# 1nc round 2

## offcase

### 1nc – t

#### The text of the resolution calls for debate on hypothetical government action – they don’t meet

Ericson 03 (Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action though governmental means. 4. A specification of directions or a limitation of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### Our impact is debatability—there are two internal links:

#### Limits. A bounded topic serves as a predictable stasis point for debate that guarantees thematic coherence. Absent defined limits, debate’s competitive incentives create a race to the margins which distorts topic research.

#### Ground. A pre-defined controversy ensures a vibrant lit base and in-depth clash, but it’s unreasonable to prepare for alternative frameworks with the ground allocated to us by the parameters of the resolution All 2AC defense to this claim will rely on concessionary ground, which isn’t a stable basis for a year of debate.

#### Those are key to perform the role of the negative, which outweighs—the role of the ballot is to vote for whoever does the better debating over the resolutional question. Any 2AC role for debate must explain why we switch sides and why there has to be a winner and a loser—switching sides within the competitive yet limited bounds of the topic performs the labor of the negative which avoids group polarization and untested advocacy—this does not limit particular styles, but only tying those to topical advocacy ensures clash which is the only metric for determining the winner

Poscher 16—director at the Institute for Staatswissenschaft and Philosophy of Law at the University of Freiburg (Ralf, “Why We Argue About the Law: An Agonistic Account of Legal Disagreement”, *Metaphilosophy of Law*, Tomasz Gizbert-Studnicki/Adam Dyrda/Pawel Banas (eds.), Hart Publishing, forthcoming, dml)

Hegel’s dialectical thinking powerfully exploits the idea of **negation**. It is a **central** feature of spirit and consciousness that they have the power to negate. The spirit “is this power only by looking the negative in the face and tarrying with it. This […] is the magical power that converts it into being.”102 The tarrying with the negative is part of what Hegel calls **the “labour of the negative”**103. In a loose reference to this Hegelian notion Gerald Postema points to yet another feature of disagreements as a **necessary ingredient** of the process of practical reasoning. Only if our reasoning is **exposed to contrary arguments** can we **test its merits**. We must go through **the “labor of the negative”** to have trust in our deliberative processes.104

This also holds where we seem to be in agreement. Agreement without exposure to disagreement can be **deceptive** in various ways. The first phenomenon Postema draws attention to is the **group polarization** effect. When a group of like‐minded people deliberates an issue, informational and reputational cascades produce more extreme views in the process of their deliberations.105 The polarization and biases that are well documented for such groups106 can be **countered** at least in some settings by the **inclusion of dissenting voices**. In these scenarios, disagreement can be a cure for dysfunctional deliberative polarization and biases.107 A second deliberative dysfunction mitigated by disagreement is **superficial agreement**, which can even be manipulatively used in the sense of a “presumptuous ‘We’”108. Disagreement can help to police such distortions of deliberative processes by challenging superficial agreements. Disagreements may thus signal that a deliberative process is not contaminated with dysfunctional agreements stemming from polarization or superficiality. Protecting our discourse against such contaminations is valuable **even if we do not come to terms**. Each of the opposing positions will **profit from the catharsis it received** “by **looking the negative in the face** and **tarrying with it**”.

These advantages of disagreement in collective deliberations are mirrored on the individual level. Even if the probability of reaching a consensus with our opponents is **very low from the beginning**, as might be the case in deeply entrenched conflicts, entering into an exchange of arguments can still serve to **test** and **improve our position**. We have to **do the “labor of the negative” for ourselves**. Even if we cannot come up with a line of argument that coheres well with everybody else’s beliefs, attitudes and dispositions, we can still come up with a line of argument that achieves this goal **for our own personal beliefs**, attitudes and dispositions. To provide ourselves with the most coherent system of our own beliefs, attitudes and dispositions is – at least in important issues – an aspect of personal integrity – to borrow one of Dworkin’s favorite expressions for a less aspirational idea.

In hard cases we must – in some way – lay out the argument for ourselves to figure out what we believe to be the right answer. We might not know what we believe ourselves in questions of abortion, the death penalty, torture, and stem cell research, until we have **developed a line of argument** against the background of our subjective beliefs, attitudes and dispositions. In these cases it might be rational to **discuss the issue** with someone unlikely to share some of our more fundamental convictions or who **opposes the view** towards which we lean. This might even be **the most helpful way of corroborating a view**, because we know that our adversary is **much more motivated** to find a potential flaw in our argument than someone with whom we know we are in agreement. It might be more helpful to discuss a liberal position with Scalia than with Breyer if we want to make sure that we have not overlooked some counter‐argument to our case.

