly even nuclear war.

#### Best studies disprove defense

Koren 16 – Ore Koren, PhD Candidate at the University of Minnesota in Political Science and Former Jennings Randolph Peace Scholar at the United States Institute of Peace, & Benjamin E. Bagozzi, Assistant Professor in the Department of Political Science & International. Relations at the University of Delaware, “From Global to Local, Food Insecurity is Associated with Contemporary Armed Conflicts”, Food Security, October, Volume 8, Issue 5, https://link.springer.com/article/10.1007/s12571-016-0610-x

What do these findings indicate about the variation in the risk of conflict and civil conflict? Firstly, all four models support the argument that a significant relationship exists between food insecurity and conflict. More specifically, these findings suggest that, for an average country, the baseline risk of conflict and civil conflict increases in regions that provide at least some access to food – supporting the expectation that global demands for food should generally direct conflict towards agricultural areas. At the same time, within agricultural areas, conflict is intuitively more likely to arise in regions where the levels of food per capita are low – that is, where food supplies are scarce. Secondly, and in line with previous research (Burke et al. 2009; O’Loughlin et al. 2012; Hsiang and Meng 2014; Hendrix and Salehyan 2012), warmer regions and areas with lower precipitation were significantly more likely to experience conflict. This supports the argument that food scarcity can serve, to some extent, as a mediating factor for the effects of climate variables, in addition to the independent impact of food insecurity related concerns on conflict. Thirdly, as extant studies (e.g., Hegre and Sambanis 2006) suggest, poorer regions are more likely to experience conflict, as are more ethnically diverse regions, although it appears that higher levels of democracy do not translate into more peace once cell level characteristics are taken into account.3 Perhaps unsurprisingly, regions with larger populations are more likely to experience conflict, as are more rural regions, as some scholars have argued (Fearon and Laitin 2003; Kalyvas 2006; Buhaug et al. 2009).

In sum, four models involving different explanatory variables have been utilized to examine two conceptualizations of conflict as an outcome of interest. The results strongly support extant arguments that access to and availability of food are each associated with an increased occurrence of armed conflict. This evidence does not negate previous explanations of conflict that emphasize the importance of political and economic development or climactic variation. However, by highlighting the strong association between food access and availability on one hand, and local political violence on the other, the above findings do show that these past expositions (e.g. Miguel et al. 2004; Burke et al. 2009; Hsiang and Meng 2014) in and of themselves are insufficient to fully explain the likelihood of local level conflict. Simply put, the present study confirms that there exists a systematic, and global, relationship between food insecurity on one hand, and the occurrence and persistence of social conflict on the other.

Discussion

What do these findings imply about the effect of food insecurity and conflict? Naturally, even the most detailed and elaborate models are simplistic, especially when containing as diverse a range of observations as those examined above. Nevertheless, in terms of conditional probabilities, all models show a statistically significant first difference change of approximately +92 % in the probability of conflict when a high risk scenario is simulated for an average cell.4

The conditional probabilities discussed above highlight the inherent complexity of social systems, as a phenomenon as notable as violent conflict ultimately arises due to a variety of stressors. Therefore, it should be emphasized that the above findings should not be interpreted as explaining conflict onset. Conflict can erupt due to various political (Buhaug 2010; Fearon and Laitin 2003) or economic (Hegre and Sambanis 2006; Collier and Hoeffler 2005) reasons – which may or may not be related to food insecurity – that are beyond the scope of this paper. Rather, the present study more simply suggests that political violence will have a higher likelihood of concentrating in regions that (i) offer more access to food resources and (ii) face low levels of food availability within areas that offer some access to food resources.

This study adopts an economic perspective on food security to explain this variation in the concentration of social conflict. From the demand side, violent conflict is most likely to revolve primarily around access to food sources. When food insecurity produces higher demands for food, these demands will directly compel groups and individuals to seek out and fight over existing food resources, rather than leading these actors to pursue and fight over geographic areas that lack any (or have very little) agricultural resources. Thus, access to croplands and food is a necessary condition for food insecurity-induced conflict, which is confirmed in the cropland analyses presented here. From the supply side, and within those areas that do already offer access to agriculture and/or food, conflict is most likely to occur in regions that offer lower levels of food availability, or insufficient food supplies. This is because lower food availability (or supplies) in these contexts directly implies higher levels of resource scarcity, which can engender social grievances, and ultimately, social and political conflict (Brinkman and Hendrix 2011; Hendrix and Brinkman 2013). More broadly, several causal mechanisms could plausibly link food security and social conflict.

For one, conflict in regions with higher food access and lower availability might arise as a principal outcome of food insecurity. This approach is most directly in tune with the body of research concerned with the resource scarcity-based security implications of climate change (e.g. Miguel et al. 2004; Burke et al. 2009; O’Loughlin et al. 2012), as well as with broader studies of conflict dynamics and food security in both rural and urban contexts (Brinkman and Hendrix 2011; Hendrix and Brinkman 2013; Messer and Cohen 2006). From this perspective, individuals and groups actively fight with one another due to food insecurity-induced grievances, which may manifest in groups’ attempts to overthrow existing political structures, or in these actors’ efforts to more directly seize and control available (but scarce) agricultural resources in an effort to better guarantee long-term food security for their constituents. If future global projections for population growth, consumption, and climate change hold true, then these dynamics suggest that incidences of violent conflict over food scarcity and food insecurity may increase as individuals and groups fight over a continuously shrinking pool of resources, including food.

A second mechanism involves the existence of logistic support in conflict-prone regions, or lack thereof. Throughout history and well into the nineteenth century, armies living off the land have been a regular characteristic of warfare. The utilization of motorized transport vehicles and airlifts has significantly reduced the need of modern militaries to rely on local populations for support, at least among modernized, highly technological militaries (Kress 2002, 12–13). However, given the bureaucratic and economic capabilities required to maintain such systems, the majority of state and non-state armed groups in the developing world are still unlikely to be supported by well-developed logistic supply chains (Henk and Rupiya 2001). Taking into account the consistent relationship between economic welfare and conflict (Hegre and Sambanis 2006; Fearon and Laitin 2003), unsupported warring groups on all sides of a conflict may move into regions that offer more access to cropland in order to forage and pillage to support themselves, which in turn produces higher incidences of hostilities, especially if there is not much food per person available within these fertile regions. Hence, violent conflict in this case is not the direct result of food insecurity, but rather is shaped by food insecurity concerns. The identified relationships between food security and conflict are robust across numerous alternative model specifications, and imply an independent effect of food insecurity in shaping conflict dynamics and conflict risk. Especially when considered alongside current, and projected, climatic and political-economic conditions, this linkage suggests that countries could see an increase in localized conflict worldwide in the coming years. However, this anticipated trend should be considered with caution for several key reasons.

#### Second is Industrial Agriculture---conventional farming is unsustainable---it requires chemical inputs that destroy ecosystems and pollinators and bio-accumulate, risking extinction---a disruptive collapse is inevitable unless a transition to sustainable practices starts now

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We hear a lot about how we’re running out of antibiotics. But we are also doomed to run out of pesticides, because insects inevitably develop resistance, whether toxic chemicals are sprayed directly or genetically engineered into the plants.

Worse yet, weeds, insects, and fungus develop resistance in just 5 years on average, which has caused the chemicals to grow increasingly lethal over the past 60 years. And it takes on average eight to ten years to identify, test, and develop a new pesticide, though that isn’t long enough to discover the long-term toxicity to humans and other organisms.

And this devil’s bargain hasn’t even provided most of the gains in crop yields, which is due to natural-gas and phosphate fertilizers plus soil-crushing tractors and harvesters that can do the work of millions of men and horses quickly on farms that grow only one crop on thousands of acres.

Yet before pesticides, farmers lost a third of their crops to pests, after pesticides, farmers still lose a third of their crops.

Even without pesticides, industrial agriculture is doomed to fail from extremely high rates of soil erosion and soil compaction at rates that far exceed losses in the past, since soil couldn’t wash or blow away as easily on small farms that grew many crops.

But pest killing chemicals are surely accelerating the day of reckoning sooner rather than later. Enormous amounts of toxic chemicals are dumped on land every year — over 1 billion pounds are used in the United State (US) every year and 5.6 billion pounds globally (Alavanja 2009).

This destroys the very ecosystems that used to help plants fight off pests, and is a major factor biodiversity loss and extinction.

Evidence also points to pesticides playing a key role in the loss of bees and their pollination services. Although paleo-diet fanatics won’t mind eating mostly meat when fruit, vegetable, and nut crops are gone, they will not be so happy about having to eat more carbohydrates. Wheat and other grains will still be around, since they are wind-pollinated.

Agricultural chemicals render land lifeless and toxic to beneficial creatures, also killing the food chain above — fish, amphibians, birds, and humans (from cancer, chronic disease, and suicide).

Surely a day is coming when pesticides stop working, resulting in massive famines. But who is there to speak for the grandchildren? And those that do speak for them are mowed down by the logic of libertarian capitalism, which only cares about profits today. Given that a political party is now in power in the U.S. that wants to get rid of the protections the Environmental Protection Agency (EPA) and other agencies provide, may make matters worse if agricultural chemicals are allowed to be more toxic, long-lasting, and released earlier, before being fully tested for health effects.

Meanwhile chemical and genetic engineering companies are making a fortune, because the farmers have to pay full price, since the pests develop resistance long before a product is old enough to be made generically. Except for glyphosate, but weeds have developed resistance. Predictably.

In fact, the inevitability of resistance has been known for nearly seven decades. In 1951, as the world began using synthetic chemicals, Dr. Reginald Painter at Kansas State University published “Insect Resistance in Crop Plants”. He made a case that it would be better to understand how a crop plant fought off insects, since it was inevitable that insects would develop genetic or behavioral resistance. At best, chemicals might be used as an emergency control measure.

Farmers will say that we simply must carry on like this, there’s no other choice. But that’s simply not true.

Consider the corn rootworm, that costs farmers about $2 billion a year in lost crops despite spending hundreds of millions on chemicals and the hundreds of millions of dollars chemical companies spend developing new chemicals.

To lower the chances of corn pests developing resistance, corn crops were rotated with soybeans. Predictably, a few mutated to eat soybeans plus changed their behavior. They used to only lay eggs on nearby corn plants, now they disperse to lay eggs on soybean crops as well. Worse yet, corn is more profitable than soy and many farmers began growing continuous corn. Already the corn rootworm is developing resistance to the latest and greatest chemicals.

But the corn rootworm is not causing devastation in Europe, because farms are smaller and most farmers rotate not just soy, but wheat, alfalfa, sorghum and oats with corn (Nordhaus 2017).

Before planting, farmers try to get rid of pests that survived the winter and apply fumigants to kill fungi and nematodes, and pre-emergent chemicals to reduce weed seeds from emerging. Even farmers practicing no-till farming douse the land with herbicides by using GMO herbicide-resistant crops. Then over the course of crop growth, farmers may apply several rounds of additional pesticides to control different pests. For example, cotton growers apply chemicals from 12 to 30 times before harvest.

Currently, the potential harm is only assessed for 2 to 3 years before a permit is issued, even though the damage might occur up to 20 years later.

Although these chemicals appear to be just like antibiotics, that isn’t entirely true. We develop some immunity to a disease after antibiotics help us recover, but a plant is still vulnerable to the pests and weeds with the genetics or behavior to survive and chemical assault.

Although there are thousands of chemical toxins, what matters is how they kill, their method of action (MOA). For herbicides there are only 29 MOAs, for insecticides, just 28. So if a pest develops resistance to one chemical within an MOA, it will be resistant to all of the thousands of chemicals within that MOA.

The demand for chemicals has also grown due the high level of bioinvasive species. It takes a while to find native pests and make sure they won’t do more harm than good. In the 1950s there were just three main corn pests. By 1978 there were 40, and they vary regionally. For example, California has 30 arthropods and over 14 fungal diseases to cope with.

When I was learning how to grow food organically back in the 90s, I remember how outraged organic farmers were that Monsanto was going to genetically engineer plants to have the Bt bacteria in them. This is because the only insecticide organic farmers can use is Bt bacteria, because it is found in the soil. It’s natural. Organic farmers have been careful to spray only in emergencies so that insects didn’t develop resistance to their only remedy. Since 1996, GMO plants have been engineered to have Bt in them, and predictably, insects have developed resistance. For example, in 2015, 81% of all corn was planted with genetically engineered Bt. But corn earworms have developed resistance, especially in North Carolina and Georgia, setting the stage for damage across the nation. Five other insects have developed resistance to Bt as well.

GMO plants were also going to reduce pesticide use. They did for a while, but not for long. Chemical use has increased 7% to 202,000 tons a year in the past 10 years.

Resistance can come in other ways than mutations. Behavior can change. Cockroach bait is laced with glucose, so cockroaches that developed glucose-aversion now no longer take the bait.

It is worth repeating that chemicals and other practices are ruining the long-term viability of agriculture. Here is how author Dyer explains it:

“Ultimately the practice of modern farming is not sustainable” because “the damage to the soil and natural ecosystems is so great that farming becomes dependent not on the land but on the artificial inputs into the process, such as fertilizers and pesticides. In many ways, our battle against the diverse array of pest species is a battle against the health of the system itself. As we kill pest species, we also kill related species that may be beneficial. We kill predators that could assist our efforts. We reduce the ecosystem’s ability to recover due to reduced diversity, and we interfere with the organisms that affect the biogeochemical processes that maintain the soils in which the plants grow.

Soil is a complex, multifaceted living thing that is far more than the sum of the sand, silt, clay, fungi, microbes, nematodes, and other invertebrates. All biotic components interact as an ecosystem within the soil and at the surface, and in relation to the larger components such as herbivores that move across the land. Organisms grow and dig through the soil, aerate it, reorganize it, and add and subtract organic material. Mature soil is structured and layered and, very importantly, it remains in place. Plowing of the soil turns everything upside down. What was hidden from light is exposed. What was kept at a constant temperature is now varying with the day and night and seasons. What cannot tolerate drying conditions at the surface is likely killed. And very sensitive and delicate structures within the soil are disrupted and destroyed.

Conventional tillage disrupts the entire soil ecosystem. Tractors and farm equipment are large and heavy; they compact the soil, which removes air space and water-holding capacity. Wind and water erosion remove the smallest soil particles, which typically hold most of the micronutrients needed by plants. Synthetic fertilizers are added to supplement the loss of oil nutrients but often are relatively toxic to many soil organisms. And chemicals such as pre-emergents, fumigants, herbicides, insecticides, acaricides, fungicides, and defoliants eventually kill all but the most tolerant or resistant soil organisms. It does not take long to reduce a native, living, dynamic soil to a relatively lifeless collection of inorganic particles with little of the natural structure and function of undisturbed soil”.

When I told my husband all the reasons we use agricultural chemicals and the harm done, my husband got angry and said “Farmers aren’t stupid, that can’t be right!”

I think there are a number of reasons why farmers don’t go back to sustainable organic farming.

First, there is far too much money to be made in the chemical herbicide, pesticide, and insecticide industry to stop this juggernaut. After reading Lessig’s book “Republic, Lost”, one of the best, if not the best book on campaign finance reform, I despair of campaign financing ever happening. So chemical lobbyists will continue to donate enough money to politicians to maintain the status quo. Plus the chemical industry has infiltrated regulatory agencies via the revolving door for decades and is now in a position to assassinate the EPA, with newly appointed Scott Pruitt, who would like to get rid of the EPA.

Second, about half of farmers are hired guns. They don’t own the land and care about passing it on in good health to their children. They rent the land, and their goal, and the owner’s goal is for them to make as much profit as possible.

Third, renters and farmers both would lose money, maybe go out of business in the years it would take to convert an industrial monoculture farm to multiple crops rotated, or an organic farm.

Fourth, it takes time to learn to farm organically properly. So even if the farmer survives financially, mistakes will be made. Hopefully made up for by the higher price of organic food, but as wealth grows increasingly more unevenly distributed, and the risk of another economic crash grows (not to mention lack of reforms, being in more debt now than 2008, etc).

Fifth, industrial farming is what is taught at most universities. There are only a handful of universities that offer programs in organic agriculture.

Sixth, subsidies favor large farmers, who are also the only farmers who have the money to profit from economies of scale, and buy their own giant tractors to farm a thousand acres of monoculture crops. Industrial farming has driven 5 million farmers off the land who couldn’t compete with the profits made by larger farms in the area.

But farmers will have to go organic whether they like it or not

It’s hard to say whether this will happen because we’ve run out of pesticides, whether from resistance or a financial crash reducing new chemical research, or whether peak oil, peak coal, and peak natural gas will cause the decline of chemical farming. Agriculture uses about 15 to 20% of fossil fuel energy, from natural gas fertilizer, oil-based chemicals, farm vehicle and equipment fuel, the agricultural cold chain, distribution, packaging, refrigeration, and cooking to name a few of the uses.

At some point of fossil decline, there won’t be enough fuel or pesticides to continue business as usual.

Farmers will be forced to go organic at some point. Wouldn’t it be easier to start the transition now?

#### Consolidation halts that transition---2 internal links

#### First, Crowd-out---it leads to the replacement of small farms with large farms across industries

Kristen Tam and Olivia Bielskis 21, Researchers for UCLA Law Library, “Stimulating Antitrust Enforcement to Expand the Regenerative Agriculture Movement”, 4-1-21, UCLA Law Library, <https://escholarship.org/uc/item/0m16g2r5>

As defined by the United States Department of Agriculture (USDA), a “farm” is any place from which $1,000 or more of agricultural products were produced or sold during the year.11 This section discusses the historical and current consolidation trends in the agriculture marketplace for farms, meatpacking firms, and many other food corporations. I find that the overall number of farms has decreased while the size of each farm or firm has increased, and the number of farms in higher sales classes have increased along with their subsequent share of farmland.12 Farm numbers have decreased since the onset of the 20th century, however, due to Robert Bork and the Chicago School’s influence that prioritized economic efficiency and consumer prices over small businesses,13 the number of farms in the United States started decreasing at faster rates. In 1975, there were 2.5 million farms across the country,14 which declined by an average of 2.41 percent per year.1516 Comparatively, from 1980 to 1985, the number of farms decreased by an average of 6.15 percent per year,17 alluding to increased rates of consolidation. While farm numbers continue to decrease, output production size and the Gross Cash Farm Income (GCFI) of large farms has increased. From 2012 to 2018, the number of farms decreased from 2.11 to 2.03 million farms, while the average farm size increased from 429 to 443 acres.18 Specifically, the growth in land holdings has increased the greatest in the largest farms. In 1987, 57 percent of the United States cropland was operated by midsize farms with 100 to 999 acres of cropland while only 15 percent was operated by large farms over 2,000 acres.19 In 2012, cropland operated by midsize farms drastically decreased to 36 percent while cropland operated by large farms increased to 36 percent, more than doubling the figure from 1987.20 In addition to holding control of more land and market power, and decreasing competition in the marketplace, these larger farms hold a disproportionate majority of agricultural commodity profits. In 1991, small farms, defined as farms whose income is less than $350,000, took in 46 percent of agricultural profit, while in 2015, small farms took in only 25 percent of agricultural profit.21 Large farms, who make more than $1,000,000 held 31 percent of the GFCI in 1991, while in 2015, their share increased to 51 percent.22 The trend towards, seeing as the number of farms and packaging plants decrease while the number of animals raised per farm increases. From 1987 to 2017, there was a 28.50 percent decrease in the number of cow, pig and chicken farms.23 While the number of farms decreased, the midpoint numbers for the number of livestock per farm increased; where half of the livestock are above, and half are below it. In 1987, the midpoint number of cows for each livestock feeding industry was 80, while in 2012, this increased to 900, an increase of 1,025 percent.24 The number of meatpacking plants, consolidation is also prevalent in the livestock, poultry and meat packing industries where farmers sell their animals to be slaughtered, packaged, and distributed, also decreased which allows meatpackers to run roughshod over farmers by giving them power to pay their desired lower prices, disadvantaging farmers. Consolidation in other food industries is increasing as well, seeing as in 2012 four firms owned 89 percent of the peanut butter industry, a staggering figure which increased to 92 percent in 2017.25 In 2015 the two largest corn seed firms owned 78 percent of the market share,26 in 2017 the four largest jelly firms owned 85 percent of the industry,27 and in 2018, two firms owned 87 percent of the mayonnaise market share, a $1.6 billion dollar industry.28 These figures showing monopolization exemplify the formidable proportions to which the agriculture and food industry is consolidated. These trends underscore how the regulation mechanisms in place to promote competition and prevent monopolization are not working.

#### Second, Tech Lock-In---increasing reliance on technologies created by industrial ag create new path dependencies that make transition to sustainable tech impossible---it’s a linear risk

Jennifer Clapp 20, Canada Research Chair in Global Food Security and Sustainability and a professor in the School of Environment, Resources, and Sustainability at the University of Waterloo, “Precision Technologies for Agriculture: Digital Farming, Gene-Edited Crops, and the Politics of Sustainability,” Global Environment Politics, 20.3, https://direct.mit.edu/glep/article/20/3/49/95048/Precision-Technologies-for-Agriculture-Digital

Technological Lock-In

Key dynamics identified in the broader literature about technological lock-in—whereby technological systems develop along established pathways from which it is difficult and costly to deviate—are reflected in current debates over precision technologies for agriculture. Technological lock-in typically occurs when powerful social forces drive technological development in certain directions. These social forces are often the result of earlier events—technological, political, and psychological—that cement the societal dominance of certain technological systems over others (McKinnon 2019). This temporal nature of the process means that lock-in can become self-reinforcing over time and can ultimately crowd out other potential technological systems that might offer more benefits over the long run (Arthur 1989). In instances of lock-in, the cost of not adopting a new technology that fits into a dominant technological system can often be higher than the benefits of actually using that technology, even if there are better ways to resolve the problem (McKinnon 2019). In such situations, potential adopters typically make decisions about the costs of adopting (or not adopting) novel technologies in the short term, even in cases when the benefits of switching to a different system may be higher over the long term. This dynamic tends to give the momentum in debates regarding novel technology adoption to those voices that reinforce the dominant technological system while weakening the influence of those promoting alternative systems (Vanloqueren and Baret 2009).

The lens of technological lock-in helps shed light on the ways in which the structural context of the dominant agricultural system shapes the political dynamics surrounding current versus possible alternative systems in the debate over precision technologies. The current industrial model rose to dominance through historical patterns of progressive adoption of industrial agricultural technologies that established new path dependencies. The development of hybrid seeds in the 1920 and 1930s and the monoculture planting practices that accompanied them, for example, encouraged monocrop agriculture and the adoption of tractors to replace horses. When monocropping resulted in new vulnerabilities to insects and weeds in crop systems, the response was the adoption of agrochemical sprays to control those pests. Subsequently, agricultural biotechnology emerged as a means by which to address high levels of agrochemical use, by engineering crops to be resistant to pests or resistant to what were thought to be relatively benign herbicides, such as glyphosate (Sassenrath et al. 2008).

Although advocates promote precision technologies as part of a more sustainable trajectory, they are deeply enmeshed with elements of the established industrial agricultural system. Most of the corporate research into gene editing and variable-rate spraying equipment, for example, is focused on the use of these technologies in conjunction with herbicides—specifically glyphosate—which have already been locked into dominant agricultural practices. New precision technologies are also deeply enmeshed in the dominance of digital technology systems in society more broadly. The prevalence of and familiarity with digital technologies in society for nonfarming activities, such as for obtaining news and weather forecasts or social media, work to lock-in digital farming adoption by farmers. As farmers sign on to these new digitally linked farming technologies, their entrenchment in the industrial agriculture system to which most of those technologies are tethered only deepens. And as farmers become increasingly reliant on and skilled in the use of digital technologies to guide their farming decisions, lock-in becomes self-reinforcing, because farmers lose the ability to evaluate trade-offs and make decisions in the absence of digital assistance as well as the ability to repair their own digital equipment and machinery (Carolan 2018; Rotz et al. 2019).

#### Big Ag leads to ecological collapse---it destroys biodiversity, causes gulf hypoxia, and increases emissions

Matthew R. Sanderson and Stan Cox 19, social scientist at Kansas State University, research scholar in ecosphere studies at The Land Institute “Big Agriculture Is Leading to Ecological Collapse,” Foreign Policy, 10-14-2019, <https://foreignpolicy.com/2021/05/17/big-industrialized-agriculture-climate-change-earth-systems-ecological-collapse-policy/>

Today, there is more carbon dioxide in the atmosphere than at any point in the past [3.6 million years](https://research.noaa.gov/article/ArtMID/587/ArticleID/2742/Despite-pandemic-shutdowns-carbon-dioxide-and-methane-surged-in-2020). On April 5, atmospheric carbon dioxide exceeded [420 parts per million](https://www.esrl.noaa.gov/gmd/ccgg/trends/monthly.html)—marking nearly the halfway point toward doubling the carbon dioxide levels measured prior to the Industrial Revolution, a mere [171 years ago](https://www.ipcc.ch/site/assets/uploads/sites/2/2018/12/SR15_FAQ_Low_Res.pdf). Even amid a pandemic-induced economic shutdown—during which global annual emissions dropped [7 percent](https://research.noaa.gov/article/ArtMID/587/ArticleID/2742/Despite-pandemic-shutdowns-carbon-dioxide-and-methane-surged-in-2020)—carbon dioxide and methane levels set records in 2020. The last time Earth held this much carbon dioxide in its atmosphere, sea levels were nearly 80 feet higher and the planet was 7 degrees Fahrenheit warmer. The catch: Homo sapiens did not yet exist.

Change is in the air. U.S. Director of National Intelligence Avril Haines [announced](https://www.nytimes.com/live/2021/04/22/us/biden-earth-day-climate-summit) climate change is “at the center of the country’s national security and foreign policy.” Business-as-usual is no longer a viable strategy as more institutions consider a future that will look and feel much different. In this context, it is striking to read a recent piece in Foreign Policy arguing “[big agriculture is best](https://foreignpolicy.com/2021/04/18/big-agriculture-is-best/).”

“Big agriculture is best” cannot be an argument supported by empirical evidence. By now, it is vitally clear that Earth systems—the atmosphere, oceans, soils, and biosphere—are in [various phases of collapse](https://www.swissre.com/media/news-releases/nr-20200923-biodiversity-and-ecosystems-services.html), putting nearly [one-half of the world’s gross](https://www.swissre.com/media/news-releases/nr-20200923-biodiversity-and-ecosystems-services.html) domestic product at risk and [undermining the planet’s ability to support life](https://ipbes.net/global-assessment). And big, industrialized agriculture—promoted by U.S. foreign and domestic policy—lies at the heart of the multiple connected crises we are confronting as a species.

The litany of industrial agriculture’s toll is long and diverse. Consider the effects of industrial animal agriculture, for example. As of this writing, animal agriculture accounts for [14.5 percent](http://www.fao.org/news/story/en/item/197623/icode/) of total anthropogenic greenhouse gas emissions annually. It is also the source of 60 percent of all nitrous oxide and 50 percent of all methane emissions, which have [36 times and 298 times](https://www.epa.gov/ghgemissions/understanding-global-warming-potentials), respectively, the warming potential of carbon dioxide. As industrial animal agriculture has scaled up, agricultural emissions of methane and nitrous oxide have been going in [one direction only](https://www.ipcc.ch/site/assets/uploads/2018/02/ar4-wg3-chapter8-1.pdf): up.

Efforts to scale industrial agriculture are undermining the planet’s capacity to support life at more local scales too. Consider Brazil, home to the Amazon Rainforest, which makes up [40 percent](https://www.worldbank.org/en/news/feature/2019/05/22/why-the-amazons-biodiversity-is-critical-for-the-globe) of all remaining rainforest and 25 percent of all terrestrial biodiversity on Earth. Forest loss and species extinctions [have only increased](https://ipbes.net/sites/default/files/inline/files/ipbes_global_assessment_report_summary_for_policymakers.pdf) as industrial agriculture has scaled up in Brazil. Farmers are burning unprecedented amounts of forest to expand their operations in pursuit of an industrial model. In August 2019, [smoke blocked the sun in São Paulo](https://www.weforum.org/agenda/2019/08/amazon-burning-unseen-rate/), Brazil, 2,000 miles away from the fires in the state of Amazonas.

Efforts to scale industrial agriculture are undermining the planet’s capacity to support life.

In India, the pace of agricultural industrialization is hastening as indicated by [rising agricultural production](https://www.ers.usda.gov/mediaImport/1957187/err-203.pdf) and [declining employment in agriculture](https://data.worldbank.org/indicator/SL.AGR.EMPL.ZS?locations=IN), which now accounts for less than one-half of India’s workforce. Agriculture has been scaled with all the tools of the Green Revolution: a high-input farming system comprised of genetically modified seeds and accompanying synthetic fertilizers and pesticides. As agriculture has industrialized in India, the use of [pesticides](http://ppqs.gov.in/statistical-database) and [fertilizers](https://pib.gov.in/PressReleseDetailm.aspx?PRID=1640400#:~:text=Production%20and%20Sales%2F%20consumption%20of%20Fertilisers%20comfortable&text=2019%2D20%20record%20high%20urea,previous%20year%20i.e.%202018%2D19.) has risen as well.

Although it has become more difficult to breathe the air in Brazil, it has become harder to find clean freshwater in India, where [pesticide contamination is rising](https://link.springer.com/article/10.1007/s10661-015-4287-y). There, the costs of the industrial agriculture model are plainly ecological and human: Unable to drink the water or pay back the loans they took out to finance their transition to industrial farming, an alarming number of Indian farmers are drinking pesticides instead. Almost a quarter-million Indian farmers have [died by suicide](http://www.isec.ac.in/farmer_suicides_An%20all%20India%20study-09Aug2017-revised.pdf) since 2000, and [10,281 farmers and farm laborers](https://www.nytimes.com/2020/09/08/world/asia/india-coronavirus-farmer-suicides-lockdown.html) killed themselves in 2019 alone. In Punjab, the country’s breadbasket, environmental destruction coexists with a raging opioid epidemic ensnaring nearly[two-thirds of households in the state](https://www.theguardian.com/global-development/2019/jul/01/the-indian-state-where-farmers-sow-the-seeds-of-death).

If the events in Brazil and India sound familiar to U.S. readers, it is because there are analogous stories in the United States—where industrial agriculture is rendering entire landscapes uninhabitable. The U.S. Corn Belt, which spans the region from Ohio to Nebraska, produces 75 percent of the country’s corn, but around [35 percent](https://www.pnas.org/content/118/8/e1922375118) of the region has completely lost its topsoil. Industrial agriculture has been pursued with special zeal in Iowa, where there are 25 million hogs and 3 million people. There, water from the Raccoon River enters the state capital of Des Moines—home to 550,000 people—with nitrates, phosphorus, and bacteria that have [exceeded federal safe water drinking standards](https://apnews.com/article/des-moines-lawsuits-courts-iowa-pollution-23798b7c9dfe04bc84f728ce92eeb4db).

At a larger scale, nutrient runoff from industrial agriculture in the U.S. Midwest has created an annual [dead zone](https://www.noaa.gov/media-release/noaa-forecasts-very-large-dead-zone-for-gulf-of-mexico)—a hypoxic area low in or devoid of oxygen—that is the size of Massachusetts. The ecological consequences of industrial agriculture manifest alongside a growing human toll. Rural communities are experiencing [rising suicide rates](https://www.washingtonpost.com/news/wonk/wp/2018/05/24/mapping-the-rising-tide-of-suicide-deaths-across-the-united-states/), especially [among young](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4551430/) people, along with increases in “[deaths of despair](https://www.nytimes.com/2020/01/09/opinion/sunday/deaths-despair-poverty.html)” from alcohol and drugs—an expanding human dead zone.

From suffering U.S. farmers to the pain inflicted on the developing world, everything about U.S. agriculture policy is dysfunctional. The next administration can do better.

Although tragic, these outcomes are neither inevitable nor natural. They are outcomes of U.S. policy choices. Industrialized agriculture has been a hallmark of U.S. foreign policy in the post-World War II era. Under the guise of [development for all](https://avalon.law.yale.edu/20th_century/truman.asp) and the mantra of “[feed the world](https://share.america.gov/u-s-farmers-feed-world/),” the United States has used policy to [dump surplus grain](https://www.cambridge.org/core/journals/renewable-agriculture-and-food-systems/article/true-costs-of-us-agricultural-dumping/ABDB3E76865636EF025C72D94FEECD32) in low-income countries—undermining markets for smallholder farmers—and cultivate foreign markets as importers of high-input, industrial agriculture technologies to scale agriculture. At home, federal policy since the 1970s has explicitly promoted scaling industrial agriculture through the “[get big or get out](https://grist.org/article/the-butz-stops-here/)” imperative.

Society did not arrive at this precipice because agriculture was too small or because industrialized agriculture respected the laws of physics. Instead, we are peering into an abyss of systemic socioecological collapse because every effort has been made to use industrialization to break through all known ecological and human limitations to scaling agriculture.

Industrial agriculture simplifies ecosystems, rendering us more vulnerable to threats. Transformative policies will be required to pull us back from the edge. As a start, the United States could set an example for the Global North with a [50-year farm bill](https://www.nytimes.com/2009/01/05/opinion/05berry.html).

Industrial agriculture simplifies ecosystems, rendering us more vulnerable to threats.

The bill would promote ecosystem diversification and increased resilience by reducing acreage of annual grain crops from 70 percent to 10 percent or less of all cropland while scaling up [perennial crops](https://science.sciencemag.org/content/328/5986/1638) to 80 percent of farmland. The remaining 10 percent would be allocated to other crops, including a diverse array of locally produced vegetables and fruits. Soil and water-conserving perennial varieties of rice, wheat, legumes, and other food-grain crops—which are [now being developed](https://www.cambridge.org/core/journals/global-sustainability/article/is-the-future-of-agriculture-perennial-imperatives-and-opportunities-to-reinvent-agriculture-by-shifting-from-annual-monocultures-to-perennial-polycultures/0F69B1DBF3493462B4D46EB8F0F541EE)—could serve as components of diverse, perennial, multispecies communities of food crops that replicate how nature functions. The bill would promote a transition to smaller, more diverse farm operations as agricultural diversification will work most effectively not on vast, uniform acreages but as mosaics made up of many modest-sized farms.

The bill would be an important step toward returning home as a species that once again lives within context—within limits, [perennially](https://www.resilience.org/stories/2020-12-08/transforming-life-on-our-home-planet-perennially/). Our collective pursuit of “big is best” led us out of context to our peril.

In the face of multiple cascading socioecological crises, Candide, published by the French writer Voltaire in 1759, shows us a way forward. Candide, the book’s protagonist, is mentored by Pangloss, a professor who holds a [Leibnizian optimism](https://plato.stanford.edu/entries/leibniz/) about the world that justifies the status quo as being “all for the best” in the “best of all possible worlds.”