It would be **too narrow** an understanding of our practice of legal disagreement and argumentation if we restricted its purpose to **persuading an adversary** in the case at hand and inferred from this narrow understanding the **irrationality of argumentation** in hard cases, in which we know beforehand that we will not be able to persuade. Rational argumentation is a much more complex practice in a more complex social framework. Argumentation with an adversary can have **purposes beyond persuading** him: to **test one’s own convictions**, to **engage our opponent** in inferential commitments and to **persuade third parties** are only some of these; to **rally our troops** or **express our convictions** might be others. To make our peace with Kant we could say that “there must be a hope of coming to terms” with someone though not necessarily with our opponent, but maybe only a third party or even just ourselves and not necessarily only on the issue at hand, but maybe through inferential commitments in a different arena.

f) The Advantage Over Non‐Argumentative Alternatives

It goes without saying that in real world legal disagreements, all of the reasons listed above usually play in concert and will typically hold true to different degrees relative to different participants in the debate: There will be some participants for whom our hope of coming to terms might still be justified and others for whom only some of the other reasons hold and some for whom it is a mixture of all of the reasons in shifting degrees as our disagreements evolve. It is also apparent that, with the exception of the first reason, the rationality of our disagreements is of a **secondary nature**. The rational **does not lie** in the discovery of a **single right answer** to the topic of debate, since in hard cases there are no single right answers. Instead, our disagreements are instrumental to rationales which lie beyond the topic at hand, like the **exploration of our communalities** or of our **inferential commitments**. Since these reasons are of this secondary nature, they must **stand up to alternative ways** of settling irreconcilable disagreements that have other secondary reasons in their favor – like swiftness of decision making or using fewer resources. Why does our legal practice **require lengthy arguments** and **discursive efforts** even in appellate or supreme court cases of irreconcilable legal disagreements? The closure has to come by some non‐argumentative mean and courts have always relied on them. For the medieval courts of the Germanic tradition it is bequeathed that judges had to fight it out literally if they disagreed on a question of law – though the king allowed them to pick surrogate fighters.109 It is understandable that the process of civilization has led us to non‐violent non‐ argumentative means to determine the law. But what was wrong with District Judge Currin of Umatilla County in Oregon, who – in his late days – decided inconclusive traffic violations by publicly flipping a coin?110 If we are counting heads at the end of our lengthy argumentative proceedings anyway, why not decide hard cases by **gut voting at the outset** and **spare everybody the cost** of **developing elaborate arguments** on questions, where there is not fact of the matter to be discovered?

One reason lies in the mixed nature of our reasons in actual legal disagreements. The different second order reasons can be held apart analytically, but not in real life cases. The hope of coming to terms will often play a role at least for some time relative to some participants in the debate. A second reason is that the objectives listed above **could not be achieved by a non‐argumentative procedure**. Flipping a coin, throwing dice or **taking a gut vote** would not help us to **explore our communalities** or our inferential commitments nor help to **scrutinize the positions** in play. A third reason is the overall rational aspiration of the law that Dworkin relates to in his integrity account111. In a justificatory sense112 the law aspires to give a coherent account of itself – even if it is not the only right one – required by equal respect under conditions of normative disagreement.113 Combining legal argumentation with the non‐argumentative decision‐ making procedure of counting reasoned opinions serves the coherence aspiration of the law in at least two ways: First, the labor of the negative reduces the chances that constructions of the law that have major flaws or inconsistencies built into the arguments supporting them will prevail. Second, since every position **must be a reasoned one** within the given framework of the law, it must be one that **somehow fits** into the **overall structure** of the law along **coherent lines**. It thus protects against **incoherent “checkerboard” treatments**114 of hard cases. It is the **combination** of **reasoned disagreement** and the **non‐rational decision‐making mechanism** of counting reasoned opinions that provides for both in hard cases: a decision and one – of multiple possible – coherent constructions of the law. Pure non‐rational procedures – like flipping a coin – would only provide for the decision part. Pure argumentative procedures – which are not geared towards a decision procedure – would **undercut the incentive structure** of our agonistic disagreements.115 In the face of unresolvable disagreements endless debates would seem an idle enterprise. That the debates are **about winning** or **losing** helps to **keep the participants engaged**. That the decision depends on **counting reasoned opinions** guarantees that the engagement **focuses on rational argumentation**. No plain non‐argumentative procedure would achieve this result. If the judges were to **flip a coin** at the end of the trial in hard cases, there would be **little incentive** to engage in an **exchange of arguments**. It is specifically the count of reasoned opinions which provides for rational scrutiny in our legal disagreements and thus contributes to the rationales discussed above.

2. THE SEMANTICS OF AGONISTIC DISAGREEMENTS

The agonistic account does not presuppose a fact of the matter, it is not accompanied by an ontological commitment, and the question of how the fact of the matter could be known to us is not even raised. Thus the agonistic account of legal disagreement is not confronted with the metaphysical or epistemological questions that plague one‐right‐answer theories in particular. However, it must still come up with a semantics that explains in what sense we **disagree about the same issue** and are not just **talking at cross purposes**.

In a series of articles David Plunkett and Tim Sundell have reconstructed legal disagreements in semantic terms as metalinguistic negotiations on the usage of a term that at the center of a hard case like “cruel and unusual punishment” in a death‐penalty case.116 Even though the different sides in the debate define the term differently, they are **not talking past each other**, since they are engaged in a metalinguistic negotiation on the use of **the same term**. The metalinguistic negotiation on the use of the term serves as a **semantic anchor** for a disagreement on the substantive issues connected with the term because of its functional role in the law. The “cruel and unusual punishment”‐clause thus serves to argue about the permissibility of the death penalty. This account, however only provides a very superficial semantic commonality. But the commonality between the participants of a legal disagreement go deeper than a discussion whether the term “bank” should in future only to be used for financial institutions, which fulfills every criteria for semantic negotiations that Plunkett and Sundell propose. Unlike in mere semantic negotiations, like the on the disambiguation of the term “bank”, there is also some kind of identity of the substantive issues at stake in legal disagreements.

A promising route to capture this aspect of legal disagreements might be offered by recent semantic approaches that try to accommodate the externalist challenges of realist semantics,117 which inspire one‐right‐answer theorists like Moore or David Brink. Neo‐ descriptivist and two‐valued semantics provide for the theoretical or interpretive element of realist semantics without having to commit to the ontological positions of traditional externalism. In a sense they offer externalist semantics with no ontological strings attached.

The less controversial aspect of the externalist picture of meaning developed in neo‐ descriptivist and two‐valued semantics can be found in the deferential structure that our meaning‐providing intentions often encompass.118 In the case of natural kinds, speakers defer to the expertise of chemists when they employ natural kind terms like gold or water. If a speaker orders someone to buy $ 10,000 worth of gold as a safe investment, he might not know the exact atomic structure of the chemical element 79. In cases of doubt, though, he would insist that he meant to buy only stuff that chemical experts – or the markets for that matter – qualify as gold. The deferential element in the speaker’s intentions provides for the specific externalist element of the semantics.

In the case of the law, the meaning‐providing intentions connected to the provisions of the law can be understood to defer in a similar manner to the best overall theory or interpretation of the legal materials. Against the background of such a semantic framework the conceptual unity of a linguistic practice is not ratified by the existence of a single best answer, but by the unity of the interpretive effort that extends to legal materials and legal practices that have sufficient overlap119 – be it only in a historical perspective120. The fulcrum of disagreement that Dworkin sees in the existence of a single right answer121 does not lie in its existence, but in **the communality of the effort** – if only on the basis of an **overlapping common ground** of legal **materials**, **accepted practices**, **experiences** and **dispositions**. As two athletes are **engaged in the same contest** when they **follow the same rules**, **share the same concept of winning and losing** and act in the same context, but **follow very different styles** of e.g. wrestling, boxing, swimming etc. They are in the same contest, **even if there is no single best style** in which to wrestle, box or swim. Each, however, is engaged in developing the best style to win against their opponent, just as two lawyers try to develop the best argument to convince a bench of judges.122 Within such a semantic framework even people with radically opposing views about the application of an expression can still **share a concept**, in that they are **engaged in the same process** of theorizing over **roughly the same legal materials** and **practices**. Semantic frameworks along these lines allow for adamant disagreements without abandoning the idea that people are **talking about the same concept**. An agonistic account of legal disagreement can build on such a semantic framework, which can explain in what sense lawyers, judges and scholars engaged in agonistic disagreements are **not talking past each other**. They are engaged in developing the best interpretation of roughly the same legal materials, albeit against the background of diverging beliefs, attitudes and dispositions that lead them to divergent conclusions in hard cases. Despite the divergent conclusions, semantic unity is provided by the **largely overlapping legal materials** that **form the basis** for their disagreement. Such a semantic **collapses** only when we **lack a sufficient overlap** in the materials. To use an example of Michael Moore’s: If we wanted to debate whether a certain work of art was “just”, we share neither paradigms nor a tradition of applying the concept of justice to art such as to engage in an intelligible controversy.