#### Extinction outweighs---it’s the upmost moral evil and disavowal of the risk makes it more likely.

Burns 17 (Elizabeth Finneron-Burns is a Teaching Fellow at the University of Warwick and an Affiliated Researcher at the Institute for Futures Studies in Stockholm, What’s wrong with human extinction?, <http://www.tandfonline.com/doi/pdf/10.1080/00455091.2016.1278150?needAccess=true>, Canadian Journal of Philosophy, 2017)

Many, though certainly not all, people might believe that it would be wrong to bring about the end of the human species, and the reasons given for this belief are various. I begin by considering four reasons that could be given against the moral permissibility of human extinction. I will argue that only those reasons that impact the people who exist at the time that the extinction or the knowledge of the upcoming extinction occurs, can explain its wrongness. I use this conclusion to then consider in which cases human extinction would be morally permissible or impermissible, arguing that there is only a small class of cases in which it would not be wrong to cause the extinction of the human race or allow it to happen. 2.1. It would prevent the existence of very many happy people One reason of human extinction might be considered to be wrong lies in the value of human life itself. The thought here might be that it is a good thing for people to exist and enjoy happy lives and extinction would deprive more people of enjoying this good. The ‘good’ in this case could be understood in at least two ways. According to the first, one might believe that you benefit a person by bringing them into existence, or at least, that it is good for that person that they come to exist. The second view might hold that if humans were to go extinct, the utility foregone by the billions (or more) of people who could have lived but will now never get that opportunity, renders allowing human extinction to take place an incidence of wrongdoing. An example of this view can be found in two quotes from an Effective Altruism blog post by Peter Singer, Nick Beckstead and Matt Wage: One very bad thing about human extinction would be that billions of people would likely die painful deaths. But in our view, this is by far not the worst thing about human extinction. The worst thing about human extinction is that there would be no future generations. Since there could be so many generations in our future, the value of all those generations together greatly exceeds the value of the current generation. (Beckstead, Singer, and Wage 2013) The authors are making two claims. The first is that there is value in human life and also something valuable about creating future people which gives us a reason to do so; furthermore, it would be a very bad thing if we did not do so. The second is that, not only would it be a bad thing for there to be no future people, but it would actually be the worst thing about extinction. Since happy human lives have value, and the number of potential people who could ever exist is far greater than the number of people who exist at any one time, even if the extinction were brought about through the painful deaths of currently existing people, the former’s loss would be greater than the latter’s. Both claims are assuming that there is an intrinsic value in the existence of potential human life. The second claim makes the further assumption that the forgone value of the potential lives that could be lived is greater than the disvalue that would be accrued by people existing at the time of the extinction through suffering from painful and/or premature deaths. The best-known author of the post, Peter Singer is a prominent utilitarian, so it is not surprising that he would lament the potential lack of future human lives per se. However, it is not just utilitarians who share this view, even if implicitly. Indeed, other philosophers also seem to imply that they share the intuition that there is just something wrong with causing or failing to prevent the extinction of the human species such that we prevent more ‘people’ from having the ‘opportunity to exist’. Stephen Gardiner (2009) and Martin O’Neill (personal correspondence), both sympathetic to contract theory, for example, also find it intuitive that we should want more generations to have the opportunity to exist, assuming that they have worth-living lives, and I find it plausible to think that many other people (philosophers and non-philosophers alike) probably share this intuition. When we talk about future lives being ‘prevented’, we are saying that a possible person or a set of possible people who could potentially have existed will now never actually come to exist. To say that it is wrong to prevent people from existing could either mean that a possible person could reasonably reject a principle that permitted us not to create them, or that the foregone value of their lives provides a reason for rejecting any principle that permits extinction. To make the first claim we would have to argue that a possible person could reasonably reject any principle that prevented their existence on the grounds that it prevented them in particular from existing. However, this is implausible for two reasons. First, we can only wrong someone who did, does or will actually exist because wronging involves failing to take a person’s interests into account. When considering the permissibility of a principle allowing us not to create Person X, we cannot take X’s interest in being created into account because X will not exist if we follow the principle. By considering the standpoint of a person in our deliberations we consider the burdens they will have to bear as a result of the principle. In this case, there is no one who will bear any burdens since if the principle is followed (that is, if we do not create X), X will not exist to bear any burdens. So, only people who do/will actually exist can bear the brunt of a principle, and therefore occupy a standpoint that is owed justification. Second, existence is not an interest at all and a possible person is not disadvantaged by not being caused to exist. Rather than being an interest, it is a necessary requirement in order to have interests. Rivka Weinberg describes it as ‘neutral’ because causing a person to exist is to create a subject who can have interests; existence is not an interest itself.3 In order to be disadvantaged, there must be some detrimental effect on your interests. However, without existence, a person does not have any interests so they cannot be disadvantaged by being kept out of existence. But, as Weinberg points out, ‘never having interests itself could not be contrary to people’s interests since without interest bearers, there can be no ‘they’ for it to be bad for’ (Weinberg 2008, 13). So, a principle that results in some possible people never becoming actual does not impose any costs on those ‘people’ because nobody is disadvantaged by not coming into existence.4 It therefore seems that it cannot be wrong to fail to bring particular people into existence. This would mean that no one acts wrongly when they fail to create another person. Writ large, it would also not be wrong if everybody decided to exercise their prerogative not to create new people and potentially, by consequence, allow human extinction. One might respond here by saying that although it may be permissible for one person to fail to create a new person, it is not permissible if everyone chooses to do so because human lives have value and allowing human extinction would be to forgo a huge amount of value in the world. This takes us to the second way of understanding the potential wrongness of preventing people from existing — the foregone value of a life provides a reason for rejecting any principle that prevents it. One possible reply to this claim turns on the fact that many philosophers acknowledge that the only, or at least the best, way to think about the value of (individual or groups of) possible people’s lives is in impersonal terms (Parfit 1984; Reiman 2007; McMahan 2009). Jeff McMahan, for example, writes ‘at the time of one’s choice there is no one who exists or will exist independently of that choice for whose sake one could be acting in causing him or her to exist … it seems therefore that any reason to cause or not to cause an individual to exist … is best considered an impersonal rather than individual-affecting reason’ (McMahan 2009, 52). Another reply along similar lines would be to appeal to the value that is lost or at least foregone when we fail to bring into existence a next (or several next) generations of people with worth-living lives. Since ex hypothesi worth-living lives have positive value, it is better to create more such lives and worse to create fewer. Human extinction by definition is the creation of no future lives and would ‘deprive’ billions of ‘people’ of the opportunity to live worth-living lives. This might reduce the amount of value in the world at the time of the extinction (by killing already existing people), but it would also prevent a much vaster amount of value in the future (by failing to create more people). Both replies depend on the impersonal value of human life. However, recall that in contractualism impersonal values are not on their own grounds for reasonably rejecting principles. Scanlon himself says that although we have a strong reason not to destroy existing human lives, this reason ‘does not flow from the thought that it is a good thing for there to be more human life rather than less’ (104). In contractualism, something cannot be wrong unless there is an impact on a person. Thus, neither the impersonal value of creating a particular person nor the impersonal value of human life writ large could on its own provide a reason for rejecting a principle permitting human extinction. It seems therefore that the fact that extinction would deprive future people of the opportunity to live worth-living lives (either by failing to create either particular future people or future people in general) cannot provide us with a reason to consider human extinction to be wrong. Although the lost value of these ‘lives’ itself cannot be the reason explaining the wrongness of extinction, it is possible the knowledge of this loss might create a personal reason for some existing people. I will consider this possibility later on in section (d). But first I move to the second reason human extinction might be wrong per se. 2.2. It would mean the loss of the only known form of intelligent life and all civilization and intellectual progress would be lost A second reason we might think it would be wrong to cause human extinction is the loss that would occur of the only (known) form of rational life and the knowledge and civilization that that form of life has created. One thought here could be that just as some might consider it wrong to destroy an individual human heritage monument like the Sphinx, it would also be wrong if the advances made by humans over the past few millennia were lost or prevented from progressing. A related argument is made by those who feel that there is something special about humans’ capacity for rationality which is valuable in itself. Since humans are the only intelligent life that we know of, it would be a loss, in itself, to the world for that to end. I admit that I struggle to fully appreciate this thought. It seems to me that Henry Sidgwick was correct in thinking that these things are only important insofar as they are important to humans (Sidgwick 1874, I.IX.4).5 If there is no form of intelligent life in the future, who would there be to lament its loss since intelligent life is the only form of life capable of appreciating intelligence? Similarly, if there is no one with the rational capacity to appreciate historic monuments and civil progress, who would there be to be negatively affected or even notice the loss?6 However, even if there is nothing special about human rationality, just as some people try to prevent the extinction of nonhuman animal species, we might think that we ought also to prevent human extinction for the sake of biodiversity. The thought in this, as well as the earlier examples, must be that it would somehow be bad for the world if there were no more humans even though there would be no one for whom it is bad. This may be so but the only way to understand this reason is impersonally. Since we are concerned with wrongness rather than badness, we must ask whether something that impacts no one’s well-being, status or claims can be wrong. As we saw earlier, in the contractualist framework reasons must be personal rather than impersonal in order to provide grounds for reasonable rejection (Scanlon 1998, 218–223). Since the loss of civilization, intelligent life or biodiversity are per se impersonal reasons, there is no standpoint from which these reasons could be used to reasonably reject a principle that permitted extinction. Therefore, causing human extinction on the grounds of the loss of civilization, rational life or biodiversity would not be wrong. 2.3. Existing people would endure physical pain and/or painful and/or premature deaths Thinking about the ways in which human extinction might come about brings to the fore two more reasons it might be wrong. It could, for example, occur if all humans (or at least the critical number needed to be unable to replenish the population, leading to eventual extinction) underwent a sterilization procedure. Or perhaps it could come about due to anthropogenic climate change or a massive asteroid hitting the Earth and wiping out the species in the same way it did the dinosaurs millions of years ago. Each of these scenarios would involve significant physical and/or non-physical harms to existing people and their interests. Physically, people might suffer premature and possibly also painful deaths, for example. It is not hard to imagine examples in which the process of extinction could cause premature death. A nuclear winter that killed everyone or even just every woman under the age of 50 is a clear example of such a case. Obviously, some types of premature death themselves cannot be reasons to reject a principle. Every person dies eventually, sometimes earlier than the standard expected lifespan due to accidents or causes like spontaneously occurring incurable cancers. A cause such as disease is not a moral agent and therefore it cannot be wrong if it unavoidably kills a person prematurely. Scanlon says that the fact that a principle would reduce a person’s well-being gives that person a reason to reject the principle: ‘components of well-being figure prominently as grounds for reasonable rejection’ (Scanlon 1998, 214). However, it is not settled yet whether premature death is a setback to well-being. Some philosophers hold that death is a harm to the person who dies, whilst others argue that it is not.7 I will argue, however, that regardless of who is correct in that debate, being caused to die prematurely can be reason to reject a principle when it fails to show respect to the person as a rational agent. Scanlon says that recognizing others as rational beings with interests involves seeing reason to preserve life and prevent death: ‘appreciating the value of human life is primarily a matter of seeing human lives as something to be respected, where this involves seeing reasons not to destroy them, reasons to protect them, and reasons to want them to go well’ (Scanlon 1998, 104). The ‘respect for life’ in this case is a respect for the person living, not respect for human life in the abstract. This means that we can sometimes fail to protect human life without acting wrongfully if we still respect the person living. Scanlon gives the example of a person who faces a life of unending and extreme pain such that she wishes to end it by committing suicide. Scanlon does not think that the suicidal person shows a lack of respect for her own life by seeking to end it because the person whose life it is has no reason to want it to go on. This is important to note because it emphasizes the fact that the respect for human life is person-affecting. It is not wrong to murder because of the impersonal disvalue of death in general, but because taking someone’s life without their permission shows disrespect to that person. This supports its inclusion as a reason in the contractualist formula, regardless of what side ends up winning the ‘is death a harm?’ debate because even if death turns out not to harm the person who died, ending their life without their consent shows disrespect to that person. A person who could reject a principle permitting another to cause his or her premature death presumably does not wish to die at that time, or in that manner. Thus, if they are killed without their consent, their interests have not been taken into account, and they have a reason to reject the principle that allowed their premature death.8 This is as true in the case of death due to extinction as it is for death due to murder. However, physical pain may also be caused to existing people without killing them, but still resulting in human extinction. Imagine, for example, surgically removing everyone’s reproductive organs in order to prevent the creation of any future people. Another example could be a nuclear bomb that did not kill anyone, but did painfully render them infertile through illness or injury. These would be cases in which physical pain (through surgery or bombs) was inflicted on existing people and the extinction came about as a result of the painful incident rather than through death. Furthermore, one could imagine a situation in which a bomb (for example) killed enough people to cause extinction, but some people remained alive, but in terrible pain from injuries. It seems uncontroversial that the infliction of physical pain could be a reason to reject a principle. Although Scanlon says that an impact on well-being is not the only reason to reject principles, it plays a significant role, and indeed, most principles are likely to be rejected due to a negative impact on a person’s well-being, physical or otherwise. It may be queried here whether it is actually the involuntariness of the pain that is grounds for reasonable rejection rather than the physical pain itself because not all pain that a person suffers is involuntary. One can imagine acts that can cause physical pain that are not rejectable — base jumping or life-saving or improving surgery, for example. On the other hand, pushing someone off a cliff or cutting him with a scalpel against his will are clearly rejectable acts. The difference between the two cases is that in the former, the person having the pain inflicted has consented to that pain or risk of pain. My view is that they cannot be separated in these cases and it is involuntary physical pain that is the grounds for reasonable rejection. Thus, the fact that a principle would allow unwanted physical harm gives a person who would be subjected to that harm a reason to reject the principle. Of course the mere fact that a principle causes involuntary physical harm or premature death is not sufficient to declare that the principle is rejectable — there might be countervailing reasons. In the case of extinction, what countervailing reasons might be offered in favour of the involuntary physical pain/ death-inducing harm? One such reason that might be offered is that humans are a harm to the natural environment and that the world might be a better place if there were no humans in it. It could be that humans might rightfully be considered an all-things-considered hindrance to the world rather than a benefit to it given the fact that we have been largely responsible for the extinction of many species, pollution and, most recently, climate change which have all negatively affected the natural environment in ways we are only just beginning to understand. Thus, the fact that human extinction would improve the natural environment (or at least prevent it from degrading further), is a countervailing reason in favour of extinction to be weighed against the reasons held by humans who would experience physical pain or premature death. However, the good of the environment as described above is by definition not a personal reason. Just like the loss of rational life and civilization, therefore, it cannot be a reason on its own when determining what is wrong and countervail the strong personal reasons to avoid pain/death that is held by the people who would suffer from it.9 Every person existing at the time of the extinction would have a reason to reject that principle on the grounds of the physical pain they are being forced to endure against their will that could not be countervailed by impersonal considerations such as the negative impact humans may have on the earth. Therefore, a principle that permitted extinction to be accomplished in a way that caused involuntary physical pain or premature death could quite clearly be rejectable by existing people with no relevant countervailing reasons. This means that human extinction that came about in this way would be wrong. There are of course also additional reasons they could reject a similar principle which I now turn to address in the next section. 2.4. Existing people could endure non-physical harms I said earlier than the fact in itself that there would not be any future people is an impersonal reason and can therefore not be a reason to reject a principle permitting extinction. However, this impersonal reason could give rise to a personal reason that is admissible. So, the final important reason people might think that human extinction would be wrong is that there could be various deleterious psychological effects that would be endured by existing people having the knowledge that there would be no future generations. There are two main sources of this trauma, both arising from the knowledge that there will be no more people. The first relates to individual people and the undesired negative effect on well-being that would be experienced by those who would have wanted to have children. Whilst this is by no means universal, it is fair to say that a good proportion of people feel a strong pull towards reproduction and having their lineage continue in some way. Samuel Scheffler describes the pull towards reproduction as a ‘desire for a personalized relationship with the future’ (Scheffler 2012, 31). Reproducing is a widely held desire and the joys of parenthood are ones that many people wish to experience. For these people knowing that they would not have descendants (or that their descendants will endure painful and/or premature deaths) could create a sense of despair and pointlessness of life. Furthermore, the inability to reproduce and have your own children because of a principle/policy that prevents you (either through bans or physical interventions) would be a significant infringement of what we consider to be a basic right to control what happens to your body. For these reasons, knowing that you will have no descendants could cause significant psychological traumas or harms even if there were no associated physical harm. The second is a more general, higher level sense of hopelessness or despair that there will be no more humans and that your projects will end with you. Even those who did not feel a strong desire to procreate themselves might feel a sense of hopelessness that any projects or goals they have for the future would not be fulfilled. Many of the projects and goals we work towards during our lifetime are also at least partly future-oriented. Why bother continuing the search for a cure for cancer if either it will not be found within humans’ lifetime, and/or there will be no future people to benefit from it once it is found? Similar projects and goals that might lose their meaning when confronted with extinction include politics, artistic pursuits and even the type of philosophical work with which this paper is concerned. Even more extreme, through the words of the character Theo Faron, P.D. James says in his novel The Children of Men that ‘without the hope of posterity for our race if not for ourselves, without the assurance that we being dead yet live, all pleasures of the mind and senses sometimes seem to me no more than pathetic and crumbling defences shored up against our ruins’ (James 2006, 9). Even if James’ claim is a bit hyperbolic and all pleasures would not actually be lost, I agree with Scheffler in finding it not implausible that the knowledge that extinction was coming and that there would be no more people would have at least a general depressive effect on people’s motivation and confidence in the value of and joy in their activities (Scheffler 2012, 43). Both sources of psychological harm are personal reasons to reject a principle that permitted human extinction. Existing people could therefore reasonably reject the principle for either of these reasons. Psychological pain and the inability to pursue your personal projects, goals, and aims, are all acceptable reasons for rejecting principles in the contractualist framework. So too are infringements of rights and entitlements that we accept as important for people’s lives. These psychological reasons, then, are also valid reasons to reject principles that permitted or required human extinction.

#### That is the only egalitarian metric---anything else collapses cooperation on collective action crises and makes extinction inevitable

Khan 18 (Risalat, activist and entrepreneur from Bangladesh passionate about addressing climate change, biodiversity loss, and other existential challenges. He was featured by The Guardian as one of the “young climate campaigners to watch” (2015). As a campaigner with the global civic movement Avaaz (2014-17), Risalat was part of a small core team that spearheaded the largest climate marches in history with a turnout of over 800,000 across 2,000 cities. After fighting for the Paris Agreement, Risalat led a campaign joined by over a million people to stop the Rampal coal plant in Bangladesh to protect the Sundarbans World Heritage forest, and elicited criticism of the plant from Crédit Agricolé through targeted advocacy. Currently, Risalat is pursuing an MPA in Environmental Science and Policy at Columbia University as a SIPA Environmental Fellow, “5 reasons why we need to start talking about existential risks,” https://www.weforum.org/agenda/2018/01/5-reasons-start-talking-existential-risks-extinction-moriori/)

Infinite future possibilities I find the story of the Moriori profound. It teaches me two lessons. Firstly, that human culture is far from immutable. That we can struggle against our baser instincts. That we can master them and rise to unprecedented challenges. Secondly, that even this does not make us masters of our own destiny. We can make visionary choices, but the future can still surprise us. This is a humbling realization. Because faced with an uncertain future, the only wise thing we can do is prepare for possibilities. Standing at the launch pad of the Fourth Industrial Revolution, the possibilities seem endless. They range from an era of abundance to the end of humanity, and everything in between. How do we navigate such a wide and divergent spectrum? I am an optimist. From my bubble of privilege, life feels like a rollercoaster ride full of ever more impressive wonders, even as I try to fight the many social injustices that still blight us. However, the accelerating pace of change amid uncertainty elicits one fundamental observation. Among the infinite future possibilities, only one outcome is truly irreversible: extinction. Concerns about extinction are often dismissed as apocalyptic alarmism. Sometimes, they are. But repeating that mankind is still here after 70 years of existential warning about nuclear warfare is a straw man argument. The fact that a 1000-year flood has not happened does not negate its possibility. And there have been far too many nuclear near-misses to rest easy. As the World Economic Forum’s Annual Meeting in Davos discusses how to create a shared future in a fractured world, here are five reasons why the possibility of existential risks should raise the stakes of conversation: 1. Extinction is the rule, not the exception More than 99.9% of all the species that ever existed are gone. Deep time is unfathomable to the human brain. But if one cares to take a tour of the billions of years of life’s history, we find a litany of forgotten species. And we have only discovered a mere fraction of the extinct species that once roamed the planet. In the speck of time since the first humans evolved, more than 99.9% of all the distinct human cultures that have ever existed are extinct. Each hunter-gatherer tribe had its own mythologies, traditions and norms. They wiped each other out, or coalesced into larger formations following the agricultural revolution. However, as major civilizations emerged, even those that reached incredible heights, such as the Egyptians and the Romans, eventually collapsed. It is only in the very recent past that we became a truly global civilization. Our interconnectedness continues to grow rapidly. “Stand or fall, we are the last civilization”, as Ricken Patel, the founder of the global civic movement Avaaz, put it. 2. Environmental pressures can drive extinction More than 15,000 scientists just issued a ‘warning to humanity’. They called on us to reduce our impact on the biosphere, 25 years after their first such appeal. The warning notes that we are far outstripping the capacity of our planet in all but one measure of ozone depletion, including emissions, biodiversity, freshwater availability and more. The scientists, not a crowd known to overstate facts, conclude: “soon it will be too late to shift course away from our failing trajectory, and time is running out”. In his 2005 book Collapse, Jared Diamond charts the history of past societies. He makes the case that overpopulation and resource use beyond the carrying capacity have often been important, if not the only, drivers of collapse. Even though we are making important incremental progress in battles such as climate change, we must still achieve tremendous step changes in our response to several major environmental crises. We must do this even while the world’s population continues to grow. These pressures are bound to exert great stress on our global civilization. 3. Superintelligence: unplanned obsolescence? Imagine a monkey society that foresaw the ascendance of humans. Fearing a loss of status and power, it decided to kill the proverbial Adam and Eve. It crafted the most ingenious plan it could: starve the humans by taking away all their bananas. Foolproof plan, right? This story describes the fundamental difficulty with superintelligence. A superintelligent being may always do something entirely different from what we, with our mere mortal intelligence, can foresee. In his 2014 book Superintelligence, Swedish philosopher Nick Bostrom presents the challenge in thought-provoking detail, and advises caution. Bostrom cites a survey of industry experts that projected a 50% chance of the development of artificial superintelligence by 2050, and a 90% chance by 2075. The latter date is within the life expectancy of many alive today. Visionaries like Stephen Hawking and Elon Musk have warned of the existential risks from artificial superintelligence. Their opposite camp includes Larry Page and Mark Zuckerberg. But on an issue that concerns the future of humanity, is it really wise to ignore the guy who explained the nature of space to us and another guy who just put a reusable rocket in it? 4. Technology: known knowns and unknown unknowns Many fundamentally disruptive technologies are coming of age, from bioengineering to quantum computing, 3-D printing, robotics, nanotechnology and more. Lord Martin Rees describes potential existential challenges from some of these technologies, such as a bioengineered pandemic, in his book Our Final Century. Imagine if North Korea, feeling secure in its isolation, could release a virulent strain of Ebola, engineered to be airborne. Would it do it? Would ISIS? Projecting decades forward, we will likely develop capabilities that are unthinkable even now. The unknown unknowns of our technological path are profoundly humbling. 5. 'The Trump Factor' Despite our scientific ingenuity, we are still a confused and confusing species. Think back to two years ago, and how you thought the world worked then. Has that not been upended by the election of Donald Trump as US President, and everything that has happened since? The mix of billions of messy humans will forever be unpredictable. When the combustible forces described above are added to this melee, we find ourselves on a tightrope. What choices must we now make now to create a shared future, in which we are not at perpetual risk of destroying ourselves? Common enemy to common cause Throughout history, we have rallied against the ‘other’. Tribes have overpowered tribes, empires have conquered rivals. Even today, our fiercest displays of unity typically happen at wartime. We give our lives for our motherland and defend nationalistic pride like a wounded lion. But like the early Morioris, we 21st-century citizens find ourselves on an increasingly unstable island. We may have a violent past, but we have no more dangerous enemy than ourselves. Our task is to find our own Nunuku’s Law. Our own shared contract, based on equity, would help us navigate safely. It would ensure a future that unleashes the full potential of our still-budding human civilization, in all its diversity. We cannot do this unless we are humbly grounded in the possibility of our own destruction. Survival is life’s primal instinct. In the absence of a common enemy, we must find common cause in survival. Our future may depend on whether we realize this.

#### Collapse of biodiversity causes extinction

Dr. Luiz Marques 20, PhD in Entomology, Associate Professor of Environmental History in the Department of History at the University of Campinas, Capitalism and Environmental Collapse, p. 247-248

Numerous scholars from various fields of science today are concerned with the ongoing collapse of biodiversity. The first Global Assessment of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES),1 published in 2019, estimates that:

The rate of global change in nature during the past 50 years is unprecedented in human history (…) Human actions threaten more species with global extinction now than ever before. (…) An average of around 25% of species in assessed animal and plant groups are threatened, suggesting that around 1 million species already face extinction, many within decades, unless action is taken to reduce the intensity of drivers of biodiversity loss.

Societies’ very survival depends on their ability to avert the impending threat of biological annihilation via the ongoing sixth mass extinction of species, triggered or intensified by the globalization of capitalism over the last 50 years. Sir Robert Watson, Chair of IPBES (2016), doesn’t mince his words to say what is at stake: “We are eroding the very foundations of our economies, livelihoods, food security, health and quality of life worldwide.” There is no hyperbole in the claim that the collapse of biodiversity and the acceleration of global warming, two processes that interact in synergy, entail an increasing risk of extinction for the Homo sapiens. As pointed out by Cristiana Paşca Palmer, Executive Secretary of the Convention on Biodiversity (2018), “I hope we aren’t the first species to document our own extinction.” Julia Marton-Lefèvre, former Director General of the International Union for Conservation of Nature (IUCN), reiterates this warning for the umpteenth time in a statement to delegations meeting at Rio+20 in 2012:

Sustainability is a matter of life and death for people on the planet. A sustainable future cannot be achieved without conserving biological diversity—animal and plant species, their habitats and their genes—not only for nature itself, but also for all 7 billion people who depend on it.

10.1 Defaunation and Biological Annihilation

Rodolfo Dirzo, Mauro Galetti, Ben Collen, and other co-authors of a review titled “Defaunation in the Anthropocene” (2014) conceptualize one of the central aspects of the current sixth mass extinction of species: the term defaunation is used to denote the loss of both species and populations of wildlife, as well as local declines in abundance of individuals. The defaunation process is in full swing:

In the past 500 years, humans have triggered a wave of extinction, threat, and local population declines that may be comparable in both rate and magnitude with the five previous mass extinctions of Earth’s history. Similar to other mass extinction events, the effects of this “sixth extinction wave” extend across taxonomic groups, but they are also selective, with some taxonomic groups and regions being particularly affected. (…) So profound is this problem that we have applied the term “defaunation” to describe it.

In a 2017 article, Gerardo Ceballos, Paul Ehrlich, and, again, Rodolfo Dirzo warn about the false impression that the threat of biological annihilation is not imminent:

The strong focus on species extinctions, a critical aspect of the contemporary pulse of biological extinction, leads to a common misimpression that Earth’s biota is not immediately threatened, just slowly entering an episode of major biodiversity loss. This view overlooks the current trends of population declines and extinctions. Using a sample of 27,600 terrestrial vertebrate species, and a more detailed analysis of 177 mammal species, we show the extremely high degree of population decay in vertebrates, even in common “species of low concern.” Dwindling population sizes and range shrinkages amount to a massive anthropogenic erosion of biodiversity and of the ecosystem services essential to civilization. This “biological annihilation” underlines the seriousness for humanity of Earth’s ongoing sixth mass extinction event.

#### The United States federal government should establish a structural presumption against agricultural mergers.

#### The plan’s market wide approach solves---it changes the institutional and legal framework for evaluating mergers

Peter Carstensen et al 08, PROFESSOR OF LAW, UNIVERSITY OF WISCONSIN LAW SCHOOL, MADISON, SENATOR HERBERT H. KOHL (D-WI) WITNESSES PANEL I: DOUGLAS ROSS, SPECIAL COUNSEL FOR AGRICULTURE, ANTITRUST DIVISION, DEPARTMENT OF JUSTICE, WASHINGTON, DC; PETER CARSTENSEN, , WI.; PANEL II: WESLEY M. BATISTA, CEO, NORTH AMERICA, JBS SWIFT AND COMPANY, GREELEY, CO; STEVE HUNT, CEO, U.S. PREMIUM BEEF, KANSAS CITY, MO; BILL BULLARD, CEO, RANCHERS-CATTLEMEN ACTION LEGAL FUND, UNITED STOCKGROWERS OF AMERICA, BILLINGS, MT; DILLON M. FEUZ, PH.D., DEPARTMENT OF ECONOMICS, UTAH STATE UNIVERSITY, LOGAN, UT; MICHAEL STUMO, LEGAL COUNSEL, ORGANIZATION FOR COMPETITIVE MARKETS, LINCOLN, NE; DAVID BALTO, SENIOR FELLOW, CENTER FOR AMERICAN PROGRESS “HEARING OF THE SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS OF THE SENATE JUDICIARY COMMITTEE; SUBJECT: CONCENTRATION IN AGRICULTURE AND AN EXAMINATION OF THE JBS SWIFT ACQUISITIONS”, 5-7-2008, govinfo.gov/content/pkg/CHRG-110shrg45064/html/CHRG-110shrg45064.htm, Lexis

MR. ROSS: –- but I would like to begin with a brief statement now.

The Department of Justice is committed to maintaining an active involvement in the agricultural sector and to protecting competition there through aggressive antitrust enforcement as warranted. The department takes very seriously the concerns expressed by agricultural producers about competitive problems. In antitrust analysis and enforcement, the department carefully considers market power issues both on the sell side, which is often seen as monopoly, and on the buy side described as monopsony.

The department hears and takes into account monopsony or buy-side market power as a particular concern in merger enforcement for agricultural producers who often sell their products to large agribusinesses. The department has brought a number of enforcement actions in the agricultural sector in recent years and has undertaken special outreach to the agricultural community. We have, for many years, regularly consulted the Department of Agriculture, to obtain the benefit of their expertise in our agricultural work.

The department's legal authority in this area is the antitrust law. Other agencies have other legal authority and agricultural policy is far bigger than antitrust. In our area of authority, we are constantly on the lookout for possible antitrust violations and will not hesitate to take appropriate enforcement action when warranted.

My statement demonstrates that we have been active in enforcing the antitrust laws in the agricultural sector, having filed several important cases to remedy anticompetitive effects that were likely to resolve from proposed mergers and acquisitions, and to stop collusive anticompetitive practices that adversely affected farmers and competition in this key sector of the economy.

I look forward to your questions about our work. Thank you.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you, Mr. Ross.

Mr. [Carstensen](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0).

MR. [CARSTENSEN](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Wow, he was able to get through that in only two-and-a-half minutes. No professor is going to be able to top that performance.

I am truly honored to be offered this opportunity to express my views on the state of antitrust enforcement in markets related to agriculture. I have a longer statement which I hope will be included in the record.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): We'll do it.

MR. [CARSTENSEN](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you. In a nutshell, the government agencies charged with enforcing antitrust law have repeatedly failed to challenge or to remedy competitive problems that confront American agriculture. Most conspicuous failures come in merger enforcement, where a series of decisions either not to challenge mergers or settle for weak, even anticompetitive remedies has resulted in increased concentration on both the input and the output side of agriculture.

What we have in for the American farmer has been caught in an economic vice. When they seek to buy various inputs they need, seed, fertilizer, equipment, herbicide, they face an increasingly concentrated market and exploitive strategies by producers. When they attempt to sell their products, especially I think in the dairy, meat, and grain areas, they have only a very limited number of buyers who use their buyer power to drive down the prices paid for these products.

What I'd like to do is to give you the highlights out of a few -- out of several of the lessons that I think, and example that I think highlight this point. I want to start with the concern that Senator Grassley expressed in particular about the pork industry. Doug Ross says on page 5 of his written statement that mergers that increase market power violate Section 7, and so I want to use the pork industry as an example where there has been a failure to do this.

Smithfield bought farmland in about 2002-2003 and has recently been allowed to buy premium standard brand. First lesson: Buyer power already exists. The RTI study of livestock markets done for GIPSA found that there was statistically significant buyer power in hogs in that period 2002 to 2005 that is during the period when the acquisition of farmland occurred.

But what is important is that the PSB merger, the acquisition of PSB necessarily increased buyer power to the detriment of farmers. Yet the Department of Justice raised no objection, ignored the empirical analysis, and in its statement justifying its failure to sue it made inaccurate factual statements.

The second lesson is a very important one, is that buyer power –- and this comes from the RTI study –- buyer power rises from much lower levels of concentration when measured by the HHI index number than one would find on the -- would expect to predict buyer -- seller power on the seller side of markets. That is, the concentration was in the 1,000 to a 1,300 level in this period when the RTI study found the existence of buyer power. It's an important lesson that has been totally ignored by our law enforcers.

As to milk, Mr. Ross' statement describes the theory of the settlement, none without litigation, no -- there is no consent decree, there's no opportunity to comment on this. The theory was when Suiza bought Dean, that there would be a divestiture and no exclusive dealings. Since then DFA, Dairy Farmers of America, has both become associated with both, the successor to the Dean-Suiza facilities, also gotten linked to Hood and has managed to get exclusive dealing contracts. There is -- and I think Senator Kohl referenced this in his comments, there's an ongoing Justice Department investigation of many years standing of a number of these bad business practices. Apparently nobody has informed Mr. Ross of all the problems that came out of this consent decree.

I've got some hostile comments about the Monsanto Delta Pine and Land settlement which again results, it seems to me, in some very unfortunate results. There are several other comments about that. I will not elaborate further on that. We know that the next panel is going to deal a lot more with the beef industry. But I want to emphasize and it's clear in Mr. Bullard's testimony that the Justice Department is known about of number of anticompetitive, apparently collusive or monopolistic practices in that industry for a number of years. They're well-documented and they've done nothing.

So the bottom line here is that we have a passive and inactive antitrust enforcement process that has resulted in increased concentration, harms to producers of agricultural products, and of course harms then to consumers.

What can Congress do, because you unfortunately can't bring the lawsuits, which I'd love to have you do? First I think, hearings like this do deliver a message to Mr. Ross, and I hope you're just going to take it back to the Justice Department. Secondly, I think your staff can do more to ask for confidential briefings on some of these decisions, yourselves attend those briefings so that you are better able to understand why they are not doing the things that they ought to be doing.

You could also get a GAO study of some of these key decisions in terms of what happened afterwards. Because I think if you look at pork, if you look at dairy, you look at some of these other industries you're going to see the actual harms.

Finally, you know, I actually -- Doug's my sparring partner. We've done these kinds of shows across the country. He's a dedicated civil servant, and he comes down here and he tries his best to justify what his masters are doing. The problem is he was brought in to be a more focused person ready to engage the issues of agriculture, to make sure that the Department of Justice actually understood things. And sadly, it is just clear that those who actually make the decisions haven't got the message.

Therefore, I think it is really time to change the institutional and legal framework for evaluating mergers and anticompetitive conduct in agricultural markets. I think the Grassley-Kohl bill, the Agricultural Competition Enhancement Act, S. 1759 is a really necessary step in that direction. I congratulate you Senator Kohl for being a sponsor of that legislation. It's a great contribution.

Farmers need workably competitive markets. They need a kind of antitrust enforcement that will control both the structure of those markets and the conduct that is allowed to occur.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you, Professor [Carstensen](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0).

Mr. Ross, we often hear from farmers and ranchers that they have little bargaining power in comparison to the largest agribusiness conglomerates. Many of them claim that the Justice Department has not fulfilled its responsibility to prevent anticompetitive mergers and practices in the agriculture sector of the economy.

Do you believe that the farmers' concerns about increasing levels of consolidation among agribusiness firms are warranted, and if so why has the Justice Department permitted these consolidations to take place?