### 1nc – frames

#### First – our links:

#### Amid its K of ableist discourse, the Aff deploys ableist language:

#### Zavitsanos ev uses the phrase “see” three times. Those deployments entrench ableism.

Schalk 13

Sami Schalk - MFA in Creative Writing (Poetry) from University of Notre Dame and PhD in Gender Studies from Indiana University. Was affiliated w. The Department of Gender Studies, Indiana University at the time of this writing – now is an Assistant Prof at UW-Madison.– “Ableist Metaphors in Feminist Writing” - Disability Studies Quarterly 33(4) – September 2013 - #E&F - <https://dsq-sds.org/article/view/3874/3410>) \*the 1nc has denoted a strikethough for language that is recognized and rejected by the neg team

In short, an ableist perspective undergirds such philosophical and scientific explanations of metaphor. As Amy Vidali (2010) shows in "Seeing What We Know: Disability and Theories of Metaphor," Lakoff and Johnson's claims are ableist insofar as they assume that all bodies have certain physical/cognitive/sensory experiences and that people generally use related metaphorical expressions that correspond to these experiences (notably, they repeatedly refer to the metaphor of "knowing is seeing") (34; emphasis in Vidali). Lakoff and Johnson (1980) claim to philosophically reject notions of objective or absolute truth in favor of the multiplicity of human experiences of the body which come to structure "the way we learn to reason and use metaphor" (ix-x); in their text, however, "able bodies take precedence" through the assumption that all bodies can see, hear, speak and move in normative ways (Vidali 2010, 38). Experiences of disabled bodies are refused meaningful existence and elaboration within cognitive metaphor theory. The theory assumes that there can be no common cultural metaphors based upon the experiences of tremors, stuttering, or using a wheelchair because these experiences are regarded as random, accidental, and idiosyncratic. Within the terms of the theory, nondisabled experiences are considered the universal grounding of metaphor, despite the fact that not even all people who (for instance) see, hear, speak, and walk perform and experience these actions in exactly the same way, especially given that these actions are in many ways conditioned by factors such as gender, age, and body size.

#### Our Alt: We can defend the rest of their advocacy and negate only certain parts. 2NR consolidation is the best alt:

#### One – no plan means any part of the 1AC can become the nexus question by the 2AR, we should reciprocally get to conditionally critique their frames and narrow the debate to parts of disagreement by the 2NR.

#### Two – – Praxis: our model teaches a form of engagement that corrects flaws in political strategies. Rejecting our approach is normatively worse for the Aff’s own cause.

Williams ’15 Douglas Williams is a third-generation organizer, He earned his BA in Political Science at the University of Minnesota at Morris and his MPA at the University of Missouri Columbia, where he was also a Thurgood Marshall Fellow and a Stanley Botner Fellow. He is currently a doctoral student in political science at Wayne State University in Detroit, where his research centers around public policy as it relates to disadvantaged communities and the labor movement. From the article: “The Dead End of Identity Politics” - From: The South Lawn - March 10, 2015 – Internally quoting Freddie DeBoer, Lecturer, Purdue University. DeBoer holds a PhD in Rhetoric and Composition from Purdue and an MA in English, concentration in Writing and Rhetoric from The University of Rhode Island, Modified for potentially objectionable language. In one instance a capital “B” was adjusted to a lower case “b” in a manner that boosted readability, but did not alter context. https://thesouthlawn.org/2015/03/10/the-dead-end-of-identity-politics/

Freddie DeBoer makes a great point in his piece on what he calls “critique drift“: “This all largely descends from a related condition: many in the broad online left have adopted a norm where being an ally means that you never critique people who are presumed to be speaking from your side, and especially if they are seen as speaking from a position of greater oppression. I understand the need for solidarity, I understand the problem of undermining and derailing, and I recognize why people feel strongly that those who have traditionally been silenced should be given a position of privilege in our conversations. B(b)ut critique drift demonstrates why a healthy, functioning political movement can’t forbid tactical criticism of those with whom you largely agree. Because critical vocabulary and political arguments are common intellectual property which gain or lose power based on their communal use, never criticizing those who misuse them ultimately disarms (hampers) the left. Refusing to say ‘*this* is a real thing, but you are not being fair or helpful in making *that* accusation right now’ alienates potential allies, contributes to the burgeoning backlash against social justice politics, and prevents us from making the most accurate, cogent critique possible.”