MR. ROSS: Senator, we hear the same concerns about market power and we take them very seriously. In fact, they have been important parts of each of the investigations that we have done. And I point, for example, to the Cargill-Continental matter in which the issue of market power was the key one.

We did an analysis and established that in nine regional markets, the buyer power of the merged firm would be anticompetitive. As a result, our relief required that 10 divestitures of port and grain elevators be done in order to preserve competitive alternatives for farmers to sell their grain and soybean.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Well, Professor, what is your view of what you've just heard. Are the farmers and ranchers concerns warranted, and in your opinion has the Justice Department done enough to stop these consolidations especially among food processors?

MR. [CARSTENSEN](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): I think the concerns are very much warranted, and as I referenced, that RTI study in the pork industry which is the most recent confirmation that we have very serious problems of buyer power that are being increased. And if you go back and look at the Justice Department's explanation for why they didn't object to the Smithfield Premium Standard Brand merger, they announced that finished hogs could be hauled 400 miles from North Carolina to Kentucky for processing, and that therefore the farmers of North Carolina were at no risk of being exploited. This is in the face of data that shows that they're at about a 10 percent discount in North Carolina whenever there is a full supply of hogs in the markets, because it's costly to haul your hogs anywhere.

So –- and I think the Continental-Cargill is another example of minimalist enforcement. It was a clearly bad merger. They did the least that they possibly could do. We've not seen a good follow-up on what the consequences of that merger are.

Anecdotally when I talked to grain farmers, what I hear is we went from having two or possibly three buyers to at most two buyers and in many more areas we're seeing only one buyer for our corn, for our soybeans et cetera. This is one of the things that's made ethanol really interesting because those plants do create a different kind of competition right now in corn markets. It doesn't do much for soybeans, doesn't do much for wheat. But it does change the dynamic because there are competitive buyers in the marketplace.

So we really need more focus on this. And again, something I said earlier, the analysis of buyer power is different. Buyers are different from sellers in terms of when they get leverage in the market, what kinds of market shares give you leverage. As a buyer, you are the decider. You're the decision maker with respect to whether or not you buy. That creates power at much lower levels of concentration. We simply have not seen from the Justice Department any recognition of that inherent economic fact.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Professor Carstensen, at this time as you know, millions of consumers all across the United States are suffering from rising food prices in many basic commodities. Do you believe that increasing concentration that we are witnessing in agriculture is a big cause of the higher food prices paid by a consumer? And if that is true, do these higher prices find their way back into the farmers' and ranchers' hands?

MR. CARSTENSEN: The first part is, yes, the concentration has two levels. It has an effect downstream or I should say upstream on the farmers. And it has an effect down stream on the consumers. That is, both ends of this process are subject to exploitation by lower prices to farmers, higher prices to consumers. Best documentation of that comes from Professor Cotterel (ph) in a hearing, I think before this committee a few years involving New England dairy products.

And again, Mr. Bullard's written statement for the committee has a number of -- has a good deal of the documentation that shows that increasing spread between what's being paid at the farm-gate, which is constant or declining, and what's being charged to consumers. So what we are seeing is no, it's not coming back to the farm-gate, it's not coming back to the farmer, but the price to the consumer is going up, it's getting caught in those two levels of concentration.

One of the things I emphasize in my written statement is concentration of retail grocery markets, which is really where you get the leverage over the consumer, and then concentration at the production level.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you.

Mr. Ross, what is your view? Does reduced competition among agribusiness companies inevitably will lead to higher prices and isn't strong antitrust enforcement very important to prevent such loss of competition?

MR. ROSS: Senator, the antitrust laws couldn't be more important to protecting consumer prices and effective competition leads to all kinds of benefits like better quality of products, greater innovation, and the ability of farmers as consumers as well as producers to benefit from a competitive economy.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you.

Senator Hatch.

SEN. HATCH: Well, thank you, Mr. Chairman. And Professor Carstensen, you have written, quote "Strategic behavior by market dominating firms as weakened or eliminated the open market process that in turn give agricultural producers the freedom of flexibility to be the genuinely independent entrepreneurs," Unquote.

Now some think that may be nostalgia for a bygone era. Has not the Department of Justice merely been fulfilling its mandate by only taking actions when it believes that a competitive market happens to be in jeopardy? Or put another way, are you not advocating the department become a regulator ensuring survival of small producers when the department's responsibilities under the law will be to ensure competitive markets, not the competitors themselves.

MR. CARSTENSEN: My father was a historian of agriculture so I -- maybe I've got some residual nostalgic genes.

No, I -- let's be clear about this. Markets are going to change, what's an efficient level of production is going to change. But the benefit of workably competitive markets is those changes are driven by economic fundamentals not by strategic behavior. What I was concerned with in the passage you quoted was the kinds of strategic behavior that adversely affects the functioning of the market and favor some players in the market not based on their inherent efficiencies.

The most recent USDA studies, for example, in pork, show that small pork producers relatively –- hog producers, I guess I should say –- have the same level of efficiency that very large ones do. The problem is going to be market access, finding fair rules. And if we're going to go to a contract world, and I'm not opposed to that necessarily, if contracts are what we do then we need proper rules for the contract market so that again it's fair, open, and efficient. And "efficient" is key here because we do want to have those markets be dynamic to change with the changing technology.

SEN. HATCH: Now, on a related point, you wrote a law review article entitled "Concentration and the Destruction of Competition in Agricultural markets: The Case for Change in Public Policy." And this article was described by the National Agricultural Law Center. It's arguing in favor of using antitrust law to protect independent farmers.

Now, there has been a tremendous amount of consolidation in the livestock markets. However, according to the Congressional Research Service, ranchers and farmers still hold fewer than the 100 cows still -- the ranchers and farmers that hold fewer than 100 cows still control half of the market.

Now, the top 30 feedlots only control 40 percent of the cattle on feed. In fact the USDA believes that there are more than 88,000 lower-capacity feedlots in operation today. Now, my question would be, why should the government interfere in a marketplace where half of the cow-calf businesses appear to be held by smaller farms, and there is more than an ample number of smaller feedlots?

MR. CARSTENSEN: Well, if we were talking about a merger among feedlots, I'd agree with you. I don't see an antitrust issue there. But we're talking about mergers among the buyers from those feedlots that are going to reduce the numbers from five to three and are going to create, I think, and certainly this is consistent with all the other data that we have, going to create substantially more buyer power.

As the next panel is going to focus I think much more on the specifics of the beef industry, the problem is access to the fodder facility. The problem is the terms and conditions under which those feedlots get to sell. We've seen a cyclical long-term decline in the number of feedlots that exist and in the number of cattle that are being put on feed, and what that tells us generally is that we're looking at the kind of situation that looks a lot like there's exploitation of monopsony power or oligopsony power, that is buyer power, on these downstream --I'm sorry -- upstream suppliers.

One of the important points that your data makes fundamentally is that if you're going to be a 100-head feeder or a 10,000-head feeder, looks like you can compete in the market as long as you have access to the meat processors, to the cattle slaughter facilities. What we're focused on here today is a merger at that buying level. That's the place where the problem will exist for all of the different feeders that you're identifying.

SEN. HATCH: Okay. And Mr. Ross, just have some questions to you. During the previous administration Cargill acquired Continental in the already concentrated grain trader market. Specifically, the number of grain traders was reduced from four to three. However, the Department of Justice insisted that the combined Cargill-Continental sell 10 percent of its operations to a competitor. Why then in 2003 did the Department of Justice decline to take action on the Smithfield-purchased Farmland Food's pork processing plants? Was this also not a highly concentrated market? And why the difference in enforcement action, just so we understand better?

MR. CARSTENSEN: Thank you, Senator. We welcome opportunities to be more transparent about the bases on which we decide to enforce or not, where appropriate.

In the Cargill matter, we did extensive analysis of the market including talking to many experts in the area including farmers, and our analysis showed that there would be the kind of any competitive consequences, that is a substantial lessening of competition in a market in nine regional markets and therefore we required relief of the sort that we have described.

By contrast, in the pork matter involving Smithfield farmland, we did a similar kind of analysis and the fact showed a different result. We looked at the procurement areas for each of Farmland's plants and how many packers would buy hogs in the same procurement areas and the slaughter capacity of each of the competing packers.

Our conclusion was that neither Smithfield nor Cargill, which you will recall was one of the potential buyers there, would make as much as 30 percent of the live hog purchases if it had acquired Farmland's assets. And our conclusion was that there would still be at least six competing packers where the acquirer had competing plants. So we thought that was a basis on which not to take action because there was no anticompetitive result.

SEN. HATCH: Thank you, Mr. Chairman. My time is up.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you, Senator Hatch.

I'd like to say that we are going to –- as a result of our concern about these mergers and their impact on higher food prices, we are asking the GAO to make a study to look at whether or not there really is a correlation between these two critical factors.

Professor Carstensen, Senator Grassley, and I have written a bill that would shift the burden of proof so that merging parties and agricultural mergers have to justify that their mergers do not harm competition rather than the other way round which is as it is now. Do you support this idea, and if you do tell us why?

MR. CARSTENSEN: I think it's a very good idea because it really requires not just the vague waving of hands in the Justice Department office saying that there are going to be no harms, but actual proof in a court of law where the defendant merging parties have to come in and genuinely justify the non-anticompetitive implication of the merger.

And especially as the court decisions have accumulated of late, courts have really been putting an extraordinary burden on the Justice Department, the Federal Trade Commission, to establish that any particular merger will tomorrow result in serious harm. The statute actually only calls for evidence that the merger may substantially lessen competition or tend to create a monopoly, so that this restores in many respects the classic statement of what the standard should be, and I think it's a wonderful idea.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Mr. Ross, I assume you agree. (Laughs.)

MR. ROSS: Senator, surprisingly enough, Professor Carstensen has also referred to me as his punching bag and here again we will disagree. (Laughs.) The Antitrust Division is satisfied that the burden of proof in all merger enforcement actions should be the same, whether for agriculture or any other part of the economy that it works effectively and I'm aware of no case in which we wouldn't decline to take a case to court because of the burden of proof.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you.

Senator Feingold?

SEN. RUSSELL D. FEINGOLD (D-WI): Thank you, Mr. Chairman. Before I get to my statement and questions let me specifically welcome Professor Carstensen. I've known him and been friends for many years with him and his wife Carol (ph) who was a distinguished and long- serving school board member in Madison.

MR. CARSTENSEN: Just finished.

SEN. FEINGOLD: I'm aware of that.

MR. CARSTENSEN: After 18 years.

SEN. FEINGOLD: I read the paper that comes to my door there -- (laughs) -- and she did a wonderful job. It's good to see you and I thank you for all -- you and all the other witnesses –- for appearing this afternoon.

Mr. Chairman, thank you for holding the hearing to shed light on an important issue for farmers and consumers.

Before I talk about agriculture specifically, I want to note the overall troubling state of concentration across multiple sectors of the economy.

Over the past few years consolidation and related competition concerns have increased a variety -- in a variety of areas including freight, railroads, food retailers, and radio stations, just to mention a few. Just two weeks ago the same subcommittee chaired by my distinguished colleague from Wisconsin considered proposed mega- mergers among airlines and now we are turning to a merger that would reduce the number of major beef meat packers from five to three. This growing concentration rates is today's question about the Department of Justice's enforcement of existing laws as well as the adequacy of those laws to ensure fair, open, and equitable markets.

Increased consolidation and market concentration are serious problems for agricultural producers throughout the nation. As I travel around our state of Wisconsin, as the chairman knows, these issues are consistently raised by farmers and growers with respect to the proposed [JBS Swift](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0)acquisition that is important to my constituents that the facilities in Wisconsin remain operational and there's no loss of jobs. I also have various concerns, serious concerns, that the combination of the third, fourth and fifth largest beef meat packers will significantly reduce the number of potential cattle buyers, and as a result depress prices.

Wisconsin is not the leader in beef cattle production. The prices for these animals form the basis for the prices paid for cull dairy cows, and could therefore have a significant impact on the bottom line of thousands of Wisconsin's family dairy farmers.

Exacerbating this horizontal concern is the significant vertical integration that the post-merger company would enjoy from the major cattle feeding operation of Five Rivers Ranch Cattle Feeding. Both the prepared testimony of Mr. Stumo and Mr. Bullard highlight how this captive supply will negatively impact competition prices paid to farmers and ranchers.

Earlier this year, I signed a letter with several of my colleagues expressing some of these concerns to the attorney general. Mr. Chairman, I would ask unanimous consent that that be included in the record.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): It will be done.

SEN. FEINGOLD: Mr. Chairman, I hope that the Justice Department will get serious of our protecting consumers and agricultural producers from increased consolidation and market concentration.

Mr. Ross, in Professor Carstensen's written testimony he says, quote, "The Antitrust Division has an open investigation of the conduct of the milk industry. But the matter has been pending for years without any action." Unquote. The statement goes on to describe the industry as rife with a panoply of anticompetitive practices that have resulted in serious losses of income and coercion of farmers.

And I have heard similar frustration directly from dairy farmers and others in the dairy industry in Wisconsin. What do you have to say with regard to the status of the investigation, and Professor Carstensen's observation?

MR. ROSS: Senator, we take concerns about the dairy industry as well as any other part of the important agriculture economy very seriously. Without confirming or denying a particular investigation which should be inappropriate, we continue to monitor any anticompetitive practices that are brought to our attention and we do an extensive analysis to determine whether an antitrust enforcement action is appropriate.

As my statement indicates, we have been active in the dairy industry involving the Suiza-Dean merger and other dairy areas. So we continue to have active knowledge and monitoring of the important sector in agriculture that involves a key industry in your state.

SEN. FEINGOLD: I look forward to following on that, Mr. Ross. Also, Professor Carstensen described the controls that DOJ placed on the Dean-Suiza merger as ineffective, specifically as written testimony says -- quote -- "In addition, the press release announcing approval implied that the new firm would not enter into a long-term exclusive dealing contract with dairy farmers of America, the largest cooperative. However, Dean and DFA quickly found a way around that commitment." Unquote. Could you shed some light on that, on the merger commitment? Did the Antitrust Division err in not making the provision broader to include partnerships and joint ventures in that prohibition?

MR. ROSS: Senator, our analysis was a careful and thorough one, and the remedy we devised before allowing that merger to go forward was one that was based on extensive analysis of the market conditions on the ground. If there are concerns about what has happened subsequently, we welcome anybody bringing that to our attention and we will examine it very seriously.

SEN. FEINGOLD: Well, it does sound like a potentially troubling oversight to me.

Professor, do you have anything to add on that?

MR. CARSTENSEN: (Laughs.) The investigation was completed. The staff recommended that there be litigation. It has been sitting, at least according to the information I have, in the assistant attorney general's office for more than a year.

The key regional attorney, I believe, has now reached retirement and retired. And the government -- this alleged complaint –- that was never a complaint in Dean-Suiza; it was what's called a "fix-it- first." They bargained for about nine months about the divestiture. More divestiture was made than originally proposed. It was settled with whatever confidential documents were exchanged between the parties.

Since there was no consent decree, there was no Tunney Act disclosure requirement, no opportunity for anybody to comment on this. And then all kinds of problems began to emerge for the dairy world because the -- of this relationship not only with Dean, new Dean, but also NDH, National Dairy Holdings that was owned in substantial part by DFA and then it gets linked to Hood. So you've got one, two, and three all tied together.

One credit to the Justice Department. They did go after a small dairy acquisition –- and it's in Mr. Ross' statement –- in Kentucky, that DFA attempted to pull off and one of the good things about that particular piece of litigation, because they actually went to trial on that, was that it did bring to light a good deal of the dubious transactions, the discriminatory transactions within the DFA empire. But for the Justice Department to claim that they're monitoring the situation is to say that they're doing nothing.

SEN. FEINGOLD: And in it -- although Mr. Ross indicated willingness to be open to any sort of things that have happened since, it sounds to me like this could have been prevented in the first place by proper drafting. Is that a correct statement?

MR. CARSTENSEN: If they had gone the consent decree route, yes, they could have drafted that. The state attorneys general are involved in these investigations. The Justice Department is the party that hasn't been heard from.

SEN. FEINGOLD: Chairman, may I ask one more question?

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Go ahead.

SEN. FEINGOLD: Thank you very much for the additional time. As the Chairman knows and I am grateful for his support, I have worked with Senator Grassley for a number of years on legislation called the Fair Contracts for Growers Act that would make mandatory arbitration clauses and agricultural contracts unenforceable.

Now, the Judiciary Committee passed this bipartisan bill early in this Congress by a wide margin and the farm bill seems poised to at least take a step in the right direction by requiring that growers be given a specific option to opt in or out of any mandatory arbitration clause.

But the government needs to make sure that this provision has some teeth and I'll explain why by asking our witnesses to put themselves in the work boots of a poultry grower.

So first off you've taken out a loan for several hundred thousand dollars to build poultry houses.

There's only one poultry company contracting with growers in your region and they supply you with chicks and feed and determine your payment based on the weight gain and condition of the animals at the end of each approximately seven-week flock-to-flock contract.

Your most recent contract has a new clause that commits you to mandatory binding arbitration, with arbitration of procedures dictated by the company. As required by the new farm bill language you were told you have a choice whether to opt in or opt out of this provision. You've seen some information about large upfront fees required for arbitration and don't think you have enough cash to cover them if a dispute arises. So you want to decline the arbitration clause knowing that you may have a chance to go to the arbitration if a dispute arises and the company still wants to arbitrate after the fact.

Well, what if one of your neighbors opted out earlier in the year and he has since been plummeting down the grower ranking for weight gain or is being threatened with termination as a bad, quote, "bad producer" unquote. Does that make you think twice before opting out?

Seem like law school here?

MR. CARSTENSEN: (Laughs.) Yes, yes and I'm on the wrong side of the table, suddenly.

SEN. FEINGOLD: For once -- (laughs.)

MR. CARSTENSEN: Yeah, yeah. That's -- I mean that must be the –- an enormous problem with an opt-in/opt-out legislation of this sort. It - you know I am -- arbitration, when agreed to by the parties at the time of dispute is fine. It can be actually a very efficient dispute resolution mechanism when it is imposed on parties, and especially when there is unequal bargaining power as in the poultry example that you have and that's a very real world example. Opt in, opt out, do you want to continue to be my poultry raiser, you know, in which case you're going to opt for whatever I want you to opt for, because I'm -- I as the contractor, I'm going to have the power.

So it's such a theoretically interesting step if you imagined equal bargaining power, but in the real-world terms it really doesn't solve the problem.

SEN. FEINGOLD: Mr. Ross, do you want to comment on that?

MR. ROSS: Certainly, Senator, this sounds like a provision in which there may be disagreement among farmers over whether they like it or they don't like it. Some may and some may not. In any event contract provisions really fall outside the purview of antitrust enforcement action except when they are a part of a larger analysis in a merger context.

SEN. FEINGOLD: All right. And thank you for the additional time, Mr. Chairman.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you very much, Senator Feingold. And gentlemen, we appreciate you being here today. You have brought to light many of the important issues that we're discussing and studying and thanks for coming.

(New panel introduced.)

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): We'll turn now to the second panel.

Our first witness on the second panel will be Wesley Batista. Mr. Batista is the president and the CEO of [JBS Swift](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0)and Company. Prior to becoming CEO of [JBS Swift,](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0)Mr. Batista was the chief operating officer of JBS' beef operations in Brazil and in Argentina.

Our next witness will be Steve Hunt. Mr. Hunt is the CEO and cofounder of U.S. Premium Beef and chairman of the board of National Beef Packing Company. Prior to his involvement with the U.S. Premium Beef, Mr. Hunt worked in various areas of commercial banking including direct agricultural lending and credit training.

Our next witness will be Bill Bullard. Mr. Bullard is the CEO of the Ranchers-Cattlemen Action Legal Fund, United Stockgrowers of America or R-CALF USA. Prior to joining R-CALF USA, Mr. Bullard served as the executive director of the South Dakota Public Utilities Commission. He's also a former cow and a calf rancher.

Our next witness will be Dillon Feuz. Professor Feuz teaches agricultural economics at Utah State University. His primary research interests are livestock marketing as well as farm and ranch marketing -- management.

Next, we'll have Michael Stumo. Mr. Stumo serves as the general counsel for the Organization of Competitive Markets which is a nonprofit research and advocacy organization with a focus on competition issues in agriculture.

And finally, we'll have David Balto. Mr. Balto's a senior fellow at the Center for American Progress where he focuses on competition policy, intellectual property laws as well as health care. He has also worked as an antitrust attorney at the Antitrust Division of the Department of Justice, Federal Trade Commission, as well as in the private sector. We appreciate all of you being here today.

If you will rise and raise your right hand?

(Witnesses sworn in.)

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Mr. Batista, we will start with you.

MR. BATISTA: Mr. Chairman and other members of the committee, thank you for the opportunity to introduce [JBS Swift](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0)to the Committee and to discuss our commitment to invest in America's meatpacking industry.

I am the CEO of [JBS Swift](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0)and want to share with you today, JBS' vision. Our goal through this transaction is to invest our skills, energy and expertise and money to grow the U.S. (meat pack?) industry. We want to expand U.S. sales of beef and pork domestically and around the world. In the process, we will keep and create U.S. jobs.

We are operators of beef, pork, and lamb processing plants, not financial investors. My father started our business in 1955 when he slaughtered just one or two animals per day to supply restaurants in the new capital city of Brasilia. We are still a family business. JBS now has global operation that we plan to use as a platform to expand the sales of U.S. beef and pork around the world.

Our history is clear. When we acquired Swift last year, we expanded operations, we added shifts -- additional shifts, we hired more employees, we improved operation, and we bought more cattle. With respect to the Smithfield and National facilities, we will do the same – buy more animals, expand operation, and hire more workers.

That's what we are doing right now. We will continue to compete aggressively for the purchase of cattle and the sales of beef by all available commercial means, and we will increase our demands and sales over time. This will benefit ranchers and feedlots.

We will keep plants open, make them more efficient, and expand sales of U.S. beef. We also look forward to hiring more workers consistent with changes in U.S. immigration law. We view the U.S. labor force as a great resource.

A couple of questions have been raised that we would like to address. The first is our relationship with producers. We will continue to work with producers as we always have. I have had meetings with employees, cattle producers, and community leaders in Kansas, Colorado, Texas, and we feel -- and feel we are being embraced. I will continue to do this.

There is one major region in the nation which contains the vast majority of all the major slaughtering plants for steers and heifers. That region is the beef belt. It includes North Texas, Colorado -- not North Texas I'm sorry, Oklahoma, Iowa, Kansas, Nebraska, and Eastern Colorado. None of the Smithfield plants are in the beef belt. Most of the Smithfield plants handle primarily Holstein steers and cows.

Regarding the crucial beef belt, after this merger, JBS, Cargill, Tyson, and the regional and local plants will continue to compete intensively for the purchase of cattle.

With cattle moving on trucks, there will be many competing plants wanting to buy animals in the beef belt.

In terms of consumer price, beef products are sold throughout the nation by numerous competitors of all size. [JBS Swift](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0)sells primarily, commodity beef and some case-ready beef and pork. In contrast, National Beef sells very successful branded beef products, and we plan to expand those operations. Swift and National will continue to sell into different and competitive national markets. In fact, when selling to large national retailers, there will be intensive competition among national, regional and local players.

I want to end with one final point. The JBS history in the U.S. is before you. Swift was floundering, had reduced its work force shutting down shifts, and sold plants before JBS purchased Swift. Then, after we bought Swift, we expanded operation, added additional shifts and hired more workers. We kept local managers.

We are investing billions of our company's money in the United States with a goal to grow the industry, to hire more U.S. workers, and increase demand for U.S. beef and pork around the world. We are fully cooperating with the Department of Justice review and hope that the review can conclude as swiftly as possible so that we can implement our growth strategy on beef and pork.

We appreciate this opportunity to tell our story before this committee and looking forward to answering your questions.

On a personal note, my family and I greatly enjoy living in America, in our home in Fort Collins. This is a great country.

Mr. Chairman, thank you very much.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you Mr. Batista.

Mr. Hunt.

MR. HUNT: Chairman Kohl, I appreciate this opportunity to come before you today to talk about JBS' proposed transaction to carve National Beef from U.S. Premium Beef.

I'm the CEO of U.S. Premium Beef and the chairman of National Beef, but most importantly, I'm a fifth generation cattle producer. I speak to you today on behalf of U.S. Premium Beef owners and independent producers, which on March 14th overwhelmingly voted to favor proceeding with this transaction. They believe the livelihood of all cattle producers is dependant upon health and growth of the beef industry and that's why we agree with JBS' vision.

U.S. Premium Beef is a one-of-kind producer-owned beef processing company, formed to link producers with consumers through ownership of processing. As a result, we've been able to design a supply of cattle specifically bred and managed to meet consumer preferences, which results in premiums back to the producers and the processing company.

U.S. Premium Beef was formed in 1997. In addition to processing customer cattle throughout the United States, we have processed over six million cattle of U.S. Premium Beef members. In addition to that we have paid out over $117 million in cash premiums to our members since we began. We've also paid an additional $87 million in cash dividends. That was the result of our ownership in processing.

In other words, our producer owners have become beef processors through U.S. Premium Beef. We have been able to realize the financial rewards from the ranch to the consumer's plate. Simply put, through value-based pricing our company gives producers economic incentive to deliver more valuable consumer-preferred beef.

Since our formation, we have been working to diversify our business geographically through expansion, acquisition of other protein businesses, and pursuit of businesses in markets outside the United States. This has been essential in managing risks our owners take in ownership of processing. This is a strategy that our producers pursue on the ranch and other producers and other businesses pursue as well.

Since the discovery of BSE in the United States in 2003 and a subsequent loss of the export market, losses and prospects of the declining herd have left the beef industry in a position where few want to invest. In 2006, Hicks Muse announced that they were selling Swift. Smithfield Foods has also made the decision to exit the beef processing industry.

Whereas prior to 2003, our company was routinely approached by willing investors and partners, today we witness very few, if any, parties willing to invest in the U.S. beef processing industry, except one.

JBS, a family owned business based in Sao Paolo, Brazil –- you've just heard from Wesley Batista –- with U.S. headquarters in Greeley, Colorado, is willing to invest over $3 billion dollars in our U.S. meat processing industry. They believe that by putting our companies together, we can create more value and increase efficiencies not only necessary to sustain our industry, but to begin growing it again.

More importantly, JBS has the same vision for industry growth and success as we do. Since acquiring Swift last year, JBS has expanded production and purchased more cattle. They also have looked for ways to expand demand for U.S. beef by pushing into new international markets. They're able to use their unique perspective to introduce U.S. beef to foreign companies and new customers.

For U.S. Premium Beef, this partnership with JBS is a natural decision that enables our producer owners to broaden our investment into a well-diversified, multi-protein world leader in value-added products while at the same time we're able to maintain our founding principles of value-based pricing and dissemination of valuable carcass data to every single producer on every single animal.

JBS respects what we have accomplished at U.S. Premium Beef/National Beef, and wants to build upon value-added strategy to help bring more value to producers so we can begin expanding production once again. After completion of our proposed transaction with JBS, more producers will have the ability to market through our unique producer-owned company by delivering cattle to more plants, thus reducing freight costs and improving efficiencies for producers and the processing company. Our confidence in JBS' dedication to expanding demand for U.S. beef through this strategy is exemplified -- is a strategy that is exemplified by U.S. Premium Beef's agreement to become a substantial investor in JBS.

The farmer and rancher owners of U.S. Premium Beef have a right and an obligation to pursue sound business strategies employed by our competitors, recommended by universities and applauded by Congress. These include value-added strategies through vertical integration from the bottom up, product diversification to lay off risk and foreign investment to participate in a growing consumer global market.

As you know, the Department of Justice is reviewing the proposed transaction. I am confident its review will be thorough and when complete will lead to and will recognize the benefits of this transaction.

The beef processing industry is highly competitive, with Cargill, Tyson, JBS and a number of other processors remaining to compete fiercely for cattle and to sell beef to our sophisticated customer base. This transaction will enhance this competition by allowing the combined company to perform more efficiently and provide a platform for growth in the future.

Mr. Chairman, thank you for this opportunity, and I look forward to answering questions later.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you Mr. Hunt.

Mr. Bullard.

MR. BULLARD: Mr. Chairman, thank you for this opportunity.

I represent the thousands of men and women who own and operate cattle operations all across this country. As the CEO of R-CALF USA our organization endeavors to ensure that our independent cattle producers can remain profitable long into the future.

I want to describe our industry to you. United States cattle industry is the single largest segment of American agriculture.

It produces $50 billion annually, 11 states produce over a $1 billion a year. This industry is intrinsically important to the overall prosperity of rural America. It's important that the subcommittee realize that while the four major packers do control the steer and heifer market, that steer and heifer market represents only 27 million of the 45 million cattle that are sold every year.

Our U.S. cattle industry is a dynamic industry and in that industry we have various value-added segments. So while we have 45 million cattle sold every year, 27 million are sold into this highly concentrated marketing structure consisting of just four firms. And it is at this segment of the industry that –- which serves as the portal to actually cause harm throughout the industry if there's any price distortion that occurs within that segment.

Our industry can be viewed as a pyramid. At the base of the pyramid you have the seed stock producers, the breeders. The breeders sell breeding animals to the cow-calf producers. The cow-calf producers produce a new calf every year. They'll keep that calf for four to six months. That calf is then sold to a backgrounder. A backgrounder will grow that animal to what might be called its adolescent years. The backgrounder could then sell that animal to a stocker. The stocker would run that animal for about four months. So it takes about 18 months from the time that an animal is birthed until it's actually sold in the steer and heifer market to one of these four (animals?).

Our industry in this pyramid, those segments that I described, the breeder, the cow-calf producer, the stocker, the feeder, we have about 970,000 of them left in the United States. And as you move up this pyramid you get closer to the feeding sector, there's about 93,000 feeders left in the United States. But that industry is becoming increasingly consolidated as well, because there's now fewer than 2,500 feeders that actually sell approximately 23 million cattle to these four meat packers.

So what I've described is an industry, a dynamic industry that is intrinsically important to the prosperity of rural America, that's valuable in every state of the union. But this industry has the price-making segment at the top of the pyramid, and any distortion in that price will reverberate all the way down through the industry.

A 3 percent reduction in price, for example, which is about what they found in terms of detrimental impacts of further concentrations in this industry, a 3 percent impact would reduce that $50 billion annual revenue generations down to $1.5 billion, a loss of $1.5 billion. This would be damaging to the 970,000 independent producers as well as damaging to the rural communities that they support.

This industry has been besieged by market power for quite some time. And we have ample evidence to demonstrate this and I've provided that in my written testimony. For example we've lost 40 percent of our producers just since 1980. We had 1.6 million cattle producers in 1980; we're down to about 975,000 today.

Our size of the U.S. cattle herd has been reducing for many, many, years. We have decreased the size of the herd today to where it was about back in 1950s. And while we have reduced the size of our production capacity by reducing our herd size, we have also been experiencing a disruption of the historical cattle cycle. That cattle cycle has provided a bellweather indicator of the competitiveness of this industry. And recently, USDA acknowledged that the analogous hog industry that is also experiencing a loss in its hog cycle, that loss is attributed to a changing market structure, a market structure that is evident by further consolidation in concentration.

I want to leave you with this: Our industry is in a state of emergency right now. We continue to experience contraction. This merger is going to exacerbate the current contraction of this industry, and like the hog industry as already described –- we had 667,000 producers in the '80s down to 67,000 today; you lost 90 percent of all the producers in that industry –- we're going to see the same thing in the cattle industry unless the Department of Justice and unless the U.S. Senate and the U.S. House take specific action to reverse the pressing course. Because like Congress was unaware of the tremendous exodus of hog producers, we will -- you will be unaware of the exodus of cattle producers, because it will happen one cattle operation at a time, in one rural community at a time until we wake up one morning and see we've lost the critical mass within this industry to maintain a viable market.

Thank you.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you, Mr. Bullard.

Mr. Feuz -- Dr. Feuz.

MR. FEUZ: Thank you Senator Kohl for the opportunity to speak to the committee --

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): I don't think your mike is on.

MR. FEUZ: Thank you Senator Kohl.

I want to begin my comments by just reiterating the change that has taken place in the packing industry over the last 20 years, when you look at the major players, Tyson who acquired IBP, Smithfield who acquired Moyer Packing, and Packerland; ConAgra who was a major player in 1987, exited the industry in 2002, and most recently Swift who went out with the JBS acquisition of those.

I point that out to -- as a fact that this is not a static industry but one where firms continue to enter and exit the industry. From a pure economic point of view I would have much greater concern about the level of concentration in market power if I did not see firms entering and exiting the industry.

Secondly, I point out that there are likely as not excessive profits being generated in this industry due to the level of concentration, or you would likely see the players that are there remaining in that industry to capture those excessive profits. Certainly, I don't think if IBP were strong enough, they would have allowed Tyson to acquire them. Nor would have ConAgra, a major agribusiness firm that continues to be involved in agriculture, divested themselves of both cattle feeding and beef packing had they been earning excessive profits due to concentration.

As I look specifically at this merger, I see three potential benefits. First of all, as [JBS Swift](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0)has noted, they bring outside capital and new ideas into an industry, that's probably needing both. As you look at the packing industry of the last couple of years, margins have been very small in that industry. And certainly some of the existing players are probably in a financial condition that they would not be able to continue operations without an additional capital. Perhaps even more important is the addition of some new ideas, particularly I think in the export market area where JBS Company has shown a history of being very aggressive in the world export markets. And I think that they can bring that level of expertise to the U.S. and increase our exports, particularly into some markets where we have previously not had access.

Another benefit I think has been highlighted somewhat by Mr. Hunt from U.S. Premium Beef. They have had one of the premier pricing grids for fed cattle, particularly upper-quality fed cattle that has been in the industry, that has allowed independent producers to receive a premium if they were producing a higher-quality animal.

Unfortunately, in the present situation, transportation has restricted the producers that could really benefit from that, because all those cattle had to be slaughtered, basically in Western Nebraska's two national plants. With this merger, that will become much more geographically dispersed into the Northeast, the Western markets as well as throughout Iowa, Nebraska, Kansas, and Texas, as there's greater plants that would have that grid available.

And lastly, I think on the market-power issue alone, perhaps three strong players competing for a limited supply of cattle would be more aggressive in the market place than what I view as currently two strong majors and one weak major within two regional competitors, one of which itself was probably in some financial difficulty. As I talked with the one feedlot operator in Utah, he mentioned to me that perhaps one strong player in the market would be better than a weak or no player.

On a couple of cautionary notes, certainly, the loss of a bidder in a market place is a concern. Going from four major players to three in the primary cattle feeding area will be of concern. However, if the plants stay open you'll still have the same competition for the number of cattle.

Perhaps of greater concern would be in the cow/calf and dairy market in the Southwest where you may be going from two independent firms, Smithfield and National to one in those areas. That could be a concern.

Lastly, I want to close –- I've heard several comments today about a concern for the overall food price level and what this merger may do, and I would suggest that if the Senate is concerned about the price of food, it would be much more advantageous to look at what I view as a ill-advised corn ethanol policy that is doing far more damage than the livestock industry, and will continue for the next few years than what this merger or others would do in that industry.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): Thank you, Dr. Feuz. Stumo.

MR. STUMO: Thank you, Senator Kohl. I would ask that my written comments be submitted in the records, please.