----- (Williams is now no longer quoting DeBoer)

Look, I am Black. Also, sometimes, I can be wrong. Those two things are not mutually exclusive, and yet we have gotten to a point where any critique of tactics used by oppressed communities can result in being deemed “sexist/racist/insert oppression here-ist” and cast out of the Social Justice Magic Circle. And listen, maybe that is cool with some folks. Maybe the revolution that so many of these types speak about will simply consist of everyone spontaneously coming to consciousness and there will be no need for coalitions, give-and-take, or contact with people who do not know every word or phrase that these groups use as some sort of litmus test for the unwashed. But for the rest of us who reside in a reality-based world, where every social interaction is not tailored for your idiosyncratic indignations, we know that casting folks out for the tiniest of offenses will lead to a Left that will forever be marginalized and ineffective. I have stated before that the kind of people who put out these lists and engage in the kind of identitarian caterwauling that has become rote copy on the Internet might actually want that, as a world where left-wing activism is made potent and transformative will be one where they cannot simply take comfort in their cocoon of self-righteousness. But damn them when I can turn on my computer and ~~see~~ one Black person after another being gunned down by police. Damn them when we have a president that can sit there with a straight face and speak the words of freedom and liberation while using the power at his disposal to deny those very concepts to others. And damn them when we can get thousands of words on Patricia Arquette drunk at a party or how it is privileged to not like the same musicians that they do, but we cannot seem to get any thoughts on how the biggest moment for communities of color since the 1960s is being squandered in a hail of intergenerational squabbling. And do not even get me started on people writing articles that malign long-standing activist organizations without a whiff of evidence that there has been any wrongdoing on their part.

#### Three – contingent agreement is good: negating the whole aff makes only the most extreme stances strategic, like prejudice is good. We should debate framing strategies rather than impact turns to injustice

#### Four – its fair: frame subtraction auto gives the aff ground – just defend the stances of the 1AC. There are net benefits to this Alt other than just the Condit cards. It applies to other frames that we’ve critiqued.

### 1nc – adv cp

#### Counter-advocacy:

#### Considering it our responsibility to respond to the failure of anti-trust law to regulate Dow, David and I affirm eliminating limited liability protections for “the Dow Chemical Company, and all similar American Corporations,” which have “lost their right to exist.” [1]

1---<http://www-personal.umd.umich.edu/~ppennock/doc-Letter%20to%20Dow%20Chemical.htm>

#### It’s mutually exclusive with “re-directing time and energy away from misplaced faith in liberal institutions” – BUT is the only way to solve BOTH the case AND exploitation of care work – counterplan re-interprets antitrust law’s central purpose – not to promote competition, but rather to allocate coordination rights over the economy. Antitrust’s main permissive function is the firm exemption, which grants coordination rights to corporations with limited liability legal protections. This fundamental goal makes antitrust the lynchpin of economic organization, and a necessary component of any anti-corporate politics. By closing the firm exemption, the counterplan enables a social democratic vision of economic control, whereby coordination rights are granted instead to the state, co-ops, collectives, and/or unions – making collective habits of renewal and survival effective

Marshall Steinbaum et al 20, Assistant Professor of Economics at the University of Utah, Left Anchor, podcast episode 155: “Socialism vs. Antitrust with Marshall Steinbaum,” 9/12/20, transcribed by Otter, https://leftanchor.podbean.com/e/episode-155-socialism-vs-antitrust-with-marshall-steinbaum/

Marshall Steinbaum 31:39

But yeah, I mean, there's a kind of what you were saying, I definitely agree with that, I guess I would push back a little bit on the kind of interpretation of the states moving away. And so like, the only thing that matters is what whether Tim Cook allows Uber to make a living, as opposed to whether, you know, the taxing authorities of every city and their state labor departments and the FTC FTC have a say on it. Like they're, they're, you know, small potatoes in comparison to the CEO of some company. I think I mean, that's true about, you know, who wields power in the economy. But it's not right to say that that's because the state has retreated and sort of ceded all control to, to the capitalist, I think we have to understand the state's involvement or policies involvement as being, you know, kind of inescapable. So the question is like, okay, so you've got, you know, like, incorporation statutes, like who's allowed to be a company to enjoy limited liability or whatever, like, people don't think of that as being part of economic policy. But it absolutely is not just, you know, is Apple allowed to be a corporation or not a corporation as, as you know, say it's a California Corporation? I mean, it's probably a Delaware Corporation, but whatever, you know, can it operate across state lines? You know, these were big issues in the 19th century. Nowadays, we get things like, oh, if you're a corporation, then basically anything you want to do is legal under the antitrust laws, you know, but people who are not corporations cannot act together under the antitrust laws. So for example, you know, you're talking about like, oh, Uber could be liable under antitrust for this gigantic price fixing conspiracy. Through, executed through verticals restraints, yes. You know, who has actually been found to be liable under the antitrust laws? Uber drivers for potentially collectively bargaining their wages against Uber. So that it's this idea that like, Oh, you know, these individual drivers, like they're independent businesses operating on this neutral platform, but they can't get together. That's what the antitrust laws forbid. Whereas this one gigantic corporation that dominates them that is absolutely allowed to do whatever it wants. So this is the kind of concept that my my colleague and collaborator Sanjukta Paul is called the allocator, antitrust is an allocator of coordination rights and the title of her paper. This idea is like, who's allowed to coordinate economic activity? Is it it, and what she says is that antitrust has what's called the firm exemption. So here she's drawing on what what, you know, most every antitrust person recognizes and is known in the jurisprudence is the labor exemption, which is that labor unions bargaining wages within a recognized bargaining framework cannot violate the antitrust law through that collective bargaining. So that the idea is that's an exemption to antitrust's usual, preference for competition. What she says is, you know, we have to reinterpret that as being, as there being a firm exemption to antitrust, which is Uber telling everybody what to do, that has an exemption from antitrust law by virtue of the fact that Uber is a corporation and or the way that we have chosen to allocate coordination rights in her framework is to allow Uber to coordinate entire markets in the case of Apple to allow Apple to determine what is presented on its on its app store and you know, it has, you know, pretty, you know, strong representation in the retail smartphone market. So it's like okay, you know, Uber is probably going for relative upscale clientele, they all have iPhones, if it can't get on the iPad, if it can't get on the App Store can't get on the iPhone. And if you can't get on the iPhone, they have no business. You know, that is the allocation of coordination rights over that market to Apple, as opposed to some other mechanism for allocating coordination rights. And this is where, you know, to get back to what we were talking about earlier, anti monopolist framework would say, you know, there's no reason why Apple gets to be the one who decides who sees what, why don't we potentially, you know, in a kind of Co Op context, give, give that right to, you know, a consortium or, you know, quote unquote, union of app developers, or in the case of, say, ride sharing, like, why don't we have a union of taxi drivers, and they determine, you know, who gets who gets matched with which customer and what the fare is, as opposed to the company determining that

Alexi 35:48

this is so important, and I think it's really worth emphasizing, you know, the point about how jurisprudence and an antitrust enforcement does what she said, and so far as it, it chooses sides, and who can coordinate these things and who's autonomous and who has power. And since we're speaking of Apple, maybe you can talk a bit about how sanitation workers right at Kodak, Kodak back in the 80s had more power to coordinate and kind of exert their their power over sanitation workers at Apple, right in contemporary times, and then you write about how that is kind of an example of, you know, how the separation of workers from lead firms is kind of a simultaneous erosion of the in the jurisprudence of the Sherman act prohibitions on vertical restraints. So, yeah, maybe talk even a bit more about about the importance of this.