[SEN. KOHL](https://advance.lexis.com/document/?pdmfid=1519360&crid=b23b8151-6dd7-4bd9-a94e-c025c1c31293&pddocfullpath=%2Fshared%2Fdocument%2Fnews%2Furn%3AcontentItem%3A4SGH-1HG0-TWK7-H0KX-00000-00&pdcontentcomponentid=8104&pdteaserkey=sr0&pditab=allpods&ecomp=wbxnk&earg=sr0&prid=b1a756dc-6c07-4f18-8e9b-67d2a8da90f0): It will be done.

MR. STUMO: The organization for competitive markets is -- has members including feeders, large, medium, and small, across the spectrum. They're not here speaking today because they're afraid.

They're afraid of retaliation in the marketplace, if they say that their fears about the lack of competition when the packer/buyers discipline them every week, and every day in the market.

When my members speak to DOJ, they insist on confidentiality agreements, so nobody will find out, so they won't lose yet another buyer.

They insist on it. They wish competition -- they appreciate the packers, they appreciate Tyson, Cargill, Swift, National and Smithfield, all of them, but they do not appreciate the chokehold on market access that public policy and the packers have combined to create.

That chokehold is choking off the number of open, negotiated market shackle space in these plants that is available for these sellers and feedlots to sell into.

When you exert market power, you want to grab the bottleneck. In the oil market, in the oil merger of BP-Amoco, Cushing, Oklahoma was the bottleneck pipeline where price was set, and that's where you wanted to have your hands wrapped around.

Here you want to have your hands wrapped around rationing shackle space. There is the Great Plains; you'll see the overlap between JBS plants and National Beef plants. People will tell you that feeders in that area all have four buyers there.

They do not. They may have three, two, or the small guys may beg for someone to come look at their cattle. It didn't use to be. Through the consolidation -- people say it makes no difference. They come up with "happy theories" as to why it will be happy for everybody.

We have heard them today. They are untrue. The results are that a declining number of cow operations and declining cowherd -- We have 300 million people in this country today, increased from 200 million in 1967.

They eat a lot of beef. We should produce more beef to feed them. We don't. Oligopsony power is predicted to be inefficient because it depresses prices, it depresses output.

Oligopsony in this industry has met that prediction. As we concentrate, we depress price, we depress output. We hear vague claims of over-capacity, but yet we're going to expand the capacity. Which one is it?

If there's over-capacity, it's because of Oligopsony depressing price and depressing production, and that is bad. We could produce more beef. We could produce more beef to feed the U.S.

This is what public policy has wrought. It is poor performance. DOJ has failed. DOJ gets all wrapped up in competitive conduct. The judges have not treated them well.

Structure matters. This is -- 65-miles-an-hour is the speed we set on the highway. It's clear everybody knows you can drive safe over that, but it's highly likely to create more accidents than going the speed-limit.

Structure is the same. We can argue about whether there's going to be unreasonable practices or something, but it's highly likely we will have bad results like you see on the right, we have had.

It is a poorly performing country when we eat more food -- our ag sector. DOJ has failed in the Smithfield versus Premium Standard merger, because of marginally competitive market they allowed merger to monopoly in the southeast U.S.

Ghastly result. One packer -- they allowed it. Not an objection. Monsanto bought Delta and Pine Land Company. That merger was rejected in 2000, but they took another run at it and by golly, this DOJ let it happen, with an insignificant divestiture of Stonefield (ph).

Thus Monsanto has 50 percent of the cottonseed market in the U.S., 75 percent in some key regions. Prices go way up, they also choked off competing research by other competitors like DuPont, Syngenta, and others to kill the baby in the crib, so there will not be competition in the future, with future innovation.

We like innovation and choice, and we like competition. We don't have it. All the arguments that say we do, are based as you heard, perhaps, may, this could happen, that sort of thing, there's no proof.

That's why your Bill 1759 shifts the burden of proof so they have to actually prove it. They can't just think and utter happy thoughts, so judges accept it and ignore all the proof of anticompetitive harm.

Antitrust is out of balance. We could have a flourishing agriculture in diary, beef and pork. We could have lower seed prices, more choice and innovation in seed corn, cotton, and soy.

We do not because of the failures of the Department of Justice. 1759 is a good start and DOJ needs to stop allowing marginal competitive industries to become more non-competitive.

Thank you.

#### That restores competition by making companies proactively justify their practice

Pat Mooney et al. 17, co-founder and executive director of the ETC group, IPES Food Panel, October 2017, “TOO BIG TO FEED”, http://www.ipes-food.org/\_img/upload/files/Concentration\_FullReport.pdf

Implementation of current legislation poses further problems. In the US, of all 15,000 M&A deals that took place between 2005 and 2014, only about 3% were subject to scrutiny by anti-trust regulators (The Economist, 2016). In the EU, of the 1,300 mergers considered between 2004 and 2012, 83 – or 6.4% of cases – were found to raise concern (European Competition Network, 2012), but only 8 were prohibited as only M&As passing a certain market turnover threshold27 are considered relevant for anti-trust.

However, the tide may now be turning. In 2016, regulators from 26 jurisdictions28 intervened in more merger cases than they had done in previous years (Allen & Overy LLP, 2017). While 7 deals were prohibited and 13 deals abandoned in 2015 in all sectors of the economy, 2016 saw 8 deals prohibited and 23 deals dropped (ibid). Of note, only 2 of the 8 deals were prohibited by EU legislators and none by the US, though both jurisdictions are still considered global leaders in anti-trust.29

The agri-food sector has itself remained largely immune from the new tide of anti-trust activity. In its 2014 review of mergers, the OECD acknowledged that the regulatory trend is to make M&As easier for merging parties, and recognized that current policies tend to play out to the detriment of those most negatively affected by food system concentration (OECD, 2014). The capacity of anti-trust regulators to keep pace with rapidly expanding agri-food M&As remains weak (Schanbacher, 2014). Even though fines have been levied against several companies for abuses of power, regulators (particularly in the EU and US) have come under increasing fire for failing to address the impacts of existing agri-food sector concentration and the new generation of M&As (Leonard, 2014) – including the influence exerted by firms over political processes. The reluctance to file cases in major agricultural industries has itself been alleged to reflect corporate lobbying influence (see Impact 8).

Nonetheless, the growing resolve to tackle anti-competitive practices across the economy may now be permeating food systems. Steps being taken in a variety of different jurisdictions and in a variety of sectors may be starting to create a less conducive environment for M&A activity. In some cases, these measures seek to redefine anti-competitive practices and to reframe the scope of anti-trust rules. Steps to date may not be sufficient to reverse the current direction of travel. However, they point the way to key entry points where action is already occurring and could be taken further:

i) Addressing unfair practices in supply chains. Legislative and judicial bodies around the world are showing more interest in tackling excessive power in food supply chains and its impact on farmers and consumers alike:

• In 2010, an investigation by the South African Competition Commission charged a number of leading milk processors with price fixing for raw and processed milk, and restricting market competition.

• In June 2017, the South African Commission began an investigation into the grocery retail market, on the basis of unfair competition practices within the sector.

• In 2016, the European Commission published a report on unfair business-to-business trading practices in the food supply. The EU Directive on Unfair Commercial Practices adopted in 2005 is also currently undergoing evaluation to assess whether the regulatory framework is meeting its purpose of supporting small and medium sized enterprises and curbing abuses within the food supply chain.

ii) Considering the collective impact of sector-wide consolidation and redefining a competitive market. As M&A activity has escalated, a number of calls have been made for mergers to be considered as a whole, rather than in isolation, to acknowledge the unprecedented power a handful of consolidated firms to collectively shape food system dynamics (ETC, 2017; Friends of the Earth, 2017; TWN, 2017). Actions are being taken and proposals are being made for new ways of defining and measuring anti-competitive practices, often on the basis of considering food systems as a unique sector with high social importance:

• “Creeping concentration”, i.e. a series of minor mergers leading to high levels of market concentration, is coming to the attention of regulators in Australia and elsewhere.

• In Ireland, the Competition Authority considers concentration along the whole supply chain in order to assess market power resulting from vertical integration (OECD, 2014).

• In France, the M&A vetting process has been amended to give more space to the participation and the concerns of competing enterprises not immediately affected by the proposed merger. A related law further stipulates that companies looking to close a site – including following a takeover – must frst set it up for public sale and/or attempt to find a buyer.

• In South Africa, the 2012 review of the Walmart (US) and Massmart (South Africa) merger sparked unprecedented public debate. Though the merger was ultimately approved with conditions, it highlights the possibility of drawing on a more integrated competition review process. During the review, a number of government departments brought forward opinions and conditions on the case, allowing authorities to recognize the impacts of mergers beyond consumer welfare and competition, including employment and displacement of small business suppliers.

iii) Shifting the burden of proof onto companies. Some proposals are now being made for companies to proactively justify their M&A activity:

• In July 2017, the US Democrats presented their new political platform, the “Better Deal”, urging a new precautionary approach to current and future mergers. The vision included setting new standards for a more holistic, long-term view of concentration’s effects on the economy and society, and better monitoring of a company post-merger. While still focused on consumer welfare, in September 2017, Democrats on the US Senate Judiciary Committee’s anti-trust panel stipulated that companies seeking a mega-merger would have to show that the deal would not hurt consumers and demonstrate its benefits, rather than simply relying on the FTC to judge the impact of mergers on consumers (US Democrats, 2017). The Better Deal goes so far as to acknowledge the detrimental impact on farmers and rural communities likely to result from the Dow-Dupont, Monsanto-Bayer and Syngenta-ChemChina mergers, as well as the influential role large corporate actors have in shaping policy. It identifies the food and beverage sectors as two of the five key industries requiring more stringent anti-trust monitoring.

#### Our method is valuable:

#### Mirroring---reflexive deliberation over conflicting views about sustainable futures is necessary to create them

Arjen E.J. Wals et al 17, Wageningen University, Joseph Weakland, The Netherlands/ University of Gothenburg, Sweden, Peter Blaze Corcoran, Florida Gulf Coast University, “Preparing for the Ecocene: Envisioning futures for environmental and sustainability education”, Japanese Journal of Environmental Education, 4-20-2017, <https://doi.org/10.5647/jsoee.26.4_71>

II. Envisioning Futures In The Future shock, Alvin Toffler wrote 40 years ago about the social paralysis that comes with rapid changes where people cannot keep up with the times. Rapid technological and social change leaves people disconnected and in a state of ‘shattering stress and disorientation’ which he referred to as ‘future shocked’ (Toffl er 1970). Today we not only witness accelerating technological change, which is nowadays compounded by hyper-connectivity, social change, hyper-migration, in part as a consequence of climate change, but we also are facing rapid ecological decline. Essentially we are in a state of global systemic dysfunction (Lotz-Sisitka et al. 2016). Lack of place, identity, psychic numbing, and a loss of agency are only a few consequences humans are suffering, not to mention the consequences suffered by the non-human world of plants, animals, and other living beings. A question for educators and those seeking to reclaim some kind of balance, meaning, and belonging in our existential quest on this planet is whether we can slow down, reflect, and re-think. More specifically, can we reclaim the future as it seems to spin out of control?

The future seems like a runaway train. American media-theorist Douglas Ruskoff , in a fascinating interview on Dutch Television, talks about reclaiming the ‘now’ (VPRO Tegenlicht 2014). He argues that we are no longer leading the life we want to have but that our lives are predetermined by the electronic cookies we accept which eventually and subtly influence the choices we are to make out of the overwhelming number of options that billions of people have nowadays. As a result, we do not live in the “now”, but live in the “near future”: as soon as we try to just ‘be’ or try to become connected with a place or with someone or something, we are distracted by our so-called ‘connectivity’ to the world-wide-web of temptations. Our ‘body-glued’ technologies demand us to go somewhere else, to go check something, to get something, to become something. There is little time to be bored, to ponder, to stare, to wonder, to mull things over, to sink deeply into a book, to gaze at the stars, no time to reflect at length on things that really matter and make us human. In order to think about a sustainable future, we need to be able to pause, think, and imagine.

Both environmental and sustainability education are founded on the basic premise that education and learning in one way or another can help create a better future. But not just any type of education. Some of the unhealthy trends in society can be seen in our education and, in fact, reproduce and reinforce them. Looking at the current educational system can help explain why humans have become who we are, and why it might not produce the kind of learning needed to change who we are and what we are becoming. When education amplifies unsustainability by emphasizing individualism, continuous (personal) growth and development, cultivating the idea of being productive citizens and diligent consumers and embracing the idea of competition at the expense of solidarity, then it accelerates systemic global dysfunction.

The notion of ‘envisioning futures for environmental and sustainability education’ raises many possibilities and questions. We can pause and think more about the meaning of ‘envisioning’. Envisioning suggests an active process that leads to some kind of image or vision of what is, what might be or even what was. Envisioning a future can be seen as a reasoned imagining, an educated semi-fictional sketch of what might be. We can engage many people – young and old, rich and poor, living in disaster prone and fragile regions or in more stable ones – in such envisioning and see what kind of commonalities and differences might emerge. Envisioning can become a bridge among binaries, polarization, and separation and open up the spectrum between hope and fear, survival and extinction, climate change resilience and runaway climate change, between coming together and survival of the fittest.

Likely these visions are influenced by who you are, where you are, where you have come from, where you are going. A rich collage of possible futures will emerge that can become the beginning of a conversation about probable, possible, and desirable futures. What does the word ‘desirable’ or, for that matter, ‘sustainable,’ mean to different people who envision such futures? Still other questions might be raised about why some futures are more probable than others or what influences the change toward a more desirable future. If we do agree on an alternative future, then questions about how to get there – sometimes referred to as backcasting (Holmberg and Robert 2000) – also need to be asked. Who needs to do what, when, and how? What forces are working with us, what forces work against us? What is it that needs to be sustained, what might need to be disrupted or unsustained? The latter question is often ignored as the idea of transgression and disruption is often seen as political and aversive. Yet, transgression and disruption might be essential for breaking with powerful and highly resilient but outdated systems and routines that are inherently unsustainable (Lotz-Sisitka et al. 2016). The future is as much about the past as it is about the future. Both in envisioning and in backcasting we can benefit from what was before and how the past is represented in the present – and likely how it will continue to be represented in the future. Sometimes we can find things in the past that were lost in our ‘leap’ to modernity that might provide clues for sustainable future. Sometimes ancient practices and principles still exist in places that have been able, willingly or unwillingly, to escape this leap to modernity. Indigenous and intentional communities across the globe with more relational ontologies, communal values and ethics, and traditions that allow for more spiritual and meaningful ways of being in the world could very well offer guidance in envisioning a sustainable future (Chaves 2016). At the same time, envisioning a sustainable future might also benefit from imagination and (science) fiction, as they can lead us to consider the seemingly impossible, as well as create new energy and innovation. Critical here is that this energy and innovation is paired with some kind of planetary consciousness and underpinned with values and ethics that move Earth closer to the post-Anthropocene which, we propose to call the Ecoscene. The Ecoscene is the geological epoch during which Earth enters a long relatively stable period where life on Earth is in a state of a dynamic equilibrium and homo-sapiens lives by a so-called flat ontology, recognizing that all species are exceptional. Clearly we haven’t arrived there yet, but let us assume that we have still plenty of time to get there or somewhere else that may turn out to be more sustainable.

So, the future then might be considered an emergent property that we never meet but when imagined can give us some direction in where we are going. As a ‘product’ of envisioning, it is marinated in uncertainty and complexity, and, indeed, in ambiguity, even controversy, as there will be disagreement about both knowledge and value claims with respect to what makes for a desirable future. Who is ‘we’ in the ‘Future We Want’ report on ESD (World Commission on Environment and Development 1987)? Who is included and who, or what, is not? Post-human perspectives and new-materialist (Alaimo 2012) perspectives are not represented in such a report (not to mention the human perspectives not represented in the titular ‘we’). Envisioning futures in the context of sustainability needs to be mindful of multiple perspectives.

A focus on the future and imagining what might be is needed in order to break through the tendency to see the continuation of present manifestations of global systemic dysfunction (e.g. climate change, mass extinction, excessive inequality, sexism, bigotry, animal abuse, and the on-going toxification of water, air, soil and bodies) as inevitable. Hope and possibility tend to bring about more change than fear and fatalism which tends to keep things the way they are.

We challenge environmental and sustainability educators everywhere to imagine how nascent scientific, technological, social, and ecological developments might perturb, disrupt, and/or transform the field of environmental education. This includes mobilizing earlier lines of related inquiry within the field, such as the earlier mentioned backcasting (Holmberg 2000), as well as charting points of contact between emerging modes of speculative thought and the field’s own longstanding concern with ecological futurity. Our field can also benefit from thinkers within fields such as design, architecture, and computer science. These disciplines have recently initiated discussions concerning how critical speculation might help practitioners challenge ingrained disciplinary assumptions. For example, speculative design (Dunne and Raby 2013), architecture fiction (Gadanho 2009, Lally 2014), and science fiction prototyping (Johnson 2011) harness science fiction’s capacity to explore possible futures through extrapolating elements of our contemporary moment into imaginary worlds.

The work of creating the future is being done now – and much of it is unsustainable in terms of natural and cultural resources. In fact, the notion of nature and culture as ‘resources,’ can be challenged from a sustainability perspective. Can we imagine sustainable futures, and can we design forms of education and learning that help us realize them? Can we envision futures for the field of environmental and sustainability education capable of helping us achieve the transition to sustainability? Future environmental education needs to lead to meaningful engagement with ecological futures in the Anthropocene; needs to develop resilient, adaptable pedagogies as a hedge against future ecological uncertainties; and needs to spark discussion concerning how futures thinking can generate theoretical and applied innovations within the field.

III. Education for the future What might the future might bring for environmental and sustainability education? Historically, we can distinguish different movements and emphases within education, communication, and participation in relation to people and planet (Table 1). Roughly this movement is from nature conservation education (NCE), to environmental education (EE), to education for sustainable development (ESD) to environmental and sustainability education (ESE). Sometimes there was divergence (e.g. when nature- and ecology-oriented education and social justice and democracy-oriented education were separate, sometime convergence (e.g. when environment and sustainability, along with health, peace, democracy are all seen as intricately linked). It must be said that these different ‘educations’ do not literally succeed one another – often they run parallel – and that there will be differences between geographical contexts. Nonetheless, the pendulum swings, but in some parts of the world (e.g. Australia, New Zealand, Canada, Colombia, Brazil, Northern Europe), we can presently see a trend towards convergence where both sense of place and the strengthening of relationships between people and people and the non-human and more-than-human world, as well as the questioning of deep rooted structures and hegemonic values, engaging multiple actors with sometime conflicting views and the crossing of boundaries between sectors and disciplines, are considered critical. The four strands of ‘planetary’ education in Table 1 might also be present in one way or another in the countries featured in this special issue. We have not investigated this but invite readers to do so.

The recent Global Education Monitor Report (GEM 2016) shows quite clearly how education connects with all the Sustainable Development Goals as distinguished in the UN’s Agenda 2030 (United Nations 2015) It also shows that education can be highly problematic when is merely amplifies those capacities in people and those systems and structures in society that accelerate unsustainability. What is new, here, is that a major report from a United Nations organization, UNESCO, is recognizing this and departs from the standard narrative that all education is good because it will lead economic development and growth, and lift people out of poverty. The shift from Education for All (EFA) and the Millennium Development Goals to education as a mechanism to contribute to the Sustainable Development Goals (SDGs) – which are to be leading in international and national policymaking until 2030 – may offer possibilities for the kind of environmental and sustainability education many of the authors in this special issue are talking about. Although, in the spirit of reflexivity and critical thinking, the SDGs themselves will also need to be continuously scrutinized and debated as they too are highly political in subtle (e.g. SDG-1 focuses on ‘eradicating poverty’ but not on eradicating extreme wealth) and not so subtle (e.g. SDG-8 focuses on realizing ‘decent work and economic growth’ which sustains the idea that continuous growth is the center piece of sustainability) ways. We are envisioning a future of environmental and sustainability education that operates very much in the right hand column of Table 1. Of course, there will be unpredictable events that could yield a rather different future, but for now we see a convergence between environmental and sustainability education where more attention will be paid on the affordances for education that connects people and planet and empowers people to make change and to live meaningful, dignified and responsible lives. A focus on the affordances and conditions for such education and learning will shift the attention away from questions of how people should behave or what they should be learning to questions like: ‘Do the encounters educators create and the learning spaces they design or utilize allow for students and the structures of which they are part to become more sustainable in the first place?’ Does the learning environment ‘invite’ people to reflect on values, controversies and dilemmas, to become critical of ‘false news’ and ‘viral myths’ and propaganda in the ‘post-truth’ era, but also: to take action when deemed necessary? These are the kinds of questions that will need to be asked if we as scholars, educators, and citizens want to support learning based change towards a world that is more sustainable than the one currently in prospect. We as authors do not wish to prescribe possible futures for all and everywhere but rather invite readers to consider their own contexts and realities and mirror them against some of the possibilities outlined here in hopes that such ‘mirroring’ will open up debate and conversations that can ultimately improve the quality and impact of environmental and sustainability education

#### Competition is a complex web of systems that requires a pluralist lens for an accurate assessment.

Clive L. Spash & Adrien O.T. Guisan 21, Chair, Public Policy and Governance, Vienna University of Economics and Business; PhD, Vienna University of Economics and Business, "A Future Social-Ecological Economics," Real World Economics Review, No. 6, 09/07/2021, pg. 203-214.

Economies are the socially structured institutional process involving the interaction of humans with the natural world. Social reproduction is achieved only within the bounds of the given structure and mechanisms of biophysical reality. The form and scale of economic processes depends upon a set of spatially and temporally contextual social institutions. That is economics concerns the form and function of social provisioning process which can take various forms and are far from limited to price-making market or capitalist institutions. Starting from processes of social provisioning, economics becomes the study of plural historical, actual and potential economies with their underlying institutional arrangements and biophysical basis rather than a singular abstract idealised “economy”. This broadens analysis not only to what institutions, norms and values shape the economic process and agents’ behaviours, but also to what are socially desirable and ecologically sustainable systems of social provisioning. Economics is neither value free nor ethically neutral but its stance on both should be made explicit. It must also be realist about how economies are reproduced via social and ecological mechanisms. That means linking to both power relations and ethical and just means of provisioning, but also material and energy throughput that respects others (human and non-human). The aspirations of economists to provide for the well-being of humanity, if taken seriously, mean a revolutionary change in economics is long overdue.

The philosophical basis of the approach is argued to be closest to critical realism. Core aspects of correspondence here are depth ontology raising the profile of both structure and mechanisms as opposed to a sole focus on empirical facts. Structure as a metaphysical reality with multiple causal mechanisms operating in open systems then poses challenges for how economics conducts itself as a science. While following critical realism in its epistemic pluralism there is also a recognised need for structuring interdisciplinary research and uniting diverse fields via common ontological understanding leading to a structured methodological pluralism (not the eclecticism of constructionism and conventionalism). Potential methods for research are selected on the basis of the qualities of an object of study and research question and as such remain open and diverse (quantitative/qualitative, intensive/extensive, see Sayer, 2010). Economic science is then neither deductivist, empiricist nor reducible to a set of idealised methods.

We start this explanation of SEE by taking issue with the hegemonic definition of economics based on choice and offer an alternative based on social provisioning. This clarifies the failure of economics to address different forms of economies both in theory and as actualised and operational both historically and at present. The relationship of economies to needs and their satisfaction with an associated material and energy throughput then becomes part of economic analysis. As noted, a clarified relationship between the ecological economic and the social is required and we explain some basic aspects of the relationship to social reality. This coverage is an outline of the ontological commitments of SEE, that is how reality is understood, its key constituents as far as an social-ecological economic system is concerned and some of their relationships. Next we outline the way in which economics can be conducted from the perspective of two other aspects of philosophy of science, namely epistemology and methodology.

II. Economics as the study of social provisioning

A rather obvious approach to defining what constitutes economics as a subject is to determine its primary object of study. Economics as an orthodoxy has for some time been dominated by a neo-Austrian dogma that was introduced significantly via Lionel Robbins (1932) and adopted into the mainstream, not least in microeconomic theory. This placed the concepts of resource scarcity and individual choice at the centre of a liberal political economy that was supposedly value free. The economic problem became meeting unlimited and competing wants and the supposed solution was meant to be resource allocation via “the market”, soon supplemented by (macro-)economic growth. In fact a single institutional process associated with capitalism was being advocated, namely, what Karl Polanyi (1957) termed, the price-making market. Robbins neo-Austrian definition then merged into Chicago school neoliberalism, where choice in a market setting, subject to price incentives, became the essence of economics and this has since permeated its meaning. This approach permitted an imperialistic expansion of economics into all sorts of subject areas, simply based on the idea that humans must make decisions as individuals so that any decision became an economic topic, e.g. equating everything from buying a cup of coffee to suicide (as infamously proposed by Becker, 1976).

In stark contrast, an older tradition regards the core of economics as determining the social and institutional arrangements for providing the needs of a community (or nation). Here the aim is to achieve a common good or well-being of all. What constitutes the good/well-being for a group then requires explicit ethical judgment. Modern times reduced the goal of seeking the “common weal” (i.e., the ability to fare well, prosper and have good fortune) into accumulating wealth and making money. Economics then simply became the study of capital accumulation using money and market prices and ultimately leading to economists’ claims of being able to determine optimally efficient public policy.

SEE immediately takes issue with reducing the subject down to studying something as singular as the economy, as if there were only one such entity or form. The term “the economy” is merely unthinking code for market capitalism, while denying actualised varieties of capitalism and that this is only one form of economic system (Hodgson, 2016). So rather than reduce economics to the study of one generic form meant to approximate the currently dominant system, a far broader approach is required, and not least so because this system is failing and creating catastrophic social and ecological crises.

A more comprehensive approach is to define economics as the study of social provisioning to meet human needs within an ethical framework of care and justice for others, both human and non-human. Social provisioning is a necessary activity for any social group whether a household, village, town, city, region, nation state or global collective. It concerns the ways in which people organise as social groupings to satisfy their needs. Markets as mechanisms for allocation are merely one form of arrangement and themselves diverse in structure.

Economics can then be seen as concerned with the variety of institutions for ensuring the satisfaction of needs and the reproduction of a society. Institutions here are to be understood as inclusive of conventions, norms, rules and regulations (Vatn, 2005). This immediately opens up economics for the consideration of alternatives and potentialities rather than the nihilistic claim that there are no alternatives.

A common objection to a focus on needs is that this is deterministic and fails to allow for the variety that appears evident in human society. Such a claim can be seen as confusing objective requirements with subjective means of their fulfilment. Thus Max-Neef (2009 [1992]) makes the distinction between needs and the satisfiers that enable their actualisation. He identifies nine fundamental needs – subsistence, affection, understanding, participation, leisure, creation, identity, freedom – that are regarded as universal and only changeable over extremely long time periods of species evolution (Max-Neef, 2009[1992]: 138). Meeting needs is regarded as a necessary prerequisite for human flourishing, while their means of fulfilment is socially contextual and varies across space and time (Rauschmayer and Omann, 2017). Satisfiers relate to the institutions, norms and practices that structure the satisfaction of needs, and will influence how economic goods and services contribute to their fulfilment or inhibition (Max-Neef, 1992). As such, while needs remain objective, how they are expressed, perceived, and fulfilled will always be subjective, conditioned by institutional arrangements and wider social and cultural contexts. This embeddedness and emergence of an economy from and with social structure forms one of the foundational ontological commitments of SEE.

In turn, social and economic systems are understood as being embedded in, and fundamentally constrained by, biophysical structures (Spash, 2017; Spash and Smith, 2019). All economic processes interact with their environment. There is a straight forward and basic dependency of economic systems upon flows of materials and energy as well as sinks for the necessary removal of waste material and energy. Economies are open social-ecological systems. Their processes operate within a set of limits prescribed by ecosystems structure and functioning, and social structure represented by actors and their institutional context.

III. The biophysical in economics

A basic fact, although absent from most economic thinking, is that natural resources and waste sinks are required to ensure social provisioning. The reproduction of societies must address the maintenance of ecosystems structure and their functioning or fail. Production fundamentally requires energy, or, more precisely, available energy termed “exergy”. That is, humans require energy capable of performing useful “work”, which is defined, as in physics, to mean the exertion of a force against some form of resistance (Ayres and Warr, 2009). Such work can be performed by humans, animals or machines, but will always require some input of exergy, whether it is the solar radiation embodied in food that fuels human and animal labour, or fossil fuels to power a heat engine. This dependency of societies on flows of energy and materials is captured in the concept of “social metabolism” (Krausmann, 2017). There is no single social metabolism because it will vary depending upon the structure of an economy and its social provisioning mechanisms, and there-in lies the potential of alternative socialecological economies.

The metabolic nature of human societies emphasises the role of materials and energy in their reproduction. This make the laws of thermodynamics central to any economic process as explored by Georgescu-Roegen (1971). The first law of thermodynamics stipulates that The metabolic nature of human societies emphasises the role of materials and energy in their reproduction. This make the laws of thermodynamics central to any economic process as explored by Georgescu-Roegen (1971). The first law of thermodynamics stipulates that

Human, and non-human, survival depends upon material and energy exchange which means on being open systems. Giampietro (2019) notes how Schrödinger described living organisms and ecosystems as having the capacity to seemingly avoid, or even reverse, entropic decay through interaction with their surroundings but this requires gathering available energy and concentrated materials from, and disposing of waste into, other systems. Entropy is not actually reversed because it continues in the larger system with which living organisms interact and are dependent. As biophysical entities living organisms are open systems. In general, open systems can maintain organisation, a given size and level of activity, but this has consequences for the systems with which they must interact. The growth of any organism, ecosystem or population is therefore fundamentally limited by the biophysical structure of its environment. These are termed horizontal limits by Devictor (2017: 120-121), because they relate to the spatial-temporal boundary for a given population, assemblage or ecosystem. The same principle applies to human societies and their economies, which depend upon ecosystems for flows of materials and energy as well as sinks for the waste they generate. Giampietro (2019) remarks that this implies that the processes ensuring the reproduction of elements of a “technosphere” (i.e. a social economy) must not interfere with the reproduction of elements in its associated “biosphere” (i.e. ecosystems structure and function) upon which they depend for maintaining a given scale of activity and organisation. Different societies have attempted to address this requirement in different ways with varying degrees of success in sustaining themselves.

Human history consists of a long period in which social provisioning was organised by free roaming, migratory, hunter gatherers prior to the rise of sedentary agricultural settlements. The former appear highly sustainable, long lived and relatively low impact, although some extinction of species is implicated. The latter consisted of small bioregional economies, with regional material flows and solar radiation as the main source of exergy, reliant on agriculture and forestry for various reproductive processes. The industrial revolution marked the start of a major transformation of social metabolism in human social and economic systems. The use of fossil fuels – coal then gas then oil – became the main source of exergy driving production processes, while increasing use of concentrated minerals replaced solar dependent plant and animal materials. This expansion of production, along with the development of artificial fertilizers, facilitated the growth of economic activities and populations beyond their previous limits (Spash, 2017).

This social metabolism appears highly unsustainable. After a few hundred years operating in just parts of the global provisioning system the results appear headed towards catastrophic collapse. The move away from exergy derived from solar radiation to finite stocks of concentrated minerals, combined with economic growth, has meant the social metabolism of industrialised human societies rapidly depleted the “entropic dowry” upon which it depends (Georgescu-Roegen, 1971). As a physically closed system, the Earth exchanges flows of energy but not of materials with its surrounding (at least not in any significant sense), while the reproduction of biospheric entities is made possible by the existence of various climatic systems that dispose of thermal energy into outer space, maintaining favourable conditions for life (Mayumi, 2017). Once used the stocks of low entropy are in effect irreversibly lost. In theory, the flows of exergy from solar radiation could be harnessed to reverse the dispersal of available energy on Earth, but to date this remains science fiction, while the ability to reconcentrate all dissipated materials to original quality on a substantive scale appears equally implausible (Spash and Smith, 2019). Recognising the biophysical reality of the economic process then leads to the inevitable conclusion that industrial economies are dependent on finite stocks exergy and their continued operation, let alone continual growth, is impossible over any extended period of time.

While the exhaustion of finite resources remains an ultimate limit on human activity, an arguably more pressing limit is the accumulation of waste. Industrial social metabolism “merely transforms low entropy into waste” (Georgescu-Roegen, 1971). As such, pollution should not be treated as a problem outside the system (i.e. an externality), or an anomaly, that could somehow be solved through increased efficiency, or correcting prices, but as an integral part of the economic process (Spash, 2021b). The Laws of Conservation indicate the inevitability of pollution because mass remains the same, but the quality of materials, like energy, declines. Ecological economists such as Daly (1992) have emphasised the scale of impacts from human activity (e.g. waste accumulation). What has been given less attention is the qualitative aspect arising due to the creation of artificial substances and interventions that would not have otherwise occurred and to which natural systems and entities are unable to adjust. Such unnatural impacts on the biosphere and ecosystems lie at the heart of the ecological crisis, such as the on-going mass extinction of species. Thus, not just the scale of human activity (e.g. quantity of waste, population size) but also its qualities determine the consequences for the environment and functioning of ecosystems. The importance of the form of intervention is why technology is never neutral, and also what determines the extent to which something is unnatural (Deckers, 2021). Humans are then engaged in processes of change not equilibrium and stability.

The development of ecology in the 1970s brought new insights into the structure of complex systems and their interconnections. This was mainly driven by the realisation of the disruptive impact of human activities on ecosystems’ structure and function, which in turn affected human systems (Spash and Smith, 2019). Contrary to previous views of ecosystems as isolated, self-regulating and stable systems, they became recognised as complex and dynamic open systems. The potentiality to change ecosystem structure dramatically following systems collapse was highlighted by Holling (2009[1986]), who described this organisation and reorganisation process as part of a cyclical pattern. The evolution of an ecosystem or population can be chaotic with abrupt changes in trajectory. Besides the “horizontal limits”, mentioned earlier, “vertical limits” are emergent and arise due to interactions between ecological levels and dependencies between different components of the system (Devictor 2017). Human activities interacting with ecosystems have uncertain and indeterminate consequences for their structure and function. In the face of such partial ignorance and indeterminacy over human intervention, public policy would better be precautionary than risk taking (Stirling, 2017), and society prepared to adapt rather than lock itself in to a specific “optimal” pathway (e.g. infrastructure, technologies, energy and materials).

IV. The social dimension of economics

Social reality is the dynamic outcome of human practices from which it emerges and by which it is reproduced (Lawson, 2006). However, emergence means that social structure while dependent upon is not reducible to human practices (e.g. individual behaviour). Social structure enables coordinated interactions through collective practices. Collective practices refer to accepted ways of doing things in a community, and can emerge in various ways, notably because of their functionality, but also simply by chance or repeated occurrences (Lawson 2012). They form a basis for individuals to form expectations as to the appropriate course of actions to follow in order to coordinate with others. Interconnected obligations and rights may evolve that are relationally constituted and constitutive of social positions (Lawson 2006). For example, the positions of employer and employee exist in relation to each other and entail associated rights and obligations for both parties.

How, and to what degree the actions of agents are pre-determined by social structure, as opposed to being autonomous, is a fundamental point of debate. Mainstream economics reduces “society” to being an aggregation of individuals who act purely out of individual selfinterest (i.e. maximising their own personal utility) and are basically identical (both ethically and psychologically). As such it cannot explain the historical variety in social provisioning systems – production and consumption patterns – throughout history and across contemporary cultures. This requires understanding human variety and social relations as emergent and mediated through institutions and values that interact with, shape and form economic structures. Human action is always relative to a particular context in space and time and set within social structure. While agency is restricted it is neither denied nor entirely pre-determined.