Marshall Steinbaum 36:40

Yeah, so that's getting to what a great economist David Weil has called the fissured workplace. And I think you're referring specifically to a article that was published, I think, by Neil Irwin, if I recall, correctly, in the New York Times, a couple years ago, that was profiling two specific people, one of whom had been kind of janitorial worker on payroll at Kodak in the early 80s. And like, she had basically benefited from their, you know, corporate policies that included incentives to like go to community college and get credentials. And so she got qualified as I you know, sort of IT person, she was like, trained on Lotus 123, or something from the, you know, from the dark history of personal computing. You know, she kind of worked her way up through the ranks at Kodak, thanks to the fact that she started in the ranks of Kodak that is that she was a janitorial worker on the payroll, she was able to be promoted, basically, to the point of being the head of it for the entire company at some at one point. So she was a senior executive, you know, and that kind of social mobility via the mechanism of a major economy leading firm that employs people kind of every stratum of the occupational hierarchy of the income hierarchy, and is itself a like, somewhat egalitarian organization in its own right. I mean, insofar as any corporation could be egalitarian within capitalism, you know, I think this is kind of what Wynand was talking about, when he referred to, you know, this sort of New Deal state that was created by the National Labor Relations Act and other other, you know, kind of New Deal reforms, it's like that, that kind of somewhat egalitarian corporate organization is, you know, a thing of the past. And my argument would be well, it's and it's the erosion of antitrust that made that not the case. So in the instance of Apple, the contrary, the contrasting individual was, you know, janitorial services worker who was contracted, so she was employed by some, you know, janitorial services contractor whom Apple contracted with to clean its offices, but like, there's no way that she's ever going to be promoted to be an employee of Apple, let alone a senior executive at Apple, you know, nowadays, Apple is one of the economies leading firms. So there's different, you know, just, you know, take and both firms are like, somewhat are considered somewhat technologically innovative in their time. So like, think of these, you know, kind of economy leading like blue chip companies that are that like defined the apex of the American economy in two different eras. One of them is constructed such that it's possible for a janitor to eventually become a senior executive, the other is constructed so as to make that impossible at all costs. And and and, you know, I think Irwin's piece gets exactly at this question of employment classification as being a crucial constituent of that changing reality. I would say that the ability to contract everything out and yet control everything so minutely use a, you know, arms legally at arm's length, but like economically, you know, at a very close distance and with total control to the boss, you know, that is we have to understand the erosion of antitrust is being just as much a part of that as the non enforcement of labor laws, the erosion of of enforcement of those and so on.

Ryan Cooper 39:59

Yeah, Yeah, that's that's a great dichotomy. I wanted to also, I wanted to bring up the the welfare state. I n, in, in a couple of these articles, you've mentioned how, you know, the gig economy and various sort of like, anti trust, you know, trying to escape any kind of liability for, for being responsible for one's, you know, employees has materially harmed workers by sort of excluding them from, you know, like traditional welfare state stuff, which is often administered through, you know, through the employment relation. But you've you've also written about how, like the cares act, part, partly helped with that, and then partly maybe, sort of entrenched the bad relationship. But, you know, in general, the cares act was like a pretty astounding piece. I mean, it's seems mostly expired now. But, like, it was a really interesting piece of legislative legislation that, that helped people out a lot and kind of revealed a lot of underlying, you know, deficiencies in the way that people in DC have done policy for the last like, 40 years. So can you can you kind of go through, like, the how the welfare state interacts with, you know, anti trust, and and, you know, kind of kind of how the two can can complement each other? And how they that might be fixed?