Following Jessop’s (2001, 2005, 2007) “strategic-relational” approach, structure and agency can be viewed as dialectical concepts beyond an artificial dualism. He considers structures as strategically selective, but not absolutely constraining, leaving some room for agency. His main argument is that structures generally tend to favour some actions over others. In this sense, he emphasize the importance of a strategic context for action: agents will strategically reflect on their (usually incomplete) understanding of structural constraints and opportunities and act accordingly. Action is therefore both structured, and “structuring” as it tends to reproduce structures and their patterns of strategic selectivity. These recursive interactions between agency and structure create tendencies because structures are not absolutely constraining. There is then only relative and temporary stability to patterns of strategic selectivity, with the possibility for actions to circumvent structural constraints or change them.

As structures are the product of human agency, they are dynamic and are open to change (Lawson, 2012). Through their practices and interactions, humans continuously (and often unintentionally) reproduce and transform the social structures that influence these practices. The employer-employee relation for example has evolved, with a changing set of rights and obligations as unions have negotiated better working conditions. Likewise, the social positioning of women has changed as emancipatory movements have fought for equal rights as citizens.

That major social structures can change (if generally only slowly) is evident from the contrast between modern society and archaic societies. For example, Sahlins (1972) described how hunter-gatherer economies were characterised by a high degree of underproduction and disdain towards accumulating material possessions. Modern industrialised societies promote over production and waste in a throwaway, fashion conscious mode of conspicuous consumption. Thus, modern consumer behaviour is not an ahistorical trait of human nature, but a specific form of social structure which helps reproduce the capitalist mode of production. The change in economic and social structure during the rise of capitalism and associated market economies has sometimes been described as a change in terms of the extent to which “the economy” is embedded in society. A prime example is the work of Karl Polanyi (1957) which argues that such modern market economies should be understood using a “formal” economic approach (i.e. individual choice in price-making markets). He regards most of human history as having been spent in “primitive” economies, where market exchange was largely or totally absent, and distribution occurred via reciprocity and kinship groups (Polanyi, 1957). Economic (provisioning) activities were described as being embedded in social relations and institutions. Understanding such economies required a “substantive” approach to economics in contrast to the formal approach, which he accepted as valid only for modern economies. The latter are governed by rational logic, efficiency, self-interest and prices which he believes means they can be regarded as disembedded from social relations (Gemici 2008; Polanyi, 1957).

While Polanyi highlights aspects of institutional differences between capitalist market economies and past economies, the division he draws between socially embedded primitive economies and socially disembedded modern economies is erroneous and only serves to reify the utopia of the “self-regulating market” that he painfully attempted to deconstruct (Spash, 2019; Gemici, 2015). The notion of (dis-)embeddedness fails to capture the changing qualities of social provisioning, and ultimately denies their social aspects. This encourages the separation of the social and economic, rather than their conceptual distinction and actual connection. Modern market economies are instituted differently than their historical counterparts, but market relations remain embedded-in, and built upon networks of social relations (Granovetter, 1985).

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Price-making markets have little, or in fact nothing, in common with perfectly competitive markets, where each firm has no power to set prices or control other factors of production. Actual market economies evidence oligopoly and monopoly power institutionalised in the corporation. Prices are the result of power relations and that includes the power to structure markets and regulations in ones own favour. Multi-national corporations and the Davos elite do not wait to be regulated; they lobby and influence government action in their favour opting for self-regulation when other choices are unavailable.

Power in the market place also means creating demand for products. Large firms have means to manipulate social attitudes, and therefore to manage what consumers buy and at what price (Galbraith, 1979; Kapp, 1978 [1963]; Spash and Dobernig, 2017). Promotion of dissatisfaction is the essence of modern marketing via normalising comparison with others, status-seeking (i.e. keeping up with the Jones’s), fashions, in-group/out-group identity, shopping as therapeutic and possessing the latest technology. Rather than industrial production leading to material satiation, and the need for less work, the consumer society has evolved with more work and more disposable products. This process has long been recognised as involving conspicuous consumption (Veblen 1991 [1899]) and manipulation by corporate and business enterprises (Galbraith 1969 [1958], 2007 [1967]; Kapp 1963).

V. Philosophy of economic science

Mainstream economics has attempted to employ and maintain discredited philosophical approaches to conducting itself as a science. On the one hand it aspires to finding objective truths through empiricism as if theory was unnecessary and data could speak for themselves. On the other it promotes a form of deductivism that places abstract mathematical models at its core with unquestionable foundational axioms divorced from any reality. Sometimes the two are combined in a pseudo logical empiricist approach,1 or claims to some vague form of positivism with epistemological positions such as a fact-value dichotomy, a naïve objectivism and the search for universal laws (Spash, 2012). None of this has been neutral, but has rather hidden an implicit conceptualisation of reality. Thus, the particular worldview of mainstream economics has tended to favour regarding economies as physically isolated, mechanical, self-regulating, equilibrating and predictable systems. Leaving an ontology to be defined by a methodology (whether deductivist or empiricist) means falling foul of the epistemic fallacy. That is, objects and their relationships only become accepted as valid, or even recognisable as relevant, if they conform to the methodology, e.g. if something cannot be measured it is ignored, effectively not existing in the analytical approach. Thus mainstream economics is blinkered by its methodological choices and methods (e.g. cost-benefit analysis) come to dictate understanding of reality (e.g. Nature must have a monetary price to be of value). In addition, contrary to the approaches of mainstream economists, the second half of the 20th Century saw a general recognition that science operates in a social context, and that our knowledge is fallible. However, the failings of mainstream philosophy of science are not the primary concern here (see Tacconi, 1998; Lawson, 2006; Spash, 2012, 2020), but rather we aim to suggest what would be a way forward in relation to SEE.

The search for philosophical foundations led Tacconi (1998) to propose a combination of post-normal science and constructionism. However, in its strong form constructionism denies realism and is incompatible with the ontological commitments of ecological economists to a biophysical reality independent of the human mind. Post-normal science is also not a philosophy of science, but an epistemological critique of traditional naïve objectivism in the natural sciences and its transference into the social sciences. As Tacconi (1998) seems to recognise his mixture of inconsistent approaches results in contradictions. Puller and Smith (2017: 19) summarise the problem as follows:

“Ecological economists seem to be searching for a way to combine a perception of the world as independent of our knowledge, while at the same time admitting the social construction of knowledge and the role of meaning-making in the social realm”

They then detail how a philosophical well-grounded approach can be found in critical realism, which combines ontological realism with epistemic relativism.

The form of critical realism of relevance here is associated with the early works of Roy Bhaskar (1975 [2008], 1979). As explored by Lawson (1997) in relation to economics, a strong emphasis is placed on the importance of addressing ontological issues. More specifically critical realism propose a depth ontology that goes beyond empiricist and actualist philosophies to give place to structure and the causal powers of their mechanisms. Structures and mechanisms make events happen. What is actualised is merely part of the potential and the result of which mechanisms and counter mechanisms are operative and which ones dominate. The empirically observable is then merely a subset of what is actualised based on human ability to take events into account.

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While social structures are human constructs they are no less real for that. Capitalism is, for example, a recognisable system with real mechanisms and effects (as described earlier). Reality is further conceived as stratified, with hierarchically ordered strata, starting from a physical dimension, followed by chemical, biological, social and economic dimensions (Collier 1994b). All biological entities are physical, but physical structure is independent of biological structure. Similarly, the co-dependent social and economic strata are dependent upon the biological, the chemical and physical, but not vice versa. However, as consistent with the earlier discussion, higher strata are irreducible to lower from which they are emergent. Similarly, Georgescu-Roegen (2009[1979]) exemplifies such properties by considering how an elephant is composed of physical and biological structure but its behaviour (an emergent property) cannot be explained purely form physics or chemistry. As we have noted society is not simply the aggregation of the individuals of which it is composed.

This stratified and layered understanding of reality also results in a concept of causality that differs from traditional realist approaches. Instead of being explicable as event regularity, critical realism explains actualised events using the concept of causal powers of mechanisms based on structures and mechanisms (Collier 1994a). In open systems, there are multiple mechanisms at play that can either enable or prevent the actualisation of potentialities. Rather than seeking universal and timeless “laws” of Nature there are law like conditions where certain tendencies of mechanisms become actualized (Puller and Smith, 2017).

Bhaskar describes the scientific process as “the social production of knowledge by means of knowledge” (Collier, 1994a: 54). In this view, “transitive” knowledge or thought objects, provide the concepts, models and theories that are simultaneously the raw material and the product of science, and which seek to explain “intransitive” reality or real objects (Sayer, 2010). Science seeks descriptive and explanatory knowledge if natural and social entities, phenomena, events and their relationships. While social structure is subject to change it is not so easily or quickly, it has durability (Lawson, 2006), and that means the same transitive / intransitive approach to understanding knowledge can be applied. Those who emphasise change as undermining all knowledge (e.g. Goddard, Kallis and Norgaard, 2019) fail to allow for durable structure and mechanisms which are the essence of the ability to know anything. There is also a tendency to over play the role of social scientists in affecting their objects of study.

As Sayer (2010: 33) states “social scientists and historians produce interpretations of objects, but do not generally produce the objects themselves”. He argues that a clear distinction is required between an object of inquiry and our knowledge of it, which consists in the language, concepts or images that we use to describe reality. Thought objects are therefore referents to their “real” counterparts, but he regards knowledge of true correspondence as impossible, i.e. all knowledge is fallible.

Experience of the external world consists of ideas (percepts, sense data, qualia) involving socially contextual conceptualisation (e.g. language, culture, prior knowledge). The extension of knowledge involves reconceptualization and involves the role of metaphors and analogies which relate to existing ways of thinking e.g. the current prevalence of computing metaphors and analogies. The transitive or thought object in critical realism involves weak constructionism and is termed epistemic relativity or (sometimes) epistemological relativism. This weak constructionism contrast with the radical relativism of strong constructionism where knowledge is simply a matter of shared conventions among researchers. In such accounts the relation to real structures, mechanisms and objects is regarded as irrelevant or even the existence of a reality beyond the human mind is denied.

Although knowledge is fallible, it is not equally so. Choices can be and are made between difference explanations and descriptions. Representations of the world are of practical use and their employment in our actions and practices has consequences which can be evaluated, help us navigate it and enable us to have an impact on it. We judge what works well and what does not. In Sayer’s (2010: 48) terms intersubjectively shared conventions must prove themselves to be practically adequate, so that our expectations about the world and results of our actions are actually realised. This is more than just the usefulness of a theory, because the adequacy of knowledge is also judge in terms of descriptive realism relative to the structure of reality. Thus critical realism is distinct from instrumentalism (such as found in American Pragmatism) because the aim is not simply prediction but causal explanation. Prediction can be equated with explanation only if one assumes event regularity, which fails to hold in open systems like economies. Indeed, prediction is unnecessary for the explanation of a phenomenon (Collier, 1994a).

Investigation of open systems requires a distinct approach from the idealised laboratory experiment which tries to create a partially isolated system through controlling mechanisms. The limited applicability of such methods for social phenomenon means alternative methods are typically required, such as the use of counterfactuals. However, as Danemark et al. (2002b) point out, there is no specific “method of critical realism”. Indeed the method for investigation is relative to the object of study and research question. Critical realism also recognises a wider range of modes of inference than the traditional induction and deduction. It includes the roles of retroduction and abduction (see Danermark et al., 2002a), as forming part of the process of providing causal explanation, which opens up the methodological toolbox of social sciences and changes understanding of methodology as supposedly (but not actually) conducted in traditional sciences. An inference always implies a form of generalisation and can either refer to extrapolation in an empiricist sense or to conceptualisation of the “hidden essence of things” in a realist sense. Danemark et al. (2002a: 100) suggest five strategies that can help us discern the hidden underlying structures and mechanisms: (1) counterfactual thinking; (2) social experiments; (3) studies of pathological cases; (4) studies of extreme cases and (5) comparative studies.

There are also grounds for judging which methods are appropriate. Methods and related theories must be adequate to their objects of study (Puller and Smith, 2017; Spash, 2012). For example, evolutionary theory, and its associated tools for analysis, is inadequate for understanding the operation of a mechanical clock. Thus, Hodgson’s (2008) argument that evolutionary theory should replace mechanistic theory in economics is flawed because it simply repeats the same mistaken belief that all objects of relevance to economic must be of one form (i.e. evolutionary rather than mechanical). Similarly the imposition of mathematical formalism as defining economics fails not because the methods is inherently wrong but because it cannot address the object of study, i.e. the characteristics of economic systems. More specifically quantifying everything with arithmomorphic concepts excludes all qualitative aspects (Georgescu-Roegen, 2009[1979]). This indicates the need for a structured methodological pluralism, where theories and methods are informed by the qualities of the object under study and cooperation occurs between those with common understanding (Spash, 2012).

A final aspect of note is the emancipatory role of social science research. Investigating the real (structural) cause(s) of a social phenomenon means the explanation of the social scientist will inevitably clash with the existing ideas of some people, that is new evidence may appear, theories brought into question, previously confirmed positions be undermined. Such is the nature of scientific research. Social scientists criticise those holding fallacious ideas. If there are institutions holding those false ideas then the research is also a criticism of them and the social scientists has a role in removing wrong beliefs. Collier (1994a) argues the role of the social scientist is not just to criticize but should be to undermine institutions promoting false ideas. Emancipation is then seen as transforming structure. When considering environmental research the case being made here is clear because research showing beliefs about the benefits of economic growth, fossil fuels, chemicals, plastic, asbestos, genetic modification and so on, to be false then criticise the institutions promoting such things. Research is neither neutral nor value free and facts have ethical implications for both the researcher and society.

VI. Conclusion

The multiple social, ecological and economic crises of our age, and the failings of mainstream economics to explain or address the structural causes of these crises, means new approaches to economics are essential. SEE has been outlined here as a necessary and emerging paradigm. Economics has become increasingly detached from its object of study and the orthodoxy is fundamentally flawed as a social science because it advocates a prescriptive methodology while lacking any serious engagement with epistemology and ontology. The resulting epistemic fallacy means it promotes a narrow implicit world view as if a factual truth. Failures here include imposition of limited quantitative methods and mathematically formalist methodology that exclude qualitative aspects of reality and the use of isolated/closed systems thinking for an open system reality.

Economies are the socially structured institutional process involving the interaction of humans with the natural world. Social reproduction is achieved only within the bounds of the given structure and mechanisms of biophysical reality. The form and scale of economic processes depends upon a set of spatially and temporally contextual social institutions. That is economics concerns the form and function of social provisioning process which can take various forms and are far from limited to price-making market or capitalist institutions. Starting from processes of social provisioning, economics becomes the study of plural historical, actual and potential economies with their underlying institutional arrangements and biophysical basis rather than a singular abstract idealised “economy”. This broadens analysis not only to what institutions, norms and values shape the economic process and agents’ behaviours, but also to what are socially desirable and ecologically sustainable systems of social provisioning. Economics is neither value free nor ethically neutral but its stance on both should be made explicit. It must also be realist about how economies are reproduced via social and ecological mechanisms. That means linking to both power relations and ethical and just means of provisioning, but also material and energy throughput that respects others (human and non-human). The aspirations of economists to provide for the well-being of humanity, if taken seriously, mean a revolutionary change in economics is long overdue.

# 2AC

## Food Security

#### Their extinction link is the worst form of paternalism and whitewashes nuclear war---extinction would be anti-black.

Nicole Akoukou Thompson 18. Chicago-based creative writer. 4-6-2018. "Why I will not allow the fear of a nuclear attack to be white-washed." RaceBaitR. http://racebaitr.com/2018/04/06/2087/#

I couldn’t spare empathy for a white woman whose biggest fear was something that hadn’t happened yet and might not. Meanwhile, my most significant fears were in motion: women and men dying in cells after being wrongly imprisoned, choked out for peddling cigarettes, or shot to death during ‘routine’ traffic stops. I twitch when my partner is late, worried that a cantankerous cop has brutalized or shot him because he wouldn’t prostrate himself. As a woman of color, I am aware of the multiple types of violence that threaten me currently—not theoretically. Street harassment, excessively affecting me as a Black woman, has blindsided me since I was eleven. A premature body meant being catcalled before I’d discussed the birds and the bees. It meant being followed, whistled at, or groped. As an adult, while navigating through neighborhoods with extinguished street lights, I noticed the correlation between women’s safety and street lighting—as well as the fact that Black and brown neighborhoods were never as brightly lit as those with a more significant white population. I move quickly through those unlit spaces, never comforted by the inevitable whirl of red and blue sirens. In fact, it’s always been the contrary. Ever so often, cops approach me in their vehicle’s encouraging me to “Hurry along,” “Stay on the sidewalk,” or “Have a good night.” My spine stiffening, I never believed they endorsed my safety. Instead, I worried that I’d be accused of an unnamed accusation, corned by a cop who preys on Black women, or worse. A majority of my 50-minute bus ride from the southside of Chicago to the north to join these women for the birthday celebration was spent reading articles about citywide shootings. I began with a Chicago Tribute piece titled “33 people shot, seven fatally, in 13 hours,” then toppled into a barrage of RIP posts on Facebook and ended with angry posts about police brutality on Tumblr. You might guess, by the time I arrived to dinner I wasn’t in the mood for the “I can’t believe we’re all going to die because Trump is an idiot” shit. I shook my head, willing the meal to be over, and was grateful when the check arrived just as someone was asking me about my hair. My thinking wasn’t all too different from Michael Harriot’s ‘Why Black America Isn’t Worried About the Upcoming Nuclear Holocaust.” While the meal was partly pleasant, I departed thinking, “fear of nuclear demolition is just some white shit.” Sadly, that thought would not last long. I still vibe with Harriot’s statement, “Black people have lived under the specter of having our existence erased on a white man’s whim since we stepped onto the shore at Jamestown Landing.” However, a friend—a Black friend—ignited my nuclear paranoia by sharing theories about when it might happen and who faced the greatest threat. In an attempt to ease my friend’s fear, I leaned in to listen but accidentally toppled down the rabbit hole too. I forked through curated news feeds. I sifted through “fake news,” “actual news,” and foreign news sources. Suddenly, an idea took root: nuclear strike would disproportionately impact Black people, brown people, and low-income individuals. North Korea won’t target the plain sight racists of Portland, Oregon, the violently microaggressive liberals of the rural Northwest, or the white-hooded klansmen of Diamondhead, Mississippi. No, under the instruction of the supreme leader Kim Jong-un, North Korea will likely strike densely populated urban areas, such as Los Angeles, Chicago, Washington D.C., and New York City. These locations stand-out as targets for a nuclear strike because they are densely populated U.S. population centers. Attacking the heart of the nation or populous cities would translate to more casualties. With that in mind, it’s not lost on me that the most populous cities in the United States boast sizeable diverse populations, or more plainly put: Black populations. This shit stresses me out! There’s a creeping chill that follows me, a silent alarm that rings each time my Google alert chimes letting me know that Donald Trump has yet again provoked Kim Jong-Un, a man who allegedly killed his very own uncle. I’ve grown so pressed by the idea of nuclear holocaust that my partner and I started gathering non-perishables, candlesticks, a hand-crank radio, and other must-buy items that can be banked in a shopping cart. The practice of preparing for a nuclear holocaust sometimes feels comical, particularly when acknowledging that there has long been a war on Black people in this country. Blackness is bittersweet in flavor. We are blessed with the melanized skin, the MacGyver-like inventiveness of our foremothers, and our blinding brightness—but the anti-blackness that we experience is also blinding as well as stifling. We are stuck by rigged systems, punished with the prison industrial complex, housing discrimination, pay discrimination, and worse. We get side-eyes from strangers when we’re “loitering,” and the police will pull us over for driving “too fast” in a residential neighborhood. We get murdered for holding cell phones while standing in our grandmother’s backyard. The racism that strung up our ancestors, kept them sequestered to the back of the bus and kept them in separate and unequal schools still lives. It lives, and it’s more palpable than dormant. To me, this means one thing: Trump’s America isn’t an unfortunate circumstance, it’s a homecoming event that’s hundreds of years in the making, no matter how many times my white friends’ say, “He’s not my president.” In light of this homecoming, we now flirt with a new, larger fear of a Black genocide. America has always worked towards Black eradication through a steady stream of life-threatening inequality, but nuclear war on American soil would be swift. And for this reason I’ve grown tired of whiteness being at the center of the nuclear conversation. The race-neutral approach to the dialogue, and a tendency to continue to promote the idea that missiles will land in suburban and rural backyards, instead of inner-city playgrounds, is false. “The Day After,” the iconic, highest-rated television film in history, aired November 20, 1983. More than 100 million people tuned in to watch a film postulating a war between the Soviet Union and the United States. The film, which would go on to affect President Ronald Reagan and policymakers’ nuclear intentions, shows the “true effects of nuclear war on average American citizens.” The Soviet-targeted areas featured in the film include Higginsville, Kansas City, Sedalia, Missouri, as well as El Dorado Springs, Missouri. They depict the destruction of the central United States, and viewers watch as full-scale nuclear war transforms middle America into a burned wasteland. Yet unsurprisingly, the devastation from the attack is completely white-washed, leaving out the more likely victims which are the more densely populated (Black) areas. Death tolls would be high for white populations, yes, but large-scale losses of Black and brown folks would outpace that number, due to placement and poverty. That number would be pushed higher by limited access to premium health care, wealth, and resources. The effects of radiation sickness, burns, compounded injuries, and malnutrition would throttle Black and brown communities and would mark us for generations. It’s for that reason that we have to do more to foster disaster preparedness among Black people where we can. Black people deserve the space to explore nuclear unease, even if we have competing threats, anxieties, and worries. Jacqui Patterson, Director of the Environmental and Climate Justice Initiative, once stated: African American communities are disproportionately vulnerable to and impacted by natural (and unnatural) catastrophes. Our socio-economic vulnerability is based on multiple factors including our lack of wealth to cushion us, our disproportionate representation in lower quality housing stock, and our relative lack of mobility, etc.

#### No impact---diversity impacts are wrong, redundancy overcomes most threats and intervening actors prevent the rest.

Peter **Kareiva &** Valerie **Carranza 18**. Institute of the Environment and Sustainability, University of California, Los Angeles. 01/2018. “Existential Risk Due to Ecosystem Collapse: Nature Strikes Back.” Futures. CrossRef, doi:10.1016/j.futures.2018.01.001.

The interesting question is whether any of the planetary thresholds other than CO2 could also portend existential risks. Here the answer is not clear. One boundary often mentioned as a concern for the fate of global civilization is biodiversity (Ehrlich & Ehrlich, 2012), with the proposed safety threshold being a loss of greater than .001% per year (Rockström et al., 2009). There is little evidence that this particular .001% annual loss is a threshold—and it is hard to imagine any data that would allow one to identify where the threshold was (Brook et al., 2013; Lenton & Williams, 2013). A better question is whether one can imagine any scenario by which the loss of too many species leads to the collapse of societies and environmental disasters, even though one cannot know the absolute number of extinctions that would be required to create this dystopia. While there are data that relate local reductions in species richness to altered ecosystem function, these results do not point to substantial existential risks. The data are small-scale experiments in which plant productivity, or nutrient retention is reduced as species number declines locally (Vellend, 2017), or are local observations of increased variability in fisheries yield when stock diversity is lost (Schindler et al., 2010). Those are not existential risks. To make the link even more tenuous, there is little evidence that biodiversity is even declining at local scales (Vellend et al 2017; Vellend et al., 2013). Total planetary biodiversity may be in decline, but local and regional biodiversity is often staying the same because species from elsewhere replace local losses, albeit homogenizing the world in the process. Although the majority of conservation scientists are likely to flinch at this conclusion, there is growing skepticism regarding the strength of evidence linking trends in biodiversity loss to an existential risk for humans (Maier, 2012; Vellend, 2014). Obviously if all biodiversity disappeared civilization would end—but no one is forecasting the loss of all species. It seems plausible that the loss of 90% of the world’s species could also be apocalyptic, but not one is predicting that degree of biodiversity loss either. Tragic, but plausible is the possibility our planet suffering a loss of as many as half of its species. If global biodiversity were halved, but at the same time locally the number of species stayed relatively stable, what would be the mechanism for an end-of-civilization or even end of human prosperity scenario? Extinctions and biodiversity loss are ethical and spiritual losses, but perhaps not an existential risk. What about the remaining eight planetary boundaries? Stratospheric ozone depletion is one—but thanks to the Montreal Protocol ozone depletion is being reversed (Hand, 2016). Disruptions of the nitrogen cycle and of the phosphorous cycle have also been proposed as representing potential planetary boundaries (one boundary for nitrogen and one boundary for phosphorous). There are compelling data linking excesses in these nutrients to environmental damage. For example, over-application of fertilizer in Midwestern USA has led to dead zones in the Gulf of Mexico. Similarly, excessive nitrogen has polluted groundwater in California to such an extent that it is unsuitable for drinking and some rural communities are forced to drink bottled water. However, these impacts are local. At the same time that there is too much N loading in the US, there is a need for more N in Africa as a way of increasing agricultural yields (Mueller et al., 2012). While the disruption of nitrogen and phosphorous cycles clearly perturb local ecosystems, end-of-the-world scenarios seem a bit far-fetched. Another hypothesized planetary boundary entails the conversion of natural habitats to agricultural land. The mechanism by which too much agricultural land could cause a crisis is unclear—unless it is because land conversion causes so much biodiversity loss that is species extinctions that are the proximate cause of an eco-catastrophe. Excessive chemical pollution and excessive atmospheric aerosol loading have each been suggested as planetary boundaries as well. In the case of these pollution boundaries, there are well-documented mechanisms by which surpassing some concentration of a pollutant inflicts severe human health hazards. There is abundant evidence linking chemical and aerosol pollution to higher mortality and lower reproductive success in humans, which in turn could cause a major die-off. It is perhaps appropriate then that when Hollywood envisions an unlivable world, it often invokes a story of humans poisoning themselves. That said, it is doubtful that we will poison ourselves towards extinction. Data show that as nations develop and increase their wealth, they tend to clean up their air and water and reduce environmental pollution (Flörke et al., 2013; Hao & Wang, 2005). In addition, as economies become more circular (see Mathews & Tan, 2016), environmental damage due to waste products is likely to decline. The key point is that the pollutants associated with the planetary boundaries are so widely recognized, and the consequences of local toxic events are so immediate, that it is reasonable to expect national governments to act before we suffer a planetary ecocatastrophe.

#### Consolidation makes prices high now BUT the plan solves

C. Scott Hemphill 18, NYU law professor, “COMMENT: Mergers that Harm Sellers,” May, 127 Yale L.J. 2078, lexis

In 1990, Weiss collected more than 121 studies that examined in various ways the difference in prices based on levels of concentration. His conclusion was that "our evidence that concentration is correlated with price is overwhelming." 133 Other studies also find evidence of a positive relationship between price and concentration. 134 The price effect of concentration exists regardless of the level of profitability of the firms in the concentrated market. Such firms are likely, inter alia, [\*809] to expend resources to protect and entrench a market position. 135 Essentially, once a firm faces a unique demand situation (monopolistic competition) or is part of a relatively tight oligopoly with mutual interests, economic logic dictates that such a firm should invest in preserving and protecting its competitive advantage regardless of whether the investment enhances efficiency or innovation. 136 Indeed, such firms logically would resist efficiency improvements or innovations that reduced the barriers to entry or otherwise encouraged more competition. These incentives explain in part why mergers creating such market structures are inherently likely to have anticompetitive consequences. Hovenkamp and Shapiro in 2017 reviewed the economic literature and concluded that it showed that "concentrated industries tended to perform poorly in serving consumers, as they displayed higher prices, higher price/cost margins, and higher profits than less concentrated industries." 137 Thus they concluded that "first and foremost, economic theory and a wide range of economic evidence support the conclusion that horizontal mergers that significantly increase market concentration are likely to lessen competition and harm consumers." 138 Thus, increased concentration has a strong relationship with higher prices as well as facilitating other harms to competition, and it lacks a consistent connection to reported profits. 139 Hence, any merger that substantially increases concentration of even a moderately concentrated market or significantly further entrenches a concentrated market is sufficiently likely to cause a "substantial lessening of competition" or tend "to create a monopoly" that it should be presumed illegal. 140 Thus, apparent redundancy in fact contributes directly to enhanced competitiveness. How strong that presumption should be and what might rebut it arguably depends on whether there are good reasons to believe that such mergers, despite the competitive harms that they seem likely to engender, make some other useful contribution to the [\*810] economy. The next two subsections address the claims that concentration can stimulate innovation or ensure greater efficiency.

#### Small farms are key to the implementation of regenerative ag practices---the market power of large farms prevents status quo investment

Kristen Tam and Olivia Bielskis 21, Researchers for UCLA Law Library, “Stimulating Antitrust Enforcement to Expand the Regenerative Agriculture Movement”, 4-1-21, <https://escholarship.org/uc/item/0m16g2r5>

Food Security, a Critical Practice to create a Climate Resilient Future The United Nations IPCC report calls for a rapid greenhouse gas reduction to limit temperature rise to 1.5 degrees celsius by 2050.33 Given that agriculture and forestry accounted for 10.5 percent of greenhouse gas emissions in 2018,34 farming practices can play a crucial role in meeting these goals. Farming the land in ways that build healthy soil, maintain biodiversity, and sequester carbon dioxide are critical measures that will help America cultivate a sustainable food system, protect the land for generations to come, and meet greenhouse gas emission reduction goals. Currently, the practices that dominate the American agricultural landscape often till the soil, plant only one to two crops at a time, and input large sums of fertilizer, herbicides, pesticides, and other chemicals to streamline production. Industrialized agriculture values efficiency, maximizing yield, and decreasing labor input. In contrast, regenerative agriculture practices maintain soil health for long term benefit by applying compost as fertilizer, planting cover crops, implementing diverse crop rotation, rotating livestock grazing, limiting fertilizer and pesticide use, and eliminating tillage practices.35 Although opponents highlight that regenerative practices yield less products per acre and require more labor input, they neglect the significance of their energy input being 30-60 percent less than traditional methods because they do not use machines, fertilizer, and herbicides.36 This practice ultimately increases the long term productivity and stability of food production because it doesn’t rely on the continuous purchasing and application of chemicals into the soil. Instead, it builds soil health by increasing nutrient and water retention, both of which increases land productivity.37 II. Small Farms are More Likely to Implement Regenerative Fertilization Practices One of the defining regenerative agriculture practices is applying compost and manure as fertilizer. There are three different types of fertilization methods that the USDA measures every few years, manure, organic, and commercial that help replenish soil nutrients. Manure is the application of animal bio excretions,38 organic fertilizer is the use of organic matter, compost, animal manures or green manures and does not include any chemical fertilizers,39 and commercial fertilizer is the application of chemically derived fertilizers such as nitrogen, phosphate and potash.40 For these figures, manure and organic fertilizers are categorized as “regenerative fertilizers” because they represent methods that replenish soils with naturally derived as opposed to chemically manufactured nutrients. Small farms, 10.0 to 49.9 acres, are more likely to implement regenerative fertilizer methods than medium sized, 260 to 499 acres, and large sized, 1,000 to 1,999 acre farms. In 2017, 32.74 percent of small farms used regenerative fertilizer, compared to 27.27 percent of medium and 21.63 percent of large farms.41 Small farms are also transitioning away from commercial fertilizer to regenerative fertilizer methods at a faster rate than medium and large farms. From 2012 to 2017, small farms had the greatest percent decrease in number of farms using commercial fertilizers, 6.50 percent, and the largest percent increase for regenerative practices, 6.47 percent. Medium farms experienced a 2.28 percent decrease in the number of farms implementing commercial fertilizers, while a 2.57 percent increase in regenerative fertilizers. Large farms experienced a 2.31 percent decrease in the number of farming implementing commercial fertilizers, while a 2.32 percent increase in regenerative fertilizers.42 This demonstrates that smaller farms are more willing and better suited to implement regenerative practices. Industrial agriculture firms, on the other hand, highly prioritize efficiencies and maximizing profit, thus, are less likely to invest the time and money into learning about and switching to regenerative fertilization practices. While small farms are making the most rapid transition to regenerative fertilization practices that would benefit the market and planet in the long run, the increased market and resource dominance of the largest farms, which have the slowest rates of transition to regenerative fertilization practices, is ultimately hindering the growth of regenerative agriculture in the United States.

Consolidation Negatively Affects Farmers This disproportionate market power gained by a few agriculture conglomerates allows them to reduce prices in order to drive out competition.43 While large farms lack the will to invest in more regenerative farming techniques, small farms that do not employ regenerative practices are primarily hindered by their lack of economic means to do so. As previously stated, individual farmers make less than 15 cents per dollar and, according to a study conducted by the USDA in 2001, 71 percent of poultry growers live below the poverty line.44 Such subpar circumstances are not conducive to having the freedom to invest time and money into switching practices to plant cover crops, not till, and use animal fertilizer. E. Consolidation Negatively Affects Consumers In addition to harming farmers, agricultural consolidation has also resulted in increased food prices for consumers, largely disproving the claims of Bork’s “consumer welfare standard.” In 2014, economist John Kwoka published a book Mergers, Merger Control, and Remedies: A Retrospective Analysis of U.S. Policy where he analyzed 200 mergers from 1976 to 2006 and found that post-merger prices on average increased by 4.3 percent.45 In addition, evidence has shown that market self-correction has not occurred as a result of antitrust underenforcement.4

## Cite Theory

#### Subject formation---relying solely on identity for scholarship fails because you’ll inevitably receive contradictory advice. Use debate as a space to build substantive political opinions.

RL Stephens 14, Chicago-based organizer for DSA, “My Skinfolk Ain’t All Kinfolk: The Left’s Problem with Identity Politics,” http://www.orchestratedpulse.com/2014/03/problem-identity-politics

Imperial America, murderous America, the America that abused and robbed countries like Bolivia —that America was me. I too was a settler; my Black feet were stained red with blood as I stood on stolen indigenous land. I too benefitted from colonialism, capitalism, and the other facets of White supremacy. I could no longer simply point the finger at White people. My marginalized identity didn’t absolve me. I began to think systemically. I had to actually develop a multidimensional worldview and take political stances that drew on more than my lived experiences. When I returned to the United States and became involved in leftist politics, I soon realized that the political scene was, unfortunately, still stuck on personal identity. WHAT IS IDENTITY POLITICS? In this age of (misinterpreted) intersectionality, our politics tend to rely on the body. When we deal with race, White people embody White supremacy and privilege, while non-Whites are the corporal manifestation of resistance. We obsess over White privilege and how we can get more people of color involved in our spaces and projects, but does White supremacy really disappear when there are no White people in the room? Some people look at these flaws and call for an end to “identity politics”, but I think that’s a mistake. At its most basic level, identity politics merely means political activity that caters to the interests of a particular social group. In a certain sense, all politics are identity politics. However, it’s one thing to intentionally form a group around articulated interests; it’s another matter entirely when group membership is socially imposed. Personal identities are socially defined through a combination of systemic rewards/marginalization plus actual and/or potential violence. We can’t build politics from that foundation because these socially imposed identities don’t necessarily tell us anything about someone’s political interests. Successful identity politics requires shared interests, not shared personal identities. I’m not here to tell you that personal identity doesn’t matter; we rightfully point out that systemic power shapes people’s lives. Simply put, my message is that personal identity is not the only thing that matters. We spend so much energy labeling people—privileged/marginalized, oppressor/oppressed—that we often neglect to build spaces that antagonize the systems that cause our collective trauma. All You Blacks Want All the Same Things We assume that if a person is systemically marginalized, then they must have a vested interest in dismantling that system. Yet, that’s not always the case. Take Orville Lloyd Douglas, who last summer wrote an article in the Guardian in which he admitted that he hates being Black. I can honestly say I hate being a black male… I just don’t fit into a neat category of the stereotypical views people have of black men. I hate rap music, I hate most sports, and I like listening to rock music… I have nothing in common with the archetypes about the black male… I resent being compared to young black males (or young people of any race) who are lazy, not disciplined, or delinquent. Orville Lloyd Douglas, Why I Hate Being a Black Man As we can see from Douglas’ cry for help, membership in a marginalized group is no guarantee that a person can understand and effectively combat systemic oppression. Yet, we seem to treat all marginalized voices as equal, as if they are all insightful, as if there is no diversity of thought, as if—in the case of race– “All you Blacks want all the same things”. Shared identity does not equal shared interests. John Ridley, the Oscar-winning screenplay writer of 12 Years a Slave, is a good example. He’s written screenplays based on Jimi Hendrix, the L.A. riots, and other poignant moments and icons within Black history. He wants to see more Black people in Hollywood and he has a long history of successfully incorporating Black and Brown characters into comic book stories and franchises. However, in 2006, Ridley made waves with an essay in which he castigated Black people who did not live up to his standards; saying, “It’s time for ascended blacks to wish niggers good luck.” So I say this: It’s time for ascended blacks to wish niggers good luck. Just as whites may be concerned with the good of all citizens but don’t travel their days worrying specifically about the well-being of hillbillies from Appalachia, we need to send niggers on their way. We need to start extolling the most virtuous of ourselves. It is time to celebrate the New Black Americans—those who have sealed the Deal, who aren’t beholden to liberal indulgence any more than they are to the disdain of the hard Right. It is time to praise blacks who are merely undeniable in their individuality and exemplary in their levels of achievement. The Manifesto of Ascendancy for the Modern American Nigger While Ridley and I share cultural affinity, and we both want to see Black people doing well, shared cultural affinity and common identity are not enough– which recent history makes abundantly clear. Barack Obama continues to deport record numbers of Brown immigrants here at home, while mercilessly bombing Brown folks abroad. Don Lemon, speaking in support of Bill O’Reilly, said that racism would be lessened if Black people pulled up their pants and stopped littering. Last fall, 40% of Black U.S. Americans supported airstrikes against Syria. My skinfolk ain’t all kinfolk, and the Left needs to catch up. NO MORE ALLIES John Ridley, Barack Obama, myself, and Don Lemon are all Black males. We also have conflicting political positions and interests, but how can we decide which paths are valid if we only pay attention to personal identity? Instead of learning to recognize how the overarching systems maintain their power and then attacking those tools, we spend our energy finding an “other” to embody the systemic marginalization and legitimize our spaces and ideals. In some interracial spaces I feel like nothing more than an interchangeable token whose only purpose is to legitimize the politics of my White peers. If not me, then some other Black person would fill the slot. We use these “others” as authorities on various issues, and we use concepts like “privilege” to ensure that people stay in their lanes. People of color are the authorities on race, while LGBTQ people are the authorities on gender and sexuality, and so forth and so on. Yet, experience is not the same as expertise, and privilege doesn’t automatically make you clueless. As I’ve discussed, these groups are not oriented around a singular set of political ideals and practices. Furthermore, as we see in Andrea Smith’s work, there are often competing interests within these groups. We mistake essentialism for intersectionality as we look for the ideal subjects to embody the various forms of oppression; true intersectionality is a description of systemic power, not a call for diversity. If we don’t develop any substantive analysis of systemic power, then it’s impossible to know what our interests are, and aligning with one another according to shared interests is out of the question. In this climate all that remains is the ally, which requires no real knowledge or political effort, only the willingness to appear supportive of an “other”. We can’t build power that way. After having gathered to oppose organized White supremacy at the University of North Carolina, a group of organizers in Durham, North Carolina found that the Left’s emphasis on personal identity and allyship was a major reason why their efforts collapsed. They proposed that we adopt the practice of forming alliances rather than identifying allies. (h/t NinjaBikeSlut) Much of the discourse around being an ally seems to presume a relationship of one-sided support, with one person or group following another’s leadership. While there are certainly times where this makes sense, it is misleading to use the term ally to describe this relationship. In an alliance, the two parties support each other while maintaining their own self-determination and autonomy, and are bound together not by the relationship of leader and follower but by a shared goal. In other words, one cannot actually be the ally of a group or individual with whom one has no political affinity – and this means that one cannot be an ally to an entire demographic group, like people of color, who do not share a singular cohesive political or personal desire. The Divorce of Thought From Deed While it’s vital for me to learn the politics and history of marginalized experiences that differ from my own, listen to their voices, and respect their spaces and contributions — it’s also important for me to understand the ways in which these same systems have shaped my own identity/history as well. Since we know that oppression is systemic and multidimensional, then I’m going to have to step outside of personal experience and begin to develop political ideals and practices that actually antagonize those systems. I have to understand and articulate my interests, which will allow me to operate from a position of strength and form political alliances that advance those interests– interests which speak to issues beyond just my own immediate experience. Ultimately, I want to attack power, not people. In order to get there, the Left needs more identity politics, not less.

## Racial Cap

#### Monopoly capitalism worsens every form of oppression and antitrust advocacy strengthens every angle of resistance.

Greer and Rice, 21—co-founders and co-executive directors of Liberation in a Generation (Jeremie and Solana, “Anti-Monopoly Activism: Reclaiming Power through Racial Justice,” <https://www.liberationinageneration.org/wp-content/uploads/2021/03/Anti-Monopoly-Activism_032021.pdf>, dml) [language modifications denoted by brackets]

Since the founding of the nation, people of color have been living an economic nightmare. People of color have persistently lagged behind white people in nearly every economic category, including employment, income, education, small-business ownership, home ownership, and asset-ownership. This is the result of the rise and reach of concentrated wealth and power, including monopoly power.

The Racial Wealth Gap

Economic racial disparities do not happen by accident. Rather, they are the product of centuries of systemic racism and have been built into the design of our economic system, which has created what we at Liberation in a Generation call the Oppression Economy. The Oppression Economy uses the racist tools of theft, exclusion, and 31 exploitation to strip wealth from people of color, so that the elite can build their wealth. In this Oppression Economy, racism is profitable, and it fuels a cycle of oppression 32 that depresses the economic vitality of people of color, suppresses our political power, and obstructs our ability to utilize democracy to change economic rules that make racism profitable in the first place.

Racial wealth inequality is the consequential disease caused by the Oppression Economy. Today, racial wealth inequality has reached astronomical levels and will continue to rise if nothing is done. Without drastic policy action it will take 228 years for average Black wealth and 84 years for average Latinx wealth to match the wealth that white households hold today. Further, if nothing is done—or we attempt to return 33 to “normal” and fail to distance racism34 after COVID-19—Black and Latinx wealth will reach zero sometime in the middle of this century. These disparities are driven by 35 36 two reinforcing phenomena connected to the issue of corporate concentration: 1) the systematic withholding of wealth from people of color and 2) the gross concentration of wealth held by the corporate elite.

Between 1983 and 2016, which coincides with the rise of corporate and monopoly power, average Black and Latinx wealth was dwarfed [outpaced] by the wealth accumulated by white households. In fact, average Black wealth decreased by more than 50 percent over this period. This is the result of a long history of economic oppression that has 37 actively blocked people of color from building wealth or has stripped their wealth through theft and predation. The beneficiaries and perpetrators of this ever-growing gap are the corporate elite who set the rules of the economy. The corporate elite’s actions have led to people of color being paid less for their labor and having to pay more for the basic necessities of life. Here are a few metrics that speak to this reality.

• Black, Indigenous, and Latinx women earn between 55 cents and 63 cents for every dollar earned by white men.38

• Low income people of color often pay a 10 percent poverty premium for essential goods and services.39

• Black and Latinx households are far more likely than white households to be unable to pay their monthly bills or cover unexpected expenses.40

• Black households are more likely to be denied mortgage credit and end up paying more when they are able to access credit.41

• Black households, in particular, suffer from a crippling debt burden composed of an array of predatory credit products (e.g., student, small-dollar, auto, and home loans).

The phenomenon fueling racial wealth inequality is the concentration of wealth in the hands of a small number of individuals. Today, the wealthiest 400 people in the US hold more wealth ($3.2 trillion) than the entire Latinx population ($2.4 trillion)and 43 more than 70 percent of the Black population combined ($4.41 trillion). While the 44 average wealth of Black people has decreased since the 1980s (as cited earlier), the average wealth of those on Forbes’s list of the 400 wealthiest people increased from $600 million in 1982 (adjusted for inflation) to $8.0billion in 2020.. You might be 45 asking, what does the Forbes 400have to do with monopoly? Well, it is a who’s who of corporate monopolists.

The people on this list are some of the most egregious perpetrators of driving down wages, expanding income inequality, degrading the health of workers, desecrating the environment, fleecing consumers, perpetuating racial residential segregation, driving community disinvestment, avoiding taxes, and corrupting our democracy. These monopolists utilize ruthless business practices to perpetuate their unquenchable thirst for maximized profits and for control of major segments of the US economy—and people of color bear the brunt.

America’s Legacy of Racism Drives and Sustains Corporate Concentration

The confluence of monopoly power and racial inequality is not new. The construction of an economy that relies on unchecked capitalism to create the modern-day monopolist relies on the construction and maintenance of America’s racial caste system. The legacy of theft, exclusion, and exploitation of people of color by corporate monopolists has been with us since the founding of the nation. In fact, prior to the Civil War, southern plantation owners were the equivalent of the modern-day Fortune 500 monopolists. The Mississippi Valley had more millionaires per capita than anywhere in the country, making it the Silicon Valley of that period. Prior to the Civil War, the combined value of America’s approximately 4 million slaves was $3.5 billion, making it the largest single financial asset in the entire economy, bigger than all manufacturing and railroads combined.46

As the roots of this problem run deep and disproportionately impact people of color, so too must the solutions. Today’s corporate monopolies are built on the foundation of an economy that also stole land from Indigenous people through genocide and forced removal, and built a labor market on the bodies of enslaved Black people. Nothing in our economy is race-neutral, including our work to dismantle monopoly power and the racial wealth inequality it causes, so we must seek race-conscious solutions.

Scholars have developed a catalogue of research confirming what many people of color experience on a daily basis: Corporations have seized control of many aspects of our lives that were once intended to serve the public good over private sector interests. Examples include the growth of charter schools and for-profit colleges as an alternative to public schools; the growth of private health insurance and private hospitals; the growth of private prisons and paid services in prison, such as phone calls and health care. However, more research is needed that connects the economic conditions of people of color to the growth of monopoly power, a call to action we further explore in Section 6.

Connecting Monopoly Power to Other Movements

There is no silver bullet to slaying the monster that is systemic racism. Leaders of color across the country are actively organizing people of color to advance bold and transformational economic and racial justice policies. These leaders are doing the hard work of transforming our economic systems by advancing liberatory policies such as a Homes Guarantee and a federal jobs guarantee; and by dismantling systems of oppression, including police and prison abolition, ending voter suppression, and curbing corporate power. To this end, anti-monopoly policy and advocacy work can be a powerful tool to advance these transformative, activist-led movement priorities.

To win the battle to advance movement priorities, we must seek to pull every lever of power at our disposal and to directly confront one of their most ardent political opponents: corporate monopolies. The Action Center on Race and the Economy (ACRE) is deftly integrating anti-monopoly tactics to advance their racial and economic justice mission. In advancing police abolition, for example, they highlight the fact that big banks (as discussed in Section 1) finance “police brutality bonds” that fund the payment of police department settlements for acts of police brutality.47 Additionally, they have highlighted for grassroots leaders of color the connections that corporate monopolies have to anti-Muslim bigotry, the Puerto Rican debt crisis, and pharmaceutical prices.48

Corporate monopolists, including big banks, big tech, and big pharma, are often primary opponents in the battles for bold, transformational movement priorities. For example, activists for bold environmental justice policies, such as the Green New Deal, have encountered strong opposition from fossil fuel monopolies, such as Exxon, Shell and BP; but also, Wall Street bank monopolies financing fossil fuel monopolies, in addition to other monopolies in the airline industry. In another example, Wall Street 49 monopolies have aggressively clashed with affordable housing advocates as their investments have displaced residents of color from their homes and businesses and have also gentrified communities of color from Harlem to Oakland and Detroit to New Orleans. Directly challenging the monopoly power of these corporations could prove to be a useful tactic for activists of color to further movement priorities.

#### Researching and advocating anti-monopoly policy can boost grassroots activism and repurpose government structures for liberation, but we must focus on concrete impacts over abstraction.

Greer and Rice, 21—co-founders and co-executive directors of Liberation in a Generation (Jeremie and Solana, “Anti-Monopoly Activism: Reclaiming Power through Racial Justice,” <https://www.liberationinageneration.org/wp-content/uploads/2021/03/Anti-Monopoly-Activism_032021.pdf>, dml)

We believe that the movement—within research and advocacy spaces especially—should embolden grassroot leaders of color to deliver antiracist policy solutions aimed specifically to curtail monopoly power. Below, we provide considerations for future action that are not policies or regulations or campaigns in and of themselves, but ideas that could transform the anti-monopoly movement in ways that require it to reimagine itself and approach the work through a racial justice lens.

Develop More In-Depth, Intentional Research

Part of the impetus for writing this document is that Liberation in a Generation believes that the power to change our economic systems rests with the organizers of color who are (re)building the political strength of communities of color. The research and advocacy to limit monopoly power needs to better quantify, center, and reflect the ways that people of color are being harmed. This means conducting research that centers the impact of monopoly power on people of color (as workers, consumers, community members, and participants in our democracy). The research and advocacy need to be relevant to the organizers who are indeed experiencing and fighting many of these forces on the ground, and it should inform solutions that they develop, nurture, and advance through activism. The research and advocacy must use less jargon and abstraction, focusing less on markets, firms, or efficiencies, and it should talk more about the impact of corporate decisions on people, their lives, and their futures. The tent of advocates working on anti-monopoly needs to widen as well. Bringing in the people most impacted is essential to shaping and accomplishing the path forward.

Draw Connections Between Monopoly Power and Current Movement Priorities

As discussed earlier in this paper monopoly power has enormous impact on other movement priorities led by leaders of color, such as environmental justice, worker justice, housing justice, police and prison abolition, closing the racial wealth gap, and democratic disenfranchisement. Anti-monopoly policy can be a powerful tool to accomplish existing movement priorities, including the Green New Deal, a Homes Guarantee, a federal jobs guarantee, and Medicare for All. In order to fully utilize it as a tool, anti-monopoly advocates must support—mainly in the background—grassroots leaders of color in integrating anti-monopoly policy and advocacy strategies into the existing campaigns they are leading. By following their lead, and by working together to curb corporate power, we as a collective progressive movement can accomplish an array of movement priorities and move the US closer to liberation for people of color.

Build Solutions That Are Antiracist and Center People of Color as Beneficiaries

It’s not enough to speak virtuously about racial equity and economic justice; we have to intentionally center people of color in the development of policy change. To the previous point, advocates and researchers who evaluate solutions to corporate concentration should include a measure of impacts on Black, Latinx, Indigenous, Asian, and Pacific Islander people. As consumers, entrepreneurs, and residents, we are the ones most vulnerable to the inequities, the forced scarcity, and price gouging inflicted by corporate concentration, among other problems. History has shown us that race-neutral approaches only exacerbate that vulnerability by entrenching current systems—systems that are inherently racist. We know that “race-neutral” policies assume whiteness as the norm and thus serve and preserve white supremacy. So, advancing anti-monopoly policy that is antiracist and centers people of color must be the standard that we all follow moving forward.

Think Bigger and Bolder Than Existing Regulations and Agencies

Large segments of the current anti-monopoly legal and regulatory infrastructure are corrupted beyond repair. Further, these systems are complicit in the economic oppression of people of color. The goals of the anti-monopoly movement should be to completely dismantle our systems of oppression and replace them with government systems that deliver economic liberation. Our regulatory structure is complicated, spread across many agencies, and lacking enforcement power. The complexity of our nation’s anti-monopoly laws, regulations, and oversight have been designed to advantage monopolists with unlimited resources to navigate the labyrinth of our anti-monopoly laws.

Racial oppression thrives in this environment and the antimonopoly movement must resist the urge to settle for small marginal victories that allow this oppression to continue. Breaking up Amazon or Facebook will be a hollow victory if they are able to reform years later and continue to harm Black and brown workers, consumers, and small businesses. The path forward should be to join grassroots leaders of color to create new, bold and transformative solutions (e.g., new agencies and new authorities) that will ensure that federal and state governments advance the economic well-being of people of color and not that of the monopolists that oppresses them.

Tell a New Visionary Story About the Role of Corporations

We need a story that is visionary and that repositions corporations as beholden to serving the public interest, re-examining the purpose of corporations and developing mechanisms that evaluate, even redefine, that purpose. Currently, companies’ driving purpose is to create wealth for their shareholders, and this ideology is to the detriment of people of color. We must integrate solutions that challenge our current approach to corporate governance, incorporation, and tax policy that reinforce economic systems of oppression that allow monopolies exploit to harm people of color.

Conclusion

Imagine a world where the unemployment rate for people of color is zero. The unhoused rate for people of color is zero. A world in which 100 percent of people of color have quality health care, a livable wage, and a quality education. We at Liberation in a Generation believe that this is possible if we strive to create a Liberation Economy where all people of color have their basic needs met, are safe and secure, are valued, and fully belong, including people of color who are immigrants, formerly incarcerated, LGBTQ+, and have a disability. In order to get to this Liberation Economy, we must dismantle the Oppression Economy that monopoly power has colluded with the government to maintain. There are signs that we are moving in the right direction; we need to deepen the urgency and refine the strategy to advance these opportunities.

The Oppression Economy, which includes financial markets, labor markets, and interstate and international trading companies, was arranged to serve an economy elevated by the theft of labor from Black people. Today, Black people and other people of color are still delivering uncompensated value to monopoly power as minimum wage essential workers, as consumers without choice, as small businesses beholden to tight supply chains, as students trying to pay for a college education, and as residents of modern-day company towns.

Despite the disproportionate and anticompetitive influence these monopolies have on the consumer and labor market, they are, structurally, corporations. They have CEOs who manage the day-to-day of the company. They have boards of directors responsible for maintaining corporate governance. They have shareholders that they are accountable for serving. Finally, they are subject to corporate and tax laws and regulations internationally and in the US.

One of the highpoints of 2020 came in December when the FTC joined 48 states and territories to bring a lawsuit against Google for violating the United State’s antimonopoly laws. This suit has the potential to be the most significant action taken by the federal government since the 1998 suit against Microsoft. Further, earlier in 2020, the House of Representatives Judiciary Subcommittee issued a report urging action by Congress and the administration to rein in the monopoly power of Big Tech. Major democratic presidential candidates, including now-President Biden, prioritized curbing corporate monopoly power as major planks in their presidential campaigns. There appears to be momentum on the side of bold government intervention, and grassroots leaders of color can capitalize on that momentum.

Thankfully, momentum also appears to be on the side of advancing racial justice. The tragic murders of Breonna Taylor, George Floyd, and Elijah McClain—and far too many before them and since—have once again thrust the issue of systemic racism into the public consciousness. We will see if this amplified awareness materializes into sustained progress, but this is clearly a moment to advance ideas that would have previously been dismissed by mainstream institutions—such as activist calls to defund the police. It is incumbent upon us in the racial justice movement to ensure that these tragic deaths vault our fight for justice to the next stage of evolution, and that they inform our approach to curbing the corporate monopoly power that is a contributing factor to our collective pain.

The time is now. It’s time to accelerate grassroots efforts to rein in monopoly power. It’s time to accomplish this by advancing bold transformative policy interventions that rip the power to pilot our economy from corporate monopolies. It’s time to ground our understanding of how monopoly works against the principles of racial and economic justice. Finally, it's time to follow grassroots leaders of color in accomplishing this goal —and in delivering liberation for us all.

#### Intersectional politics working within institutions for black women alleviates violence and recuperates institutions.

Patricia H. Collins 21, Charles Phelps Taft Emeritus Professor of Sociology within the Department of African American Studies at the University of Cincinnati. She is a social theorist whose research and scholarship have examined issues of race, gender, social class, sexuality and/or nation. She was awarded the Jessie Bernard Award of the American Sociological Association (ASA) for significant scholarship in gender, and the C. Wright Mills Award of the Society for the Study of Social Problems, “Intersectionality as Critical Inquiry,” in Companion to Feminist Studies, Chapter 7, 2021, pg. 107-123.

Kimberlé Crenshaw had no way of knowing that she was naming intersectionality as a form of critical inquiry and praxis when, in the early 1990s, she published her two groundbreaking articles on intersectionality (Crenshaw  1989,  1991). Crenshaw’s scholarly articles constitute an important turning point in the shifting relationships between activist and academic communities (see e.g. Collins and Bilge  2016, pp. 65–77). Social movements in the mid‐twentieth century pushed for institutional transformation in housing, education, employment, and health care. Transforming educational institutions and the knowledge they embodied was central to these initiatives. Indigenous peoples, African Americans, women, LGBTQ people, Latinos/as, and similarly subordinated groups challenged both the substance of knowledge about their experiences and the power arrangements within primary schools, high schools, colleges, and universities that catalyzed such knowledge. Many such groups produced oppositional or resistant knowledge that was grounded in their own experiences and that challenged prevailing interpretations of them (see Collins 2019, chap. 3). Higher education was an important site for social transformation. Calls for transforming curricular practices within the academy stimulated an array of programs that embarked on a similar mission of institutional transformation (Collins and Bilge 2016, pp. 77–81; Dill and Zambrana 2009).

Within contemporary neoliberal sensibilities, the commitment to the idea of social transformation within mid‐twentieth‐century social movements can be hard to understand. Yet a broader understanding of the meaning of resistance to subordinated people suggests that Black people, indigenous peoples, women, Latinx, LGBTQ people, differently abled people, religious and ethnic minorities, and stateless people continue to see transforming social institutions as necessary. Claims for social transformation can seem to be idealistic and naive, yet with hindsight, aspirations for social transformation in prior eras inform contemporary realities. Specifically, many of the visible changes within colleges and universities over the past several decades reflect prior efforts at institutional transformation (Dill  2009; Mihesuah and Wilson 2004; Parker et al. 2010).

In a 2009 interview, Crenshaw reflected on the experiences that led her to use the term intersectionality within the broader social conditions of the times. For Crenshaw, her activism in college and law school revealed the inadequacies of both anti‐racism and feminist perspectives, limitations that left both political projects unable to fully address the social problems that each aimed to remedy. There seemed to be no language that could resolve conflicts between anti‐racist social movements that were, in Crenshaw’s words, “deeply sexist and patriarchal”; and feminist activism, where “race reared its head in a somewhat parallel way” (Guidroz and Berger 2009, p. 63). For Crenshaw, informed social action within both movements required new angles of vision. This particular social problem propelled Crenshaw’s search for provisional language that she could use to analyze and redress the limitations of monocategorical thinking regarding both race and gender. Crenshaw describes what she had in mind when she introduced the term intersectionality:

That was the activist engagement that brought me to this work. And my own use of the term “intersectionality” was just a metaphor [italics added], I’m amazed at how it gets over‐ and underused; sometimes I can’t even recognize it in the literature anymore. I was simply looking at the way all these systems of oppression overlap. But more importantly, how in the process of that structural convergence rhetorical politics and identity politics – based on the idea that systems of subordination do not overlap‐would abandon issues and causes and people who actually were affected by overlapping systems of subordination. I’ve always been interested in both the structural convergence and the political marginality. That’s how I came into it. (Guidroz and Berger 2009, p. 65)

For Crenshaw, intersectionality named the structural convergence among intersecting systems of power that created blind spots in anti‐racist and feminist activism. Crenshaw counseled that anti‐racist and feminist movements would be compromised as long as they saw their struggles as separate and not intertwined. Significantly, racism and sexism not only fostered social inequalities, they marginalized individuals and groups that did not fit comfortably within race‐only, gender‐only monocategorical frameworks. Women of color remained politically marginalized within both movements, an outcome that both reflected the harm done by racism and sexism, and limited the political effectiveness of both movements. Crenshaw’s understanding of the term intersectionality is important for subsequent use of the term. Her work suggests that, from its inception, the idea of intersectionality worked in multiple registers of recognizing the significance of social structural arrangements of power, how individual and group experiences reflect those structural intersections, and how political marginality might engender new subjectivities and agency (Collins and Bilge 2016, pp. 71–77).

By now it is widely accepted that intersectionality is the term that has stuck. Of all the words that Crenshaw could have selected, and of all the idioms that might have resonated with intersectionality’s adherents, why did this specific term resonate with so many people when Crenshaw first used it? Crenshaw’s comment that her use of the term intersectionality was “just a metaphor” provides an important clue.

Many people think of metaphors as literary devices that are confined to fiction and essays. Yet metaphors are also important in shaping how people understand and participate in social relations. As a foundation of thinking and action, metaphors help people understand and experience one kind of thing in terms of another. A metaphor can spark an instant sense of understanding, fostering an immediate sense of the formerly unknown in terms of the known.2 In essence, the capacity to think and act is metaphorical in nature (Trout 2010, p. 3). As metaphor, intersectionality named an ongoing communicative process of trying to understand race in terms of gender, or gender in terms of class. Rather than following the chain of metaphors (race is like and unlike gender), the metaphor of intersectionality provided a shortcut that built on existing sensibilities in order to see interconnections.

Cultural theorist Stuart Hall provides another clue as to why intersectionality as a particular metaphor traveled so quickly. In an article published in the 1990s, Hall argues that metaphors are often linked to social transformation, ways that people can move from the familiar to imagining the unfamiliar. Hall posits that metaphors of social transformation must do at least two things: “They allow us to imagine what it would be like when prevailing cultural values are challenged and transformed, the old social hierarchies are overthrown, old standards and norms disappear. . . and new meanings and values, social and cultural configurations begin to appear. However, such metaphors must also have analytic value. They must somehow provide ways of thinking about the relation between the social and symbolic domains in this process of transformation” (Hall 1996, p. 287).

As a metaphor of social transformation, intersectionality invokes both elements. It arrived in the midst of ongoing struggles to resist social inequalities brought about by racism, sexism, colonialism, capitalism, and similar systems of power. The metaphor of intersectionality could move among and through these forms of domination, providing a snapshot view of their sameness and difference as a way to see their interconnections. Intersectionality as metaphor did not proscribe what social transformation would look like, or even the best way of getting there. Instead, using intersectionality as a metaphor provided analytic value in linking social structures and the ideas that reproduce them – in Hall’s terms, the ties between the social and symbolic domains of social change. For people who, like Crenshaw, were interested in social transformation, the metaphor of intersectionality expressed the aspirations of the time.

Crenshaw’s metaphor was recognizable to many people because it invoked the tangible, spatial relations of everyday life. Everyone is located in physical space, and everyone has had to follow a path or move through an intersection of some sort. People could pick up the metaphor, imagining different kinds of pathways and crossroads, and use intersectionality as a metaphor to understand very different things. The idea of an intersection where two or more pathways meet is a familiar idea in physical, geographic space. The roads or pathways need not be straight or paved to invoke this sense of a spatial intersection. All cultures have intersections or places where people cross paths, whether superhighways or barely marked paths in a forest. Moreover, the places where people cross paths are often meeting places, spaces where different kinds of people engage one another. Being in an intersection or moving through one is a familiar experience. This spatial metaphor also invokes the idea of seeing several possible pathways from the vantage point within the intersection, and being faced with the decision of which path to take. In this sense, the spatial metaphor itself is open‐ended and subject to many interpretations. Intersectionality as a metaphor worked so well because it was simultaneously familiar yet highly elastic.

This spatial metaphor that could be seen in the material world implicitly advanced a more abstract theoretical claim about social structure – namely, that the places where systems of power converged potentially provide better explanations for social phenomena than those that ignored such intersections. Racism and sexism may be conceptualized as distinctive structural phenomena, yet examining them from where they intersect provides new angles of vision of each system of power as well as how they cross and diverge from one another. Politically, the idea of intersectionality also worked. The term intersectionality encapsulated the convergence of multiple social justice projects and long‐standing critical practices within academia.

Crenshaw’s use of the term intersectionality as a metaphor for structuring her argument tapped into this power of metaphor to provide a snapshot view of complex social relations during a time of considerable social change. Significantly, Crenshaw’s metaphor was not confined to explaining racism, sexism, and similar systems of power. The metaphor of intersectionality emerged in the context of solving social problems brought on by multiple and seemingly separate systems of power. In her careful reading of Crenshaw’s signature articles on intersectionality, philosopher Anna Carastathis (2014) examines how Crenshaw used intersectionality as a “provisional” concept to frame her argument about resistance to oppression. For those involved in activist projects, intersectionality enabled those who used the term to understand, for example, a familiar racism in terms of an unfamiliar sexism, or a familiar violence against women of color as individuals in terms of a less familiar analysis of state‐sanctioned violence of colonialism. Using intersectionality as a metaphor offered an invitation to an array of social actors who were thinking about similar things within different social locations and from varying vantage points.

When Crenshaw dismissed intersectionality as just a metaphor, she could not foresee the impact of this particular metaphor in informing critical inquiry and social change. Instead, Crenshaw’s use of intersectionality seemingly provided the right metaphor at the right time. As intersectionality has grown, the importance of its metaphoric thinking has become clearer. Crenshaw’s use of intersectionality as a metaphor was not incidental to intersectionality’s subsequent development, but rather proved to be a fundamental pillar within intersectionality’s cognitive architecture and critical thinking.

Why Metaphors Matter

If naming the ideas that intersectionality invokes were as simple as choosing from a predetermined array of terms that had already undergone academic scrutiny, it would make sense to debate intersectionality’s merits in this universe of alternative terms. Intersectionality may not be the best metaphor for explaining social phenomena, but it is the one that has persisted. Some scholars recognize the significance of intersectionality as metaphor, yet offer alternatives to it that seemingly do a better job of explaining social reality. For example, Ivy Ken’s (2008) use of sugar as a metaphor aims for a more historically grounded, fluid understanding of intersectionality. Mapping how sugar as idea and product weaves throughout historical and contemporary relationships of capitalism, racism, and sexism, Ken’s metaphor of sugar is an innovative, alternative entry point into the constellation of ideas referenced by intersectionality. Sugar may be a better fit for the ideas that intersectionality invokes, but pragmatically, would it have worked as well?

The puzzle to be explained here concerns why the term intersectionality continues to resonate with so many people as a preferred way of conceptualizing an amorphous set of ideas. Can sugar as metaphor do the same metaphoric work as intersectionality? Conceptual metaphor theory helps explain why intersectionality as a metaphor persists. Intersectionality as metaphor provides a cognitive device for thinking about social inequality within power relations. It asks people to think beyond familiar race‐only or gender‐only perspectives in order to take a new look at social problems. Intersectionality as metaphor also provides a framework for drawing upon what people already know about racism to learn about sexism and vice versa. As metaphor, intersectionality suggests that racism and sexism are connected, the first step in establishing conceptual correspondences between these two constructs. Using intersectionality as a metaphor breaks down monocategorical analyses to focus on the conceptual correspondences or relationships among racism and sexism. And this process need not end with just race and gender.

Intersectionality may not have started out as a core conceptual metaphor for understanding social inequality, but over time, it has increasingly functioned as one. Just as creating social meanings in everyday life relies upon metaphors, theoretical knowledge also relies in some fashion on metaphorical thinking in constructing knowledge. In her classic work Whose Science? Whose Knowledge?, feminist philosopher Sandra Harding examines how metaphors have played an important role in modeling nature and in specifying the appropriate domain of a theory (1991, pp. 84–85). Harding points out that metaphors are important dimensions of doing social theory, the case, for example, of imagining society in metaphorical terms – society as a machine, an organism, or a computer  –  and by implication, changing the core metaphor of a field changes its theoretical orientation to the social world. Originally offered in the context of critical science studies, this critical perspective advanced within feminist philosophy preceded more recent attention to metaphors as an important dimension of social theorizing (Abbott 2004; Swedberg 2014). For example, in his volume The Art of Social Theory, Richard Swedberg remarks on these connections between metaphors in everyday life and within the sophisticated process of theorizing: “Metaphors abound in everyday language, in the arts as well as in the sciences. Their power can be immense, as evidenced by the metaphor of the brain as a computer. This metaphor is generally seen as having helped cognitive science come into being” (2014, p. 89). In this sense, Crenshaw’s reflection that intersectionality is just a metaphor underestimates the power of conceptual metaphors for critical analysis.

Intersectionality’s metaphor of the connectedness of different systems of power has proven to be an important one for theorizing power relations and political identities. For example, Norocel’s (2013) study of the radical right populist movement in Sweden provides an important example of an explicit use both of conceptual metaphor theory and of intersectionality as a metaphor. Norocel examines how the radical right used the idea of Folkhem (the home of [Swedish] people) as a conceptual metaphor to ground their political project. As a metaphor, Folkhem helped structure radical right masculinities, specifically heteronormative masculinities, at the intersection of gender, class, and race. Norocel identifies the significance of conceptual metaphor theory for this project: “The choice of a certain conceptual metaphor in a specific social context . . . has a crucial impact on how we structure reality, determining what is explained and . . . what is left outside this framework of intelligibility, thereby highlighting the various power relations at work in that particular discourse . . .. In other words, the analysis of metaphors needs to be undertaken whilst bearing in mind the very discourse in which they are embedded” (p. 9). In Norocel’s study, the idea of gender, class, race, and sexuality provided a framing metaphor that could be extended to explain a political phenomenon in a specific national context.

Feminist theorist Chela Sandoval also recognizes the significance of metaphors for theorizing power relations. In a section titled “Power in Metaphors” in her signature book Methodology of the Oppressed (2000), Sandoval describes how different metaphors highlight important distinctions between hierarchical and postmodern understandings of power. Imagining power relations as a hierarchical pyramid differs dramatically from imagining power relations through a flat, spatial metaphor of centers and margins. Sandoval notes that the shift away from a hierarchical, “sovereign model” of power enables power to be figured as a force that circulates horizontally:

As in the previous, sovereign, pyramidal model of power, the location of every citizen‐ subject can be distinctly mapped on this postmodern, flattened, horizontal power grid according to attributes as race, class, gender, age, or sexual orientation, but this reterritorialized circulation of power redifferentiates groups, and sorts identities differently. Because they are horizontally located, it appears as if such politicized identities‐as‐positions can equally access their own racial‐, sexual‐, national‐, or gender‐unique forms of social power. Such constituencies are then perceived as speaking “democratically” to and against each other in a lateral, horizontal‐not pyramidal‐exchange, although from spatially differing geographic, class, age, sex, race, or gender locations. (pp. 72–73)

This metaphoric shift has important implications for intersectionality (Collins 2018). Intersectionality as a core conceptual metaphor has traveled well, stimulating much innovative work within intersectionality. Yet the use of metaphoric thinking for intersectional analysis raises several questions. Do some aspects of intersectionality as metaphor work better in addressing certain social problems and less well with others? What experiences would people need to bring to the metaphoric use of intersectionality for it to have meaning?

Critics raise a valid point about the limits of intersectionality as a metaphor when used to invoke the image of a literal crossroads. In her signature book Borderlands/ La Frontera: The New Mestiza (1987), Chicana feminist writer Gloria Anzaldúa expands upon the metaphor of intersectionality as a literal crossroads managed by traffic cops to that of the borderlands as a meeting place. The borderlands is simultaneously a place, reflecting the social relations of the physical border that influenced Anzaldua’s experiences growing up in south Texas. In this sense, borderlands are structural places that reflect hierarchical power relations and lie outside acceptable categories of belonging (Yuval‐Davis 2011). Borderland spaces show the working of hierarchical power relations, or the sedimented effects of, in Sandoval’s words, a “sovereign, pyramidal model of power.” But Anzaldúa’s borderland is simultaneously a way of describing the experiences of navigating marginal, liminal, and outsider within spaces that are created by multiple kinds of borders. This is the potential for “democratic” exchanges within borderland or intersectional spaces.

Anzaldúa’s work illustrates the possibilities and limitations of spatial metaphors of power. As AnaLouise Keating points out, Anzaldúa is generally defined as a “Chicana lesbian‐feminist” author, but Anzaldúa described herself more broadly as being on various thresholds, simultaneously inside and outside multiple collectivities. Anzaldúa both maintains multiple allegiances and locates herself in multiple worlds:

“Your allegiance is to La Raza, the Chicano movement;” say the members of my race. “Your allegiance is to the Third World;” say my Black and Asian friends. “Your allegiance is to your gender, to women;” say the feminists. Then there’s my allegiance to the Gay movement, to the socialist revolution, to the New Age, to magic and the occult. And there’s my affinity of literature, to the world of the artist. What am I? A third world lesbian feminist with Marxist and mystic leanings. They would chop me up into little fragments and tag each piece with a label. (Keating 2009, p. 2)

Anzaldúa uses her experiences with multiple groups as the foundation of her analysis, yet she is less interested in finding freedom by extracting herself from multiple groups in order to find herself, but rather in understanding how her sameness and difference across multiple groups fosters new experiences of self. As Keating describes this positioning, “Although each group makes membership contingent on its own often exclusionary set of rules and demands, Anzaldúa refuses all such terms without rejecting the people or groups themselves” (2009, p. 2). For Anzaldúa, the borderlands suggests a place not simply to house experiences but also a way of working, both politically and intellectually.

Intersectionality may be the metaphor that has taken hold as the descriptor to describe the field itself, yet the spatial metaphor of the borderland also deepens understandings of intersecting power relations. Anzaldúa’s work links experiences, spatial metaphors, power, and political engagement, signaling an important approach to critical theorizing. In discussing the significance of Gloria Anzaldúa’s work within intersectionality, Patrick R. Grzanka describes Anzaldúa’s “borderland” metaphor as signifying a geographic, affective, cultural, and political landscape that cannot be explained by binary logic (black/white, gay/straight, Mexican/American, etc.) or even the notion of liminality, that is, the space between. For Anzaldúa, the borderlands are a very real space of actual social relations that cannot be captured within existing social theory. Grzanka describes the connections between the metaphor of intersectionality and that of the borderlands: “Anzaldúa’s work exemplifies the concept of intersectionality perhaps better than the traffic intersection metaphor so central to the field and to Crenshaw’s initial articulation of the concept, because Anzaldúa denies any logic that presumes there were ever discreet dimensions of difference that collided at some particular point: in the borderlands, mixing, hybridity, unfinished synthesis, and unpredictable amalgamation were always already happening, and are forever ongoing” (2014, pp. 106–107). In this sense, the concept of the borderlands illustrates the power of metaphor that, in this case, not only complements but also deepens intersectionality’s metaphoric posture.

As metaphors, neither intersectionality nor the idea of the borderlands provide coherence, consistency, or closure. Both travel, sometimes working in tandem for some projects and apart in others. They illustrate that when a concept is structured by a metaphor, it is only partially structured and can be extended in some ways but not in others (Trout 2010, p. 13). Metaphors provide a holistic mental picture of interrelated phenomena as well as new insights into and angles of vision on social relations. Heuristics offer tools for investigating the ideas that emerge through intersectionality’s metaphoric thinking. Heuristics provide thinking tools that are typically used to solve problems.

Intersectionality’s Heuristic Thinking

Using intersectionality as a heuristic has facilitated the rethinking of existing knowledge – namely, social problems such as violence, social institutions such as work and family, and important social constructs such as identity. Kimberlé Crenshaw’s classic article “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color” (1991) illustrates the heuristic use of intersectionality for rethinking existing knowledge concerning violence as a social problem. Crenshaw’s immediate concern lay in analyzing violence against women of color, with the goal of strengthening grassroots and legal responses to it. Lacking the term intersectionality, Crenshaw draws upon the existing heuristic of race/class/gender as interconnected phenomena as a starting point for problem‐ solving concerning violence. In this regard, her approach illustrates the use of intersectionality (the race/class/gender heuristic) as a way to generate usable knowledge for social science as an instrument for “social problem solving” (Lindblom and Cohen 1979, p. 4).

Yet, in the context of using the race/class/gender heuristic, she recognizes its limitations for her particular project and adapts it for her specific context. Crenshaw kept the idea of intersectionality, yet incorporated categories that were a better fit for the women of color under consideration. Specifically, Crenshaw underemphasizes class as an explanatory category that explains violence against women of color. Instead, she includes the category of “immigrant status”; itself a construct invoking discourses of nation (citizenship status) and ethnicity (culture as proxy for color, race, and often religion). Via this adaptation, Crenshaw argues that the provisional combination of race, gender, and immigrant status better fit the experiences of the group in question as well as the social problems with violence that they encountered. Yet neither the existing race/class/gender framework nor the new framework that emphasizes race, gender, and immigrant status was by itself sufficient. Crenshaw then offers the term intersectionality as a way to respond to the challenge of solving social problems that could not be incorporated within the race/class/gender rubric. This shift from race/class/gender to intersectionality illustrates the utility of heuristics – ironically, in this case, in naming intersectionality itself.

Analyses of violence, as well as the intersectional categories that have been used to study it, have expanded tremendously since Crenshaw’s signature article. Because violence against women has been such a powerful catalyst for intersectionality itself, intersectional analyses of this topic are not only widespread but have also informed political activism and public policy (Collins and Bilge 2016, pp. 48–55). Analyses of violence that draw upon intersectionality reappear across a wide array of topics, such as the nation-state violence of militarism and war (Peterson 2007), the treatment of sexual violence and ethnicity in international criminal law (Buss 2009), and hate speech itself as part of relations of violence (Matsuda et al. 1993). Solutions to violence against women remain unlikely if violence against women is imagined through monocategorical lenses such as the gender lenses of male perpetrators and female victims, or racial lenses that elevate police violence against African American men over domestic violence against African American women. Viewing violence through an intersectional lens potentially creates new forms of transversal politics to confront it (Collins 2017b).

One strength of heuristic thinking concerns its ease of use for criticizing existing knowledge and posing new questions. For example, when it comes to the study of work, asking simple questions such as, “Does this apply to women?” or “Is slave labor included in the definition of work?” or “Why are white male workers the focus of studies of work?” identifies areas of overemphasis and underemphasis in understandings of work. The experiences of a particular group of working‐class, white, male industrial workers or middle‐class, white, male corporate managers and executives have garnered the lion’s share of scholarly attention. What are the effects of treating findings on this particular group as universal in work‐related scholarship? The effectiveness of heuristic thinking lies in its simplicity – its use shifts established perspectives on scholarship and practice. The heuristic of asking how an intersectional framework would shift what is considered to be fixed, and fix what has been in flux, signals a sea change in how to do scholarship.

The now commonsense idea that individual identity is shaped by multiple factors whose saliency changes from one social context to the next owes much to intersectionality’s ease of use as a heuristic. On a basic level, an individual need no longer ask, “Am I Black or am I a woman or am I a lesbian first?” The answer of being simultaneously Black and a woman and a lesbian expands this space of subjectivity to encompass multiple aspects of individual identity. Rather than a fixed, essentialist identity that a person carries from one situation to the next, individual identities are now seen as differentially performed from one social context to the next (Butler 1990). The process of crafting a unique sense of self that rests on multiple possibilities generated new questions about how those identities were interconnected and coforming, rather than how they were or should be ranked.3

Intersectionality is not a theory of identity, but many scholars and intellectual activists understand it through this lens primarily because the heuristic use of intersectionality as applied to the topic of identity is commonplace. Given the inordinate attention devoted to identity and its seeming association with intersectionality, returning to Stuart Hall’s work, written about the same time as Butler’s, may be helpful. Unlike Butler, Hall contends that the performative nature of identity and the frameworks of social structures both matter: “Identity is not a set of fixed attributes, the unchanging essence of the inner self, but a constantly shifting process of positioning. We tend to think of identity as taking us back to our roots, the part of us which remains essentially the same across time. In fact identity is always a never‐completed process of becoming – a process of shifting identifications, rather than a singular, complete, finished state of being” (Hall 2017, p. 16). Other scholarship examines identity in relation to social inequality and political action, such as the possibilities of identity categories as potential coalitions (Carastathis 2013), or case studies on how attending to intersecting identities creates solidarity and cohesion for cross‐movement mobilization within participatory democracies (Palacios 2016).

Using intersectionality as a heuristic not only has facilitated the rethinking of existing knowledge‐violence and similar social problems, work and similar social institutions, as well as identity and similar social constructs – it has also brought new systems of power into view. Intersectional analysis now incorporates sexuality, ethnicity, age, ability, and nation as similar categories of analysis (Kim‐Puri  2005). Specifically, increased attention to the themes of nation, nationalism, nation‐state, and national identity has aimed to align the power relations of nation with structural analyses of racism, capitalism, and patriarchy (Yuval‐Davis 1997). Literature on the nation‐state and its citizenship policies has benefited from intersectional frameworks, the case of Goldberg’s (2002) analysis of the racial state, or Evelyn Glenn’s (2002) study of work, American citizenship, and nation‐state power. Intersectional frameworks have also deepened understandings of nationalist ideologies, as evidenced in Joane Nagel’s (1998) analysis of masculinity and nationalism, or George Mosse’s (1985) classic work on nationalism and sexuality. The political behavior of subordinated groups as they aim to empower themselves has also garnered intersectional analysis, for example, Ana RamosZayas’s (Ramos‐Zayas 2003) ethnographic study of Puerto Rican identity within a Chicago neighborhood that illustrates the benefits of incorporating nationalism in studies of local politics. Intersectional analyses of nation‐state power have expanded to consider transnational processes, for example, placing analyses of transnational tourism within intersectional processes of erotic autonomy, decolonization, and nationalism (Alexander 1997, 2005).

At some point, one bumps up against the limitations of heuristic thinking. In this sense, the ways in which race/class/gender studies have unfolded since the 1980s can serve as a cautionary tale for the vast amount of data that is currently being produced by the heuristic use of intersectionality. Race/class/gender studies laid substantial groundwork for intersectionality’s metaphoric and heuristic use. Scholars and activists working in race/class/ gender studies, and similar interdisciplinary endeavors routinely used the phrase “race, class, and gender” for a wide array of projects (Andersen and Collins 2016; Collins and Bilge 2016). The heuristic use of “race, class, and gender” as a provisional, place‐holder term across the myriad projects that  sprang up within and across academic disciplines catalyzed considerable scholarship. Viewing race, class, and gender as interconnected phenomena seemingly shared a loose set of assumptions: (i) race, class, and gender referenced not singular but intersecting systems of power; (ii) specific social inequalities reflect these power relations from one setting to the next; (iii) individual and collective (group) identities of race, gender, class, and sexuality are socially constructed within multiple systems of power; and (iv) social problems and their remedies are similarly intersecting phenomena. Each of these assumptions served as jumping off points for a range of  projects. Intersectionality drew from and expanded the heuristic use of these assumptions that underlay race/class/gender studies.

Race/class/gender studies and intersectionality both rely on heuristic thinking, yet while it may seem that they are interchangeable, they do have distinctive approaches to social problem solving. Using the framework of race/class/gender analysis reminds researchers to attend to race, class, and gender as particular categories of analysis. Either singularly or in combination, the categories of race, class, and gender identify distinctive structural foundations for social inequalities, for example, the racism of white supremacy, the class exploitation associated with capitalism, and the sexism inherent in patriarchy. Race, class, and gender not only reference specific systems of power; each category has its own storied traditions of scholarship and activism done by interpretive communities that developed around each category. Ironically, the particular history of the field itself was seen as getting in the way of its universal possibilities. The field was seen as being too particular because it confined analysis to race, class, and gender. Some users erroneously assumed that these particular concepts, when taken literally, must be present in every analysis, and that the absence of any one category compromised the integrity of race/class/gender studies. Because it was deemed to be too closely associated with the particular, subordinated social groups that were central to its creation and growth, the field of race/class/gender was also seen as having another kind of particularity problem. “Race” meant Black people, “gender” meant women, and “class” meant poor people. Yet race/class/gender never argued that its concepts were confined to subordinated people – it was perfectly capable of studying privilege within the categories of race, class, and gender. Similarly, race, class, and gender were never meant to be used as a fixed list of entities that applied in all times in all places. Rather, race/class/gender was a heuristic that pointed toward other combinations that not only were possible but were better suited for a range of particular issues and contexts.

The heuristic use of intersectionality provides different strengths and limitations. Because intersectionality does not specify the configuration of categories, or even the number of relevant categories for a particular analysis, it seemingly offers more flexibility than race/class/gender studies. By providing a new term that was elastic enough to incorporate the particularities of race/class/gender studies yet expand them to include additional particular concepts, intersectionality ostensibly solved the particularity problem of race/class/gender. Yet intersectionality’s quest for universality – and this is important for its status as a social theory in the making‐meant that it need not attend to its own particular history. Using intersectionality as a heuristic by referring to a generic intersectionality without attending to particulars of the categories themselves, or to the social issues that catalyzed both race/class/gender studies and intersectionality, created new problems. The rapid uptake of intersectionality by adding even more categories suggests a parallelism among these categories, one that implies that each system of power is fundamentally the same. If the categories of race, class, and gender, among others, are equivalent and potential substitutes for one another, then the systems of power that underlie intersectionality are similarly equivalent. Understanding one means understanding the others.

This assumption of equivalence and interchangeability may facilitate intersectionality’s ease of heuristic use, but it simultaneously limits intersectionality’s theoretical potential. For example, the category of class has been often mentioned within intersectionality yet less often treated as an analytical category that is equivalent to race and gender. The categories of nation, sexuality, ethnicity, age, religion, and ability resemble one another but cannot be collapsed into one another under the heading of a generic intersectionality. Each is an analytical category that cannot be simply added together and combined with the others. The relationships among these categories lie in their particulars  –  they must be empirically studied and theorized, not simply assumed for heuristic convenience. This brief comparison of race/class/gender and intersectionality suggests that if a heuristic device is applied uncritically, more as a formula than as a tool of invention for critically engaged social problem solving, it may no longer be able to spark innovation.4 \*\*\*FOOTNOTE BEGINS\*\*\* In Chapter 3 of Intersectionality as Critical Social Theory (2019), I develop this theme of the relationship between particularity and universality by examining intersectionality’s ties to resistant knowledge traditions with social action components. Critical race studies aims to resist racism, feminist studies resists heteropatriarchy, and decolonial studies resists neocolonialism. In this sense, each project reflects the particular social problems confronting Black people, women, and colonized people. Yet each project also sees beyond the particulars of any one group. \*\*\*FOOTNOTE ENDS\*\*\*

Intersectionality as a heuristic offers provisional rules of thumb for rethinking a range of social problems as well as strategies for criticizing how scholarship studies them. In this sense, intersectionality’s metaphoric and heuristic thinking provides important conceptual tools for problem‐solving. These strategies remain important, yet their use should not be conflated with theorizing.

The effects of intersectionality are far‐reaching  –  it has catalyzed significant changes within academic disciplines concerning some of their cherished frameworks, such as the aforementioned case of sociology and work. Intersectionality has also influenced the contours of women’s, gender, and sexuality studies; media studies; and similar interdisciplinary fields of inquiry. Intersectionality’s knowledge and practices stemming from how its practitioners use it might have catalyzed a wealth of new knowledge across many fields of study. To me, intersectionality has reached an important milestone in its own journey, a place where it has catalyzed paradigm shifts across many fields of study, but one where it also must spend time examining its own paradigmatic thought.

Intersectionality and Paradigm Shifts

Paradigms provide frameworks that describe, interpret, analyze, and in some cases, explain both the knowledge that is being produced as well as the processes that are used to produce it. Paradigmatic thinking involves having a model or provisional explanation in mind, a typical pattern of something, a distinct set of concepts or thought patterns. Such thinking is often difficult to recognize as such, because paradigms are often implicit, assumed, and taken for granted. For example, for some time, assumptions about biology and the natural world exerted enormous influence on research on gender and sexual identities, on public policies that understood citizenship through binaries of fit and unfit bodies, as well as on broader evolutionary explanations of the natural and social worlds. The reliance on biological explanations seemed more like the truth itself, rather than just one paradigm among many.

When the paradigmatic thinking in a field changes, the ideas and social relations within that field can also change quite dramatically. Thomas Kuhn’s (1970) description of how paradigm shifts occur in the natural sciences provides a useful rubric for understanding intersectionality’s effects on existing fields of study. Ironically, Kuhn analyzed the way that paradigms changed within the natural sciences as an implicit critique of the social sciences; he wanted to demonstrate how paradigms in the natural sciences provided certainties for scientific disciplines – certainties that the social sciences seemingly lacked. Yet this dimension of his work has been overshadowed by how rapidly the concept of a paradigm shift traveled into the social sciences, as well as into everyday language.5

A paradigm shift is a change not just in ideas, but also in how a field of study reorganizes its practices to facilitate its problem‐solving objectives. When fields encounter anomalies, or puzzles that can no longer be solved within the conventions of their dominant paradigm, they shift, often rather dramatically. The old paradigm can disappear rapidly, with a new one emerging to take its place. A paradigm shift occurs along three dimensions: the new paradigm (i) convincingly resolves previously recognized problems; (ii) has enough unresolved problems to provide puzzles for further inquiry; and (iii) attracts enough specialists to form the core of new, agreed‐upon provisional explanations for the topic at hand. When applied to intersectionality, the concept of a paradigm shift suggests that intersectionality convincingly grapples with recognized social problems concerning social inequality and the social problems it engenders; that its heuristics provide new avenues of investigation for studying social inequality; and that it has attracted a vibrant constellation of scholars and practitioners who recognize intersectionality as a form of critical inquiry and praxis. This newly formulated, heterogeneous community of inquiry both resonates with the metaphor of intersectionality as a collective identity and relies on heuristic thinking for social problem solving.

This concept of a paradigm shift is especially useful for thinking through the changes that intersectionality has engendered within disciplinary and interdisciplinary fields. Kuhn’s argument is targeted toward the changes within the natural sciences, where paradigms consist of shared assumptions within an existing field of study, subfields within a particular discipline, or both. Yet when uncoupled from the assumption that paradigm shifts occur primarily within existing fields of inquiry, Kuhn’s basic argument concerning paradigm shifts also applies to broader interpretive frameworks. Paradigm shifts are significant because they describe what happens when traditional frameworks no longer sufficiently explain social realities and thus become ineffective. In this sense, the concept of a paradigm shift is especially important for intersectionality as a critical social theory in the making, because a paradigm shift identifies a significant turning point when established social theories lose their critical edge and when other social theories displace them.

Across academic disciplines, traditional paradigms approached racial inequality and gender inequality, for example, as distinct, separate, and disconnected phenomena. Because race, class, gender, sexuality, age, ethnicity, nation, and, ability were conceptualized as separate phenomena, their interactions remained invisible because no one thought to look for them. Using intersectionality as a metaphor fundamentally challenged this takenfor‐granted assumption, and using intersectionality as a heuristic developed new knowledge as evidence for intersectional claims. In this [Table Omitted] sense, intersectionality was not just an adjustment to business as usual. It pointed toward a fundamental paradigm shift in thinking about intersecting systems of power and their connections to intersecting social inequalities.

In the following section, I sketch out selected core constructs and guiding premises of intersectionality that are drawn from my readings of intersectional inquiry as well as my understandings of intersectional practice. When combined, these core constructs and guiding premises provide a provisional template for analyzing intersectionality’s ideas and practices. My goal is to address some ideas of intersectionality’s paradigmatic use  –  namely, the core constructs and guiding premises within intersectionality’s critical inquiry.

Table 7.1 provides a provisional schema of the paradigmatic ideas that form the content of intersectionality’s critical inquiry. These ideas come from its metaphoric, heuristic, and paradigmatic uses. This schema distinguishes between the core constructs that reappear across intersectionality and guiding premises that inform intersectional analysis.

Intersectionality’s core constructs routinely appear within intersectional inquiry, either as topics of investigation or as methodological premises that guide research itself. They are (i) relationality; (ii) power; (iii) social inequality; (iv) social context; (v) complexity; and (vi) social justice (Collins and Bilge 2016, pp. 25–30, 194–204). For example, when it comes to social science research, intersectionality requires attending to complexity, whether in the questions asked, the methods used in a study, or the interpretation of findings.

Core Constructs and Guiding Premises

Intersectionality’s core constructs constitute one important dimension of intersectionality’s paradigmatic thinking. The themes of relationality, power, social inequality, social context, complexity, and social justice reappear across intersectionality as a form of critical inquiry and practice (Collins and Bilge 2016, pp. 25–30, 194–204). When it comes to scholarship, these themes are not all present in a given work, the treatment of them varies considerably across research traditions, and the relationship among them is far from coherent. My goal here is to identify intersectionality’s core constructs that, either singularly or in combination, reappear within intersectional scholarship. Significantly, none of these themes is unique to intersectionality in the academy. They also appear across diverse projects with little apparent connection to intersectionality. Intersectionality often shares terminology and sensibility with similar projects but is not derivative of them. Identifying these core constructs constitutes a promising first step in sketching out intersectionality’s paradigmatic use in scholarship. Significantly, how these constructs are used within intersectionality offers a window into intersectionality’s critical inquiry.

Relationality constitutes the first core theme that shapes heterogeneous intersectional projects (Phoenix and Pattynama 2006, p. 187). This emphasis on relationality shifts focus away from the essential qualities that seemingly lie in the center of categories and toward the relational processes that connect them. The idea of relationality is essential to intersectionality itself. The very term intersectionality invokes the idea of interconnections, mutual engagement, and relationships. Race, gender, class, and other systems of power are constituted and maintained through relational processes, gaining meaning through the nature of these relationships. The analytic importance of relationality in intersectional scholarship demonstrates how various social positions (occupied by actors, systems, and political/economic structural arrangements) necessarily acquire meaning and power (or a lack thereof) in relation to other social positions.

The significance of power constitutes a second core theme of intersectionality’s critical inquiry. Intersecting power relations produce social divisions of race, gender, class, sexuality, ability, age, country of origin, and citizenship status that are unlikely to be adequately understood in isolation from one another. Non‐intersectional scholarship assumes that race, class, and gender are unconnected variables or features of social organization that can be studied as singular phenomena – for example, gender or race as discreet aspects of individual identity, or patriarchy or racism as monocategorical systems of power. Intersectionality posits that systems of power co‐produce one another in ways that reproduce both unequal material outcomes and the distinctive social experiences that characterize people’s experiences within social hierarchies. Racism, sexism, class exploitation, and similar oppressions may mutually construct one another by drawing upon similar and distinctive practices and forms of organization that collectively shape social reality.

Third, intersectionality has catalyzed a rethinking of social inequality. Within the academy, prevailing frameworks explained social inequalities as separate entities, for example, class inequality, racial inequality, gender inequality, and social inequalities of sexuality, nation, ability, and ethnicity. The causes of social inequality often lay in fundamental forces that lay outside the particulars of race, class, gender. Yet treating social inequality as a result of other, seemingly more fundamental social processes suggested that social inequality was inevitable because it was hardwired into the social world, into individual nature, or into both. Intersectionality rejects these notions that normalize inequality by depicting it as natural and inevitable.

A fourth core theme within intersectionality’s critical inquiry stresses the significance of social context. This theme is especially important for understanding how interpretive communities, both academic and activist, organize knowledge production. This premise applies to the internal dynamics of a given interpretive community, for example, how sociologists or women’s studies scholars go about their work; to the relationships among interpretive communities, such as how sociology and Africana Studies within academia develop different interpretations of race and racism; as well as to how communities of inquiry are hierarchically arranged and valued, for example, how Western colleges and universities rank the sciences over the humanities. Social context also matters in understanding how the distinctive social locations of individuals and groups within intersecting power relations shape intellectual production.

Managing complexity constitutes a fifth core theme of intersectionality’s critical inquiry. Intersectional knowledge projects achieve greater levels of complexity because they are iterative and interactional, always examining the connections among seemingly distinctive categories of analysis. Complexity is dynamic  – intersectionality’s categories of race, class, gender, and sexuality, among others, are a useful starting point for inquiry. Bringing multiple lenses to intersectional inquiry facilitates complex, comprehensive analyses. Managing complexity also speaks to intersectionality’s methodological contours. Complex questions may require equally complex strategies for investigation.

Social justice constitutes another core construct that underlies intersectionality’s critical inquiry. The construct of social justice raises questions about the ethics of intersectional scholarship and practice. Within contemporary academic venues, the significance of social justice as a core theme within intersectionality is increasingly challenged by norms that place social justice, freedom, equality, and similar ethical issues as secondary concerns within acceptable scholarship. Viewing theory and practice in binary terms not only fosters a division between truth and power within intersectionality; it also challenges intersectionality’s long‐standing commitment to social justice. Historically, social justice was so central to intersectionality that there was little need to examine it or invoke it. Currently, many intersectional projects do not deal with social justice in a substantive fashion, yet the arguments that each discourse makes and praxis that it pursues have important ethical implications for equity and fairness.

How might these core constructs within intersectionality’s critical inquiry shape it? Some concepts are so fundamental to intersectionality itself that removing them would compromise the very meaning of intersectionality. Relationality constitutes one core construct. It is reflected in the name of the field itself, shapes the methodological premises of intersectional projects, and describes the content of intersectional knowledge. The very question of the connections among intersectionality’s core constructs is fundamentally one of relationality. In contrast, other core themes are more contingent. For example, intersecting systems of power as well as social inequalities of race, class, gender, and similar categories of analysis occupy prominent positions within intersectionality. Yet, does the absence of a particular category of analysis within intersectional inquiry somehow lessen its value? Similarly, some intersectional scholarship is inattentive to power relations or ethical standards of social justice. Does this absence make these projects less authentically intersectional? Some core constructs are differentially contingent. They can be used to structure a study itself, the case of attending to social context, or they can be used to evaluate outcomes; for example, is a particular study stronger because intersectionality has fostered greater complexity?

This brings me to another important dimension of intersectionality’s critical inquiry – namely, my provisional list of guiding premises that distinguish intersectional scholarship (see Table 7.1). Such premises should be recognizable to intersectionality’s practitioners in the ways that those of any field of inquiry are to its researchers, teachers, and students. These guiding premises synthesize the assumptions that intersectionality’s practitioners take into their projects in order to guide their work: (i) Race, class, gender, and similar systems of power are interdependent and mutually construct one another; (ii) Intersecting power relations produce complex, interdependent social inequalities of race, class, gender, sexuality, nationality, ethnicity, ability, and age; (iii) The social location of individuals and groups within intersecting power relations shapes their experiences within and perspectives on the social world; (iv) Solving social problems within a given local, regional, national, or global context requires intersectional analyses (see also Collins 2015; Collins and Bilge 2016). These core constructs and guiding principles provide a vocabulary for describing intersectionality’s paradigm shift. This shift raises important questions about how intersectionality’s cognitive architecture might inform intersectional theorizing. This framework also offers a way of seeing the limits of paradigmatic thinking and the possibilities of the beginnings of theorizing. How might intersectionality’s core constructs inform the guiding premises within the field of intersectionality itself? Conversely, how might these guiding premises shed light on the meaning of intersectionality’s core constructs?

#### BUT, Tech development can be deployed for egalitarian ends---their analysis is essentializing.

Elwood and Mitchell, 13—Professors of Geography at the University of Washington (Sarah and Katharyne, “Another Politics Is Possible: Neogeographies, Visual Spatial Tactics, and Political Formation,” Cartographica 48:4, 2013, pp. 275–292, dml)

New forms and applications of Internet-based spatial media continue to rise in number and diversity, with these technologies increasingly present in various forms of civic engagement and activism. Multimedia data collection, compilation, and mapping toolkits such as those provided by Ushahidi are being deployed for citizen monitoring of ethnic violence, election fraud, and disaster relief needs and resources (Okolloh 2009; Goodchild and Glennon 2010; Roche, Propeck-Zimmermann, and Mericskay 2011). A growing number of urban governments now use online and mobile geo-services that allow residents to submit their observations of infrastructural problems and other local needs via a geo-tagged text message or photograph or by adding an object to a map interface (Foth and others 2009; Elwood and Leszczynski 2013; Johnson and Sieber 2012). Citizens have used the high-resolution imagery of virtual globes like Google Earth to monitor military buildup or reveal supposedly secret sites and facilities (Aday and Livingston 2009; Perkins and Dodge 2009). These examples extend a vibrant history of civic applications of the earliest interactive mapping tools, including map mashups of Chicago crime data or post-hurricane evacuation and relief needs in New Orleans (Miller 2006; Crutcher and Zook 2009).

The technologies and practices that underlie these applications of Internet-based spatial media have become known by a dizzying array of new terms in the past several years. Volunteered geographic information (VGI) refers to spatial data sets compiled from the contributions of many individuals, such as citizen reports to a disaster relief map interface (Goodchild 2007; Elwood, Goodchild, and Sui 2012). The geospatial Web originally referenced only the centrality of geographic location as a means of organizing and retrieving online content (Scharl and Tochtermann 2007). The term ‘‘geoweb’’ is now used more broadly to identify this location-mediated Internet content and the hardware and software that enable its production, such as GPS-enabled handheld devices or freely available mapping APIs (Elwood and Leszczynski 2013). ‘‘Neogeography’’ has been used to refer to what some users do with interactive online mapping tools – namely to the production of maps and other visual spatial artefacts through various geoweb resources, often by laypersons, activists, artists, grassroots groups, and other ‘‘non-expert’’ actors (Eisnor 2006; Turner 2007; Wilson and Graham 2013).

Geographers’ interest in these phenomena is wide-ranging, including core GIScience questions about ontologies, data quality, and data integration (De Longueville and others 2010; Grira, Bedard, and Roche 2010; Haklay 2010); disciplinary concerns about the future of cartography and related arenas (Gartner 2009; Kraak 2011; Goodchild and Turner 2013; Kitchin and Dodge 2013); and questions about their social and political implications (Crampton 2009; Dodge and Perkins 2009; Elwood 2010). In the latter arena – the social and political implications of neogeography – we see divergent concerns and predictions. Some scholars trace trends of increasing surveillance and state/ private-sector control over the production and circulation of geospatial imagery, maps, and the resources needed to produce and share them (Perkins and Dodge 2009; Gerlach 2010; Leszczynski 2012). Others suggest that neogeography constitutes new spaces of civic engagement or resistance and begins to level access to cartography, geovisual imagery, and deliberative or decision-making forums in which they are used (Madden and Ross 2009; Okolloh 2009; Meier 2011). In particular, as scholars have debated this empowerment/marginalization dialectic (Sheppard 2005), there has been a great deal of interest in whether and how neogeography might enable the participation, influence, and agency of less powerful actors. The existing literature offers two kinds of propositions for how they might do so – by offering less powerful actors greater access to conventional spheres/practices of deliberative decision making and cartography (see Tulloch 2008; Hall and others 2010; Gryl and Jekel 2012), or by enabling them to create their own alternative spheres of deliberation/engagement and cartographic praxis (cf. Kingsbury and Jones 2009; Okolloh 2009; Lin 2013).

These different propositions are, at heart, arguments about the forms of politics that are or might be constituted through the practices associated with neogeography, and it is this concern that will take centre stage in our discussion here. By ‘‘politics’’ we are not referring to the specific realm of electoral politics but rather to a much broader range of individual and collective practices which act on or engage structurally mediated inequalities, the social and material relations of everyday life, and negotiations over identity (Kofman and Peake 1990; Brown and Staeheli 2003). This wider definition of politics is critical for theorizing neogeography, given that it has from inception tended to be pluralist, processual, and rooted in everyday life. For all the discussion of participation, empowerment, democratization, or even liberation with respect to neogeography praxis, there has been comparatively little direct theorization of the forms of politics that are or might be advanced via neogeography, save for two recent papers that draw on Michel de Certeau’s (1984) notions of ‘‘strategy’’ and ‘‘tactics’’ (Gryl and Jekel 2012; Lin 2013).

For de Certeau, ‘‘strategy’’ is constituted through the spaces and practices of hegemonic actors/institutions and forms of knowledge. Voting, presenting a map and oral testimony at a public hearing, staying out of an area framed in local discourses as a ‘‘bad’’ neighbourhood, or analysing local needs through community development’s ubiquitous strength, weaknesses, opportunities, threats (SWOT) technique are all examples of strategy. In contrast, tactics rework (or at least refuse to cooperate with and reproduce) the norms, representational practices, and spatial meanings of strategy. Going walking in a neighbourhood commonly said to be dangerous challenges this spatial imaginary of danger through the action of occupying the space, and it transgresses a tacit prohibition against going there. ‘‘Walking’’ this neighbourhood in the virtual space of a neogeography platform such as Google Maps is a visual spatial tactic (Lin 2013) that transgresses the same prohibitions in a digital environment. Of course, these two examples of spatial tactics are not identical experiences, given that one occurs in a material space and the other in a virtual space. But the broader point to be taken from Lin’s notion of visual spatial tactics is that such digital practices can constitute a transgression or reworking of the spatial norms and restrictions of strategy.

As we will develop further in the next section, much of the existing literature on the societal significance of neogeography is already tacitly structured around this concept pair. Some work focuses upon the potential of neogeography as a practice of strategy (or a politics ‘‘from within’’), and others emphasize neogeography as an arena for tactics (the means and practice of a ‘‘politics from outside’’ by disempowered and excluded actors). Yet on both sides, this work has to date focused primarily on neogeography as a practice or site of political action or engagement. We will argue here that neogeography practices – specifically visual spatial tactics – are significant not only because they constitute a space for political action or engagement by less powerful actors, but also because they can function as key sites of political formation. In what follows we show how the visual spatial tactics of neogeography can foster the formation of political subjects, the formation of collective action frames (which may spur these political subjects to action), and collaborative formation of shared knowledge. Thus, visual spatial tactics in neogeography are significant not just as practices of alternative political engagement or action by actors ‘‘from below’’ but even more so as practices constituting critical antecedents to such action. Tactical neogeography practices constitute subjects as critical thinkers, mobilized actors, and active agents in collaborative knowledge-making.

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We develop these arguments from research conducted with young teens ages 10–13 at two Seattle schools from 2009 to 2012. School A is a public middle school enrolling approximately 500 students, 95% of whom are racial or ethnic minorities and 75% of whom come from low-income families. It is located in one of Seattle’s areas of highest poverty, with comparatively high rates of unemployment, foreclosure, crime, and violence. School B is a private middle school of 100 students, 35% of them racial or ethnic minorities and 40% of whom receive financial aid for their tuition. Its surrounding neighbourhood grapples with many of the same concerns facing School A’s neighbourhood, but arguably to a somewhat lesser degree.

Our action research with these two schools examined the potential roles of interactive mapping platforms in fostering civic engagement, collaboration, and place-based teaching and learning. In each of the three years, we conducted a 7- to 15-session module of interactive mapping activities, designed to complement the school’s or teacher’s existing efforts to have students learn from and about their city. In year 1, in a class we offered as part of the educational after-school program at School A, sixth and seventh graders created interactive maps of their “everyday geographies.” In creating and sharing their maps, they represented and reflected upon the opportunities, constraints, and patterns in the places and movements of their own daily lives and those of their classmates. In year 2, as part of our activities with a seventh grade social studies class at School B, students created interactive multimedia maps exploring key sites and spatial processes in the urban histories of racial and ethnic minority groups in Seattle. In year 3, we conducted our mapping activities in the “environmental stewardship” curriculum of a fifth grade science class at School B. Students researched and mapped the environmental and cultural histories of two river systems in the Puget Sound area.

In each of these three mapping units, participating students created their interactive maps in an open-source mapping platform developed for this project. Offering a simpler set of tools than many existing commercial mapping web-sites, our platform enables students to create a map object (point, line, or polygon), position this object on a base map, give the object a name or title, and add text, images, URLs, or video in a textbox. When a map object is selected, this associated content appears in the window to the right of the map view (Figure 1). Another key feature of our platform is an interactive commenting function that allows users to select a map object and add (or respond to) comments, questions, or additional information. These comment streams appear beneath the map view and are accessed by clicking the map object (see Figure 1). The students primarily created their maps in this platform, but many of them knew about and used Google Maps in parallel, to access some of its additional services.2 Specifically, they used its search engine to find particular addresses or place names and its street view service to explore photographic street-level panoramas of specific areas.

While our three mapping units were quite different in substantive theme, we structured all three around a similar cycle of individual and collaborative mapping, exploration of content, and critical reflection. Using Kolb’s (1984) “experiential learning” cycle, this process moved from observing, sharing, or learning about concrete activities, events, or places in the “real world” to understanding the more abstract processes that generate them. As students mapped sites or spatial processes they deemed important (to the theme of each of the three units), our goal was for them to learn about and critically reflect upon the social, political, and economic processes and relationships [End Page 277] that produce these geographies. Unsurprisingly, they also gained cartographic skills and experience with digital spatial technologies, but this was not our primary pedagogical objective. Further, while this research has generated contributions to scholarship in geography education and youth geographies (Elwood and Mitchell 2012; Mitchell and Elwood 2012a, 2012b, 2012c, 2013), our purpose here is to use evidence from this project to illustrate a more theoretical contribution to ongoing efforts to articulate the forms of politics that are or might be advanced in neogeography practice. With their emphases on examining and engaging social and spatial processes and relationships, especially vis-à-vis the past histories and present conditions of places in which they live, the youth neogeographies generated as part of our project are a rich source of evidence through which to consider these questions.

The pedagogic practices described above generated the empirical basis of our research on neogeography, children’s politics, and citizenship education. Our research design follows Burawoy’s (1998) extended case method, an inductive approach for generating theory from qualitative ethnographic research (as opposed to deductive research designs structured around testing hypotheses). In this approach, a case is selected on the basis of its ability to illuminate the conceptual questions of the research – for us, questions about the forms of politics that are possible for neogeographers who operate from positions of disempowerment and exclusion. Our questions about the political potential and significance of neogeography for less powerful actors further demand an inductive analysis of evidence that can illuminate processes, meanings, and social relations. To this end, our evidence included the students’ multimedia maps; map comments from teachers, parents, and peers; and field notes produced by all members of our research team after each class session. Our inductive analysis involved iterative interpretive review of the data to generate and refine propositions about the nature and forms of politics advanced through the children’s neogeographies. We validated our emerging findings through triangulation across multiple sources of evidence, aimed at identifying tensions, contradictions, and commonalities in the data. The specific examples presented below are illustrative demonstrations of the forms of politics practised by our young neogeographers but are not the only instances in which these practices occurred in the project.

Neogeography and the political

Recent scholarly work on neogeography has moved in several different directions. Some scholars have begun to trace the conditions of its emergence, particularly the hardware and software developments enabling it (Goodchild 2007; Haklay, Singleton, and Parker 2008). Others examine the shifting political-economic relationships around the production of spatial data and maps signalled by neogeography, with particular interest in the changing roles and relations of state and private-sector actors in this enterprise (Goodchild 2007; Harvey 2007; Radcliffe 2009; Boulton [End Page 278] 2010; Kinsley 2010; Leszczynski 2012). Others have focused on the substantive content produced through neogeography practices, with particular interest in how people, places, or phenomena are represented (or not) and implications of these presences and absences for the (re)production of social difference, inequality, and the digital divide (Zook and Graham 2007; Crutcher and Zook 2009; Graham 2010; Graham 2011; Graham and Zook 2011).

Another key debate has been the implications of neogeography for cartography, GIScience, and geography. Some have characterized the roles of academic and professional cartographers and geographers as diminished, whereas others argue they are transformed but still essential (Gartner 2009; Goodchild 2009; Goodchild and Turner 2013). Map quality and public cartographic and spatial literacies have also sparked concern. For instance, the head of the British Cartographic Society recently worried that neogeographers (or “lay cartographers”) will diminish the quality of maps (Crampton 2010), a concern mirrored in criticisms of neogeographers’ cartographic design (Das and Kraak 2011; Kraak 2011). Perhaps prompted by these concerns, a number of recent interventions offer pedagogies aimed at using neogeography platforms to foster spatial literacy, principles of cartography and GIS (Patterson 2007; Allan 2008; Campbell 2008; DeMers and Vincent 2008; Papadimitriou 2010), and active citizenship and civic participation (Milson and Earle 2008; Harris, Rouse, and Bergeron 2010; Gryl and Jekel 2012).

Finally, this ever-growing literature has examined the social and political significance of neogeography by considering the purposes for which individuals and social groups engage these platforms. Some have considered the potential and limits of neogeography for public involvement in local government planning and decision-making (Rouse, Bergeron, and Harris 2007; Tulloch 2008; Johnson and Sieber 2012; Sieber 2012) or for citizen participation in activities such as redistricting (Crampton 2013). Several studies consider the rising use of neogeography interfaces to elicit and circulate citizens’ observations of on-the-ground needs and conditions in natural disasters and other crises, with particular emphasis on the extent to which these applications may enhance the effectiveness of government and NGO relief efforts (Liu and Palen 2010; De Longueville and others 2010; Zook and others 2010). Some studies examine the ways that activist groups, NGOs, and other citizen groups use neogeography to connect with diasporic communities, disseminate counter-narratives, or mobilize diverse forms of action by members or potential advocates (Corbett 2012; Elwood and Leszczynski 2013; Lin 2012, 2013). Many of these counter-hegemonic neogeographies have included forms of recreation or art, ranging from “spot the black helicopter” games that “surveil back” on the state to digital map art that troubles traditional cartographic rationalities (kanarinka 2006; Cobarrubias and Pickles 2009; Crampton 2009; Kingsbury and Jones 2009; Lauriault and Wood 2009; Perkins and Dodge 2009).

Threading throughout this work on neogeography applications is a strong interest in their potential to foster inclusion, agency, and empowerment, especially for disempowered/excluded social groups or the context of deeply asymmetrical state-society relationships. Yet they tend to seek these outcomes in two very different arenas. Some focus on how neogeography has been or might be used in conventional spheres of deliberative politics, such as participatory governance schemes or the negotiations of NGOs/citizen organizations with state actors and institutions (Elwood and Leszczynski 2013). Others examine how neogeography may constitute an alternative site for citizens’ articulations, deliberations, and cartographies (Kingsbury and Jones 2009; Lin 2012, 2013) – a way for citizens to advance counter-narratives, cartographic representations, or forms of (political) speech unlikely to be recognized or included in conventional deliberative spheres. These two approaches are implicitly differentiated by where and how they situate the realm of the political neogeography practice, and they do so in ways that draw on de Certeau’s (1984) notions of “strategy” and “tactics.” One emphasizes a “politics from within” – neogeography as a means to gain access to existing structures of deliberative democracy – whereas the other emphasizes a “politics from outside,” neogeography as an alternative realm for citizen voice.

As an example of neogeography politics conceived as strategy, Gryl and Jekel (2012) argue that collaborative online “geo-media” (which has been termed neogeography in this article) can be sites for the development and practice of critical spatial citizenship. They argue that this critical spatial citizenship depends upon citizens’ abilities to engage in “strategic practices” (de Certeau 1984), such as having the cartographic and spatial thinking skills necessary to use geo-media in ways that will be recognized by policymakers or other citizens and to use these platforms to disseminate their own spatial narratives or challenge those put forth by others. A more inclusive public sphere will emerge, Gryl and Jekel argue, when citizens are able to use interactive geo-media to engage in the representational and deliberative practices of “strategy.”

Yet conceiving of the political potential of neogeography through notions of strategic practice has inherent limits. Critical cartography and GIS scholarship have long underscored that access to the bounded disciplinary practices of cartographic “strategy” is by definition partial and that many forms of spatial knowledge cannot be represented as “geographic information” nor expressed through conventional cartographic representation (Pickles 1995, 2004; Crampton and Krygier 2005). Feminist critiques remind us that structural inequalities and even definitions of “the political” exclude some social groups from the realms and practices of deliberative politics (Fraser 1990; Howell [End Page 279] 1993). Indeed, de Certeau’s effort to recognize the actors, practices of politics, and forms of knowledge that remain outside the realms of “strategic practice” are at the heart of his concept of “tactics.” Because of these inherent limits, theorizations of the political significance and possibilities of neogeography must also include tactics.

Though not theorized as such, tactics are in evidence in many initiatives that use neogeography platforms for performance, art, and other counter-cartographic practices (kanarinka 2006; Kingsbury and Jones 2009; Perkins and Dodge 2009).3 These performative/artistic neogeographies are characterized as political on the basis that they parody notions of cartographic omniscience or expose the inability of their representational practices to fully capture human experience/perception, or that they challenge state control over spatial data production and circulation by revealing (and making fun of) what is supposed to be secret or concealed. Lin (2013) engages the notion of tactics directly in her study of Chinese neogeographers fighting rapid urbanization, forced demolition, and illegal expropriation. In this context, the sites and practices of a politics of ‘‘strategy’’ simply do not or cannot exist – online activities are tightly controlled and monitored, and citizens have little access to formal decision-making structures. Yet citizens concerned with forced urban removal have developed neogeography tactics that contest dominant narratives and institutions and restrictions on activities and mobilities in particular places. For example, in one of their Googlebased map mashups, users can ‘‘stroll’’ an off-limits lakeshore or share artistic representations of it, virtually reclaiming and reimagining a space that cannot be occupied in real life.4

These examples show the potential of neogeography as the basis for a politics of tactics – a site for citizens to produce new spaces and share counter-narratives in a context where direct confrontation is not possible and for actors who are excluded from a politics of ‘‘strategic practice.’’ As Lin (2013) and others suggest, attention to tactics as an important part of the political repertoire of neogeography greatly expands the forms of politics (and by extension, the range of political actors) we can recognize. Yet our research with young teens’ neogeographies suggests that the significance of visual spatial tactics extends beyond their potential as a form of political action or civic engagement. The visual spatial tactics profiled in much of the literature on counter-hegemonic neogeographies are largely performed by already existing political subjects, already mobilized by their concerns about various inequalities, injustices, or social, political, economic, and environmental conditions. Neogeography serves as the site or space in which these mobilized subjects perform their resistance. Our evidence suggests that visual spatial tactics in neogeography can have an even more foundational significance, serving not just as a site of political action but as a site of political formation. That is, we will show how visual spatial tactics of neogeography can be sites for (1) the formation of political subjects, (2) the formation of interpretive frames that can mobilize these subjects for action, and (3) the formation of shared knowledge through collaborative cartographies. Neogeography praxis has the potential to constitute political subjects, mobilized political collectivities, and shared knowledge – the critical antecedents to any form of political engagement.

#### The idea of a psychic drive compelling racism is warrantless AND believing it ensures fatalistic attitudes that turn their impacts.

Hook, 21—Associate Professor of Psychology at Duquesne University (Derek, “Pilfered pleasure: on racism as “the theft of enjoyment”,” *Lacan and Race: Racism, Identity, and Psychoanalytic Theory*, Chapter 2, pg 36-39, dml)

What is immediately striking in these extracts is the role played by affect, or more accurately yet, by the “pained stimulation” of the aroused passions of enjoyment. What both authors highlight—and this speaks to the analytical value of the concept—is that forms of excess stimulation (the “negative pleasure” of jouissance) underlie and propel Symbolic and political constructions of otherness. Different cultural modes of enjoyment are, furthermore, fundamentally discordant. We have then not so much a “Clash of Civilizations”—to reference the Samuel Huntington’s (1997) much cited thesis—as a clash of enjoyments.

Moreover, the difficulty that we have in realizing “full” enjoyment—something that is impossible in Lacanian theory for “castrated” speaking beings—is dealt with by imagining the supposedly unimpaired and inevitably disturbing enjoyment possessed by cultural/racial/sexual others. In short, the fact that we cannot attain the jouissance we feel we deserve results in perceptions of an unhindered, illegitimate, and undeserved enjoyment on the part of others. As Sheldon George notes: “the other’s jouissance, or enjoyment, [is] … the very core around which … otherness articulates itself” (2016: 3). Political jealousy, as Žižek calls it, is thus (at least in part) the result of incompatibilities and more importantly yet, perceived sacrifices of jouissance.

Jouissance: unserviceable tool of political analysis?

Despite having offered only a brief introduction to the above Lacanian ideas, we should pause here for a moment to voice a number of prospective methodological and conceptual problems implied by the racism as (theft of) enjoyment thesis. Doing so will help us focus the expository comments to follow, and indeed, to highlight the potential analytical advantages the thesis may have to offer.

The first critique, which applies to a wide historical range of psychoanalytic theories of racism (see Cohen, 2002; Frosh 1989; Stavrakis 1999), is that of psychological reductionism. Simply put: the complexity of the various historical, discursive, and socioeconomic causes of racism are invariably deprioritized and accorded a peripheral explanatory role once the domain of the psychological is privileged. Accounts of the psychological factors underlying various instances of racism are thus not only de-historicizing and hopelessly generalizing; they are also invariably depoliticizing.

A second critique: is jouissance not a hopelessly open-ended concept? Virtually any cultural behaviour, bodily intensity or libidinal activity can, it seems, be considered to be an instance of jouissance. In view of racism, for example, the other’s enjoyment can refer to everything from their incomprehensible cultural customs and/or religious beliefs (epitomized, for example, in odd food and dress restrictions), to perceived aspects of their distinctive physicality/sensuality (their food, the way they dance, the sound of their music), to attributions of superabundant vitality (they are excessively promiscuous, religious, lazy, etc.)? The concept of jouissance seems thus to be both underdifferentiated and overly inclusive, applying to a potentially endless array of behaviors and experiences. Without a clearer sense of how to differentiate what qualifies as enjoyment and what does not, the concept loses analytical value.

A third line of critique: different modes of enjoyment are implied within the literature, without being properly distinguished. In Žižek’s descriptions of racism and jouissance, for example, jouissance is used broadly to refer to: visceral or passionate modes of experience (the “thrill of hate”); an array of enviable possessions (our “libidinal treasures”) perceived as under threat by cultural others; and a type of noxious “surplus vitality” possessed by such others. So, whose enjoyment are we most fundamentally concerned with in these notions of racism as jouissance, the other’s, or our own? What is the relationship between these two types of jouissance? And how are they related to a third mode, namely the “negative pleasure” of making—experiencing—such troubling attributions in the first place?

Fourth, there is ever-present problem of de-contextualization in “shorthand” applications of the term. This leads to a situation in which enjoyment itself is treated as a causative force beyond adequate consideration of a series of accompanying concepts (the frame of fantasy, the operation of the signifier, the role of the law, the “object a” as cause of desire) that necessarily accompany its proper psychoanalytic application. What auxiliary terms must thus be utilized alongside the concept if it is to serve us as a viable analytical tool?

Critique 1: the notion of enjoyment as psychologically reductionist

There is a crucial passage that is repeated in a number of Žižek’s earlier books (1992, 1993, 2005) and that serves as perhaps his most direct exposition of racism as the theft of enjoyment:

What is at stake in ethnic tensions is always [a kind of ] possession: the “other” wants to steal our enjoyment (by ruining our “way of life”) and/ or he has access to some secret, perverse enjoyment. In short, what gets on our nerves, what really bothers us about the “other” is the peculiar way he organizes his enjoyment (the smell of his food, his “noisy” songs and dances, his strange manners, his attitudes to work—in the racist perspective, the “other” is either a workaholic stealing our jobs or an idler living on our labour)” (1992: 165).

While this seems, in many ways, a gripping account, from a sociologist or historian’s perspective, the degree of reductionism is staggering. The multiple complex sociological, economic, and socio-historical variables underlying distinctive historical forms of racism are brushed aside in favor of a generalizing psychoanalytic formula. Racism = reaction to perception that the (perversely enjoying) other has stolen our enjoyment. This reduction of racism to an affective equation is evident also in Žižek’s precursor in this conceptual domain, Jacques-Alain Miller:

Why does the Other remain Other? What is the cause for our hatred of him, for our hatred of him in his very being? It is hatred of the enjoyment in the Other. This would be the most general formula for the modern racism we are witnessing today: a hatred of a particular way the Other enjoys … The question of tolerance or intolerance is … located on the level of tolerance or intolerance toward the enjoyment of the Other, the Other who essentially steals my own enjoyment (Miller, cited in Žižek 1993: 203).

The depoliticization (indeed, the implicit psychologization) inherent in such a conceptual move is surprising inasmuch it is something that Žižek has proved critical of elsewhere. In a 1998 text, for example, Žižek outlines the charge of psychological reductionism against standard psychoanalytic explanations of racism, which offer

a way of explaining racism that ignore … not only racism’s socioeconomic conditions but the sociosymbolic context of cultural values and identifications that generate reactions to the experience of ethnic otherness (1988: 154).

Surely this also applies to the racism as theft of enjoyment formula outlined above? Explanations of racism as jouissance are surely prone to psychological reductionism inasmuch as they often appear to privilege a series of psychoanalytic assumptions (drive, fantasy, libido, projection, etc.) as existing prior to—or independently of—considerations of economic, historical, political, and socio-symbolic context?

#### Pessimism is an investment in failure that precludes revolutionary potential.

Elisabetta Brighi 20, Lecturer in International Relations at the University of Westminster, “The Global Politics of Ugly Feelings: Pessimism and Resentment in a Mimetic World,” in Pessimism in International Relations: Provocations, Possibilities, Politics, Chapter 7, pg. 107-113, 2020, Springer. error and language edited.

While resentment is understood to denote a legitimate sense of anger, and a desire for justice in the face of an injury, ressentiment indicates the pernicious and self-defeating folding-in of this emotion onto itself. It is the spiteful and counterproductive mentality cultivated by victims or ‘slaves’, in Nietzsche’s famous characterisation.24 According to Max Scheler’s reading of Nietzsche’s ressentiment, the origin of this emotion lies not in questions of justice but in questions of recognition, in particular the envy that derives from comparing oneself to others and resenting one’s inferiority. ‘Envy […] is the strongest source of ressentiment. It is as if it whispers continually: “I can forgive everything, but not that you are – that you are what you are – that I am not what you are – indeed that I am not you”’.25 Ressentiment is therefore a frustrated, ossified and ultimately generalised form of resentment; it is the affect that underpins the construction of scapegoats, the exercise of revenge, and the affirmation of a negative or inverted form of enjoyment. For the subject experiencing ressentiment, enjoyment perversely comes more from the misfortunes of others than an increase in one’s well-being.

Interestingly, a number of contemporary political and social theorists, such as Wendy Brown, William Connolly but also Réne Girard, seem to be in agreement that ressentiment, rather than resentment, is one of the dominant moods of our age. The conditions of late modernity, with the apparently limitless expansion of neoliberalism and its logic of extreme competition, create the breeding ground for an explosion not so much of resentment but of ressentiment. As Wendy Brown stated, individuals are ‘starkly accountable, yet dramatically impotent’—as such, they are ‘quite literally seething with ressentiment’.26 Further, Réne Girard argued that rivalry and envy, already normally present in human relations given their inevitably mimetic nature, have escalated out of proportions in late modernity due to the very operating principles of liberal and capitalist societies. This creates an epidemic of envy and ressentiment. 27 William Connolly submitted that contemporary ressentiment is not only about the return of a Nietzschean, existential resentment against mortality and our finitude, but it is also about ‘stored resentment that has poisoned the soul and migrated to places where it is hidden and denied’, a ressentiment grown out of ‘an accumulation of justified resentments’ that got somehow congealed and encoded into the political sphere.28

While resentment has been given credit as a negative emotion with critical potential, ressentiment has not been considered generative of emancipatory possibilities. Gilles Deleuze proposed that far from being an active and positive mode of political action, ressentiment is an alienating and non-emancipatory negative emotion, one that decomposes resistance and incapacitates contestation.29 More recently, Éric Fassin has looked at the question of resentment and ressentiment in connection with the contemporary return of populism.30 In his recent book Populisme: le grand ressentiment, Fassin recognises once again the ambivalent politics of resentment which, on the one hand, has been appropriated by the right to fuel, as ressentiment, an increasing xenophobic sentiment against migrants and minorities; but, on the other hand, has also been reintroduced, qua resentment, in the discourse of the new ‘populist left’ to inspire the struggle against economic elites and for greater economic and social equality. Resentment therefore emerges as an ambivalent and ambiguous expression of our contemporary disenchantment—its political work is complex, equivocal and ever-shifting. Can the same be said about pessimism?

Pessimism as Melancholia: On the Creative Possibilities of Negativity

As a sad passion, in Spinozan terms, pessimism shares a number of characteristics with resentment. This dysphoric, non-cathartic, fat emotion suggests a degree of suspended or obstructed agency—either in the subject, or in the context that gave rise to such feelings. Moods associated with pessimism, such as cynicism and above all melancholia, were central to nineteenth-century existentialism in the same way as resentment. As signals of radical alienation from the system and, as such, affects with critical potential, these moods were also valued in the process of critique of modernity. However, can the same be said now about contemporary forms of pessimism? Is the politics of pessimism today as ambiguous and slippery as the politics of resentment, caught between emancipatory and reactionary tendencies? In what follows I concentrate on pessimism understood as melancholia, starting from how one of the foremost pessimists of the last century, Sigmund Freud, introduced and understood such concepts.

The series of works that properly started psychoanalysis at the turn of the twentieth century are arguably imbued with a pessimism that, on the one hand, has survived until today and, on the other, reflects Freud’s own sense of helplessness in the face of the human condition, as well as the specific cultural and political developments leading up to the two World Wars. Freud’s pessimism developed gradually to assume an ontological and metaphysical, as well as cultural and ethical, nature.31

The foundation of Freud’s ontological and metaphysical pessimism can be traced to the rejection of the Enlightenment’s optimism regarding the place of rationality and freedom of the will in human nature. Freud’s inquiry into the unconscious is nothing but an attempt to debunk the illusion that human beings determine their own destiny out of a rational and realistic pursuit of happiness. To start with, Freud’s theory of subjectivity places the conscious, rational self (the ego) in a complex triangle of forces which constantly threaten to overpower it— some of these wholly unconscious (the id), some super-conscious (the super-ego). Either way, to use Freud’s famous expression, our rational self, our ego, is not ‘master in its own house’.32 As a consequence, any sense of conscious control and direction over our own lives is bound to be severely limited; indeed, it is an illusion. Happiness, furthermore, is more futile and less realistic a prospect than its opposite, pain. Although our lives are dictated by instincts aimed at satisfying ‘the programme of the pleasure principle […], this programme is at loggerheads with the whole world’. As Freud laconically notes in Civilisation and its Discontents, ‘one feels inclined to say that the intention that man should be “happy” is not included in the plan of “Creation”’.33

From these ontological and metaphysical considerations, a strong form of ethical and cultural pessimism follows. Firstly, as Freud readily concedes in his 1920 book Beyond the Pleasure Principle, love and our libidinal instincts provide only one of the two foundations upon which our existence is built—the other foundation being an equally powerful set of instincts, born out of aggression and driven by the death principle. ‘As well as Eros, there [is] an instinct of death. The phenomena of life could be explained from the concurrent or mutually opposing action of these two instincts’.34 Aggressiveness is an ‘indestructible’ feature of human nature, admits Freud after approvingly citing the Latin maxim ‘homo homini lupus’.35 If the father of psychoanalysis was pessimistic about the human condition, he was even more disenchanted about the future of civilisation. That the instinct to destroy and kill has been a constant force since the dawn of humanity is testified by Freud’s assertion in Totem and Taboo that, at the root of civilisation and culture, one finds murder—namely, the foundational murder of the primal father.36 Civilisation, therefore, is nothing but an immense attempt at maintaining peace—a fragile state of affairs perpetually ‘threatened with disintegration’.37

The two World Wars only reinforced Freud’s sense of the irreparably flawed nature of the human endeavour, revealing how unstable (and hypocritical) our civilisational foundations were, and how illusory the chances of peace. In his 1915 essay, Timely Reflections on War and Death, Freud writes: ‘war cannot be done away with; as long as the conditions of life of the various nations are so different and the conficts between them so violent, wars will be inevitable […]. We remember the old proverb: Si vis pacem, para bellum. This might be the time to alter it to read as follows: Si vis vitam, para mortem. If you wish to endure life, prepare yourself for death’.38 Furthermore, in his 1933 exchange of letters with Albert Einstein, with Nazism on the rise in Germany, Freud restated his belief that any attempt to outlaw war was bound to fail: ‘The ideal condition of things would of course be a community of men who had subordinated their instinctual life to the dictatorship of reason… But in all probability that is a Utopian expectation’.39

The problem of loss and death, so vividly imprinted in Freud’s consciousness by two World Wars, the loss of his beloved daughter Sophie, and his own persecution as a Jewish intellectual, occupies a central place in Freud’s entire psychoanalytical palimpsest. The question of how to cope with loss and death animates, in particular, Freud’s 1917 paradigm-altering reflections on Mourning and Melancholia. 40 Arguably, this contribution provides an essential angle into the varieties and complexities of pessimism, both past and contemporary. While in his early work Freud understood melancholia as a form of depression of variable intensity, drawing on the then popular theory of neurasthenia, two decades later Freud identified mourning and melancholia more specifically as two different responses to the same problem, that of loss. If mourning is the normal mechanism through which we struggle to come to terms with the loss of an object to which we are consciously attached, melancholia is the affect generated by our inability to fully integrate loss. Appalled by the loss of the loved object, the melancholic subject refuses to let it go, to the point that they identify and fuse with it, at the expense of their own self: ‘in mourning it is the world which has become poor and empty; in melancholia it is the ego itself’.41 Thus, despite the pain and disappointment that its loss has caused, the loved object is safe, but the melancholic subject is not—they start tormenting and criticising themselves, losing faith in their own self. ‘If the love for the object, which cannot be abandoned while the object itself is abandoned, has fed into narcissistic identifcation, hatred goes to work on this substitute object. […] And this signifes the satisfaction of tendencies of sadism and hatred, which are […] turned back against the subject’s own self’.42 This is how, according to Freud, pessimism turns into melancholia and, oftentimes, into a form of mania—via a narcissistic regression and an unacknowledged rejection of the ambivalence the subject felt towards the loved object in the first place.

If this is Freud’s understanding of pessimism and melancholia, it is worth asking now what the political work of pessimism and, in particular, melancholia might be. As in the case of resentment, my argument is that this sentiment of disenchantment has translated into an ambivalent, equivocal and at times perverse kind of politics, suspended between action and reaction. A contemporary of Freud, Walter Benjamin, was the first to warn against the prevalence of a certain pessimistic, indeed melancholic, attitude especially among progressives on the Left. Benjamin mocked self-professed radicals of his time for merely mimicking the needs of the proletariat while being devoid of any genuine revolutionary praxis, thus providing a ‘papier-maché’ version of ‘the revolutionary gesture, the raised arm, the clenched fst’.43 Benjamin was, in other words, concerned about the way in which critique could turn into an empty and narcissistic nihilism, a ‘negativistic quiet’ which provided these intellectuals ‘comfortable arrangements […] in an uncomfortable situation’.44

More recently, the debate about the future of the Left after 1989, the crisis of social democratic parties, and the global recession of 2008, has once again trodden on the terrain of pessimism and melancholia, assessing the political potential and pitfalls of these moods. In a 1999 piece titled ‘Resisting Left Melancholy’, Wendy Brown returned to both Freud and Benjamin to launch an attack against the way the Left had fundamentally failed to reorganise and restructure itself after the end of Communism.45 Brown accused the Left of being ‘more attached to its impossibility than to its potential fruitfulness, to its own marginality and failure rather than its hopefulness’.46 Although to some extent inevitable, given the Left’s siding with the underprivileged and the marginal, progressives had developed an unhealthy, traumatic attachment to defeat, including the historical defeats of the twentieth century. The Left, notes Brown, seems to be caught in ‘a structure of melancholic attachment to a certain strain of its own dead past, whose spirit is ghostly, whose structure of desire is backward looking and punishing’.47 It is precisely the sentiments of pessimism and melancholia ‘about broken promises and lost compasses’ that create ‘potentially conservative and even self-destructive undersides of putatively progressive political aims’.48 Similarly to Benjamin, Brown intended to warn against the subtle nihilism of melancholia and the way this risked incapacitating and [freezing] ~~paralysing~~ the Left precisely at a time of great need for a revived left-wing politics.

In contrast to Brown’s arguments, Enzo Traverso presented an alternative view of a melancholic left-wing politics, one able to depathologise melancholia, celebrate a form of healthy, rather than self-satisfied, nihilism and rehabilitate it as a potential site of resistance.49 Traverso agrees that after the ‘eclipse of utopias’, the Left cannot but be burdened with a sadness it cannot dispel, which comes from defeat. However, sadness, detachment and irony can be points of departure—notwithstanding the imperatives of political action. After all, the transformation of the world, he suggests, can never be anything more than a ‘melancholic bet’.50 Along similar lines, in Capitalist Realism, Mark Fisher offered important reflections on the role of negative feelings in building a progressive future.51 Although recognising that there is probably no escape from neoliberalism and its pervasiveness, Fisher is critical especially of that kind of left-wing politics which has replaced class analysis with moralism, solidarity with guilt and fear—appropriating forms of bourgeois nihilism that traditionally would be the purview of conservative movements. Recuperating the lessons of Marcuse and Adorno, Fisher contrasts this form of impotent melancholia and nihilistic pessimism with the real power of negative thinking, which can only consist of a conscious and deliberate politicisation of the overwhelmingly negative emotions of our age.52 The project of turning depression into anger was not one that Fisher himself could carry out in his own life.53 However, I would argue it remains his most important legacy.

Feeling Dangerously—Final Thoughts

It would be bad enough to inhabit a world swallowed by rising tides of negative emotions. What this chapter sought to demonstrate is that the real complexity of the ugly feelings currently sweeping across the four continents is their treacherous, ambiguous and duplicitous nature. Resentment and pessimism have both gone global and constitute an important affective vector of international politics today. And yet, if there is certainly virtue in ‘feeling bad’, that is, feeling resentful or pessimistic, when this condition corresponds respectively to a clear commitment to pursue questions of global justice, or expose the affective micro-foundations that sustains neoliberal forms of exploitation, these sentiments of disenchantments can just as easily be hijacked by global political actors in an attempt to sustain narcissistic, self-satisfied subjectivities, incapable of acting politically and confined to narrow horizons. Spinoza famously argued that, insofar as it incapacitates action, inspiring sad passions is necessary for the exercise of power and indeed functional to the maintenance of hegemonic regimes and the stifling of any resistance.54 Before and contra Nietzsche, he was unconvinced that pessimism could lead to the life-affirming joy necessary for acting in the world—just as he condemned resentment and, a fortiori, ressentiment in as categorical a way as Nietzsche two centuries later. Therefore, today we should be asking ourselves whether the global hegemony of deeply conservative projects such as neoliberalism, or the growing threat of global fascism, can truly be tackled without questioning the envious, narcissistic and nihilistic affects on which these developments critically rely.

# 1AR

## Racial Cap

#### They have it backwards—systems of racial subjection perpetuate because the fundamentals of the system are weak and need reconstituting, not because it is ontologically enclosed.

Robin **Kelley 17**, UCLA American History professor, “Robin D.G. Kelley & Fred Moten In Conversation,” transcribed from <https://www.youtube.com/watch?v=fP-2F9MXjRE>, 1:57:36-2:02:56,

KELLEY: Um, Fred—Fred will take most of these questions. So that's why I'm going to begin first because he's gonna, he's gonna—he's gonna end it because he, he, he has the answer to all these questions ‘cause I turn to him for these questions. On the specific, on the first question, I just want to make sure I understand it because I'm, you know, I don't always recognize, uh, it may be because I'm just old, but I don't always recognize, uh, that black politics, black [unclear—maybe “guys”] work politics have been **structured** or **defined** by white supremacy. I mean, white supremacy is there. And I guess maybe because I'm such a student of Cedric Robinson, you know, **not everything is about**, or **in response to**, white supremacy. And in fact, one of the critiques coming out of doing Southern history was this idea that race relations framework, that race relations defines, uh, African-American history or Black history. And it's **simply not true** because much of what people do in terms of, of **social formation**, **community building**, um, is, is, is what Raymond Williams might call alternative cultures. In other words, it may be **structured in dominance** in some ways, but **not defined by it**. And Cedric's Black Marxism, you know, really made this point. He talks about the **ontological totality**, you know, the, this sense of being and making ourselves whole, in that we come out of an experience, again, structured by white supremacy, structured by violence, **structured by enslavement** and **dispossession**, but, but one in which **western hegemony didn't work**, you know, that modes of thinking wasn't defined by Enlightenment modes of thinking. In other words, that, that part of the Black radical tradition is a **refusal to be property**, to **even admit that human beings could be property**. You know, so we sometimes give white supremacy **way too much credit**, and maybe I misunderstood the question. And so I think that there's lots of things that happen outside of joy and survival, and survival is important, but survival is not the end all, you know. So I think, and I'll give you one very, very specific example, and now I'm not gonna say anything else after this. The way we have tended to more recently treat **slavery**, **Jim Crow** and **mass incarceration** as a piece, as the **reinstantiation of the same thing**, the **continuation**, that **denies the fact** that these systems are **actually distinct**, that they are **historically specific**, and in fact they’re **responses** to, in many ways, to the **weakness** of this as a racial regime. So if you think of like the whole idea of the new Jim Crow to me is very, very problematic. Um, although that book by Michelle Alexander is very, very powerful and very useful in terms of educating people about prisons. Jim Crow was **not the continuation of slavery**. It was not. Jim Crow was a **response to the Black Democratic**, uh, **upsurge** after slavery. It was a revolution of Reconstruction. It was a way to try to suppress that. The fact that, that, you know, there was this incredible response. That's why there's a, there's a **huge gap** between 1877 at the official end of Reconstruction and the rise of Jim Crow, which is the 1890s, disfranchisement, lynching. That's because you've had **13**, **14**, **15**, **20**, **25 years** of a **democratic possibility** and **struggle**. The **same thing with mass incarceration**