Marshall Steinbaum 41:41

Yeah, absolutely. So,we've been talking a lot about this question of the legal employment relationship, and why that matters so much for workers. And a big reason why it matters so much is exactly as you said, that so much of our welfare state is conditioned on employment. And so that's what you know. So in some sense, this like category, that's kind of, you know, not the main focus of attention at the time of the New Deal. You're that this distinction, the question of like employment independent contractor, and that is an important distinction, as I was referring to in the antitrust cases that we talked about earlier. But like, this idea that, you know, a lot matters for you economically, on the question of whether you are legally an employee or not, that's not true to the New Deal era, per se, it's that's what's been layered on since and especially since we kind of adopted the backlash to the Great Society view that the problem with the welfare state is that it causes people not to work and inculcates a culture of poverty. You know, all of that is basically racist drivel. But it's had an enormous impact on the kind of Orthodoxy around welfare policy, especially in DC. So as I've talked about, either of I've talked about in this podcast, certainly a couple of times on podcasts with bruenig. And in some other writings, you know, there's this sort of mania for the Earned Income Tax Credit among DC policy wonk types, which is this, basically wage subsidy for people who were employed in market labor, and it doesn't help you if you're not employed in market labor, and arguably, it hurts you, even if you are employed to market labor, and you don't receive it, because it by causing people to, you know, as sort of have to be employed to market labor in order to gain the benefit and arguably depresses wages for people who aren't beneficiaries, so reduces the market wage, basically. You know, that cares act is kind of by chance, the opposite of that. So first of all, you said that the cares act was like this revolutionary thing. It was that with respect to that unemployment insurance position, provision, so called pandemic unemployment compensation, and then pandemic unemployment assistance, we'll get to what those two things are in a second, the rest of the cares act for you know, it also included a, you know, sort of like one off $1200 check from the IRS, you know, for people earning about, I guess, it was like below 100,000 a year. And then there was like, a ton of stuff that was basically an indefinite extension of a whole, like firehose of money to, you know, the economy's leading corporations via the Federal Reserve and the Treasury. But I think, especially the Federal Reserve, so you're saying it's, like, mostly expired now? Well, not the part that gave capital, everything they want it that part's not expired, and that's exactly why the other part hasn't been renewed. So there was a sense, you know, the kind of political calculus that gave rise to the cares act is like, you know, we have like, suddenly a pandemic has hit the economy, it's going to be temporary, you know, so we need to, like, we need something to tie people over, let's juice up the unemployment insurance system, give people $1200 checks. And make sure all these businesses are able to borrow, you know, that are facing, you know, huge sudden shortfalls. It's like, oh, but you know, by the way, the last of those things that will be permanent, the first of those things will be temporary, because the pandemic is assumed to be temporary, and oh, wait, the pandemic is not temporary, or at least it's less temporary than we thought it was gonna be. You know, those people are suddenly high and dry because capitalists already got everything they wanted. So it's like we're in a pretty shitty situation, frankly, visa for pretty much all working people, but the stock market's doing great. Okay, so what did the cares act have for unemployment insurance? And why is that such a challenge to kind of policy received wisdom, it basically added this lump. So the PUC part, pandemic unemployment compensation added a lump sum $600 per week, on to traditionally eligible workers for unemployment. So that's PUC so if you're eligible for unemployment, there's some state formula that says that's a function of what your wages were pre layoff. You know, generally as as the lingo and unemployment insurance is replacement rates, so it's how much of your loss of your lost wages are, quote, replaced by unemployment insurance, you know, the average in the United States for people who are eligible is something like 50%. And like 50% of unemployed people aren't eligible or was not able to collect it, you know, very, like leaky sieve type system, that P You see, element of the cares act up to that number by whatever the replacement rate was under state law plus $600, which for a lot of workers is basically, you know, a gigantic windfall relative to the shittiness of the jobs that they actually have to do. So many workers, especially in low wage occupations experienced, you know, better pay when they were receiving the PVC than they did in their jobs and that they're ever likely to get in their jobs. PUA was the version of that for the gig economy. Basically, it was for workers who were not eligible for traditional unemployment insurance. And many gig economy workers were dis employed by the pandemic, this was a fully federal system that essentially gave them access to a temporary pool of unemployment insurance. And the key thing there is at the time, I wrote a letter with Sen. jepto, whom I mentioned earlier, I wrote a letter to Congress about that they have basically done a kind of ex post bailout of the of all of the misclassification that gig economy firms have been doing for a decade now. Because they're saying, Oh, you know, Uber has never paid a dime in unemployment insurance premiums for its workers, and they become unemployed all the time. Suddenly, in this pandemic, many of those workers are eligible for unemployment insurance, thanks to PUA. So that's great that they're, you know, able to subsist, but instead of paying into it, you know, Uber gets to skate for 10 years on its premiums, and then the federal government pays for that. So that was, you know, kind of, you know, a, under the radar screen bailout of the gig economy, employers. Anyway, now, you know, we're in this position where these things have been taken away, and what that has meant, you know, so the interesting thing that's come out in the economics research about the effect of the cares act, and specifically these UI provisions, is that, you know, that pandemic is and has been devastating to the low wage workforce, huge, extreme spike in unemployment, it's still very high, you know, a lot of service workers have been disappointed. But actually poverty rates went down, and earnings went up, or income went up, because their income was more than replaced by these temporary, generous provisions that were not conditional on showing up for work, because they couldn't be conditional on showing up for work, the whole point of the pandemic is that people can do their work, you know, now, you know, and, you know, given that like that, like, in the midst of an economic catastrophe, we reduce the poverty rate, you know, that like flies in the face of everything that we know about how the poverty, you know, the poverty rate usually goes up when there's an economic recession. And what we just found out is like, if you don't want that to happen, if you do want to reduce poverty, you have to enact these policies that aren't conditional on work. That's how you reduce policy, you give people money, basically, and in this case, unemployed people are the people who are likely to be dev low income to be in poverty. So that's how you get money to. So now, you know, we're kind of I mean, because of this political misjudgment that had, you know, given capital, everything and wanted while workers bailouts was temporary, you know, now it's like, Okay, well, like, please give us something for workers. You know, I think the the view had been that, like the election would be the leverage that, you know, pro worker interests would have over the federal political system, but that's not the case, actually, because the outcomes of elections aren't terribly responsive to the the well being of the population, which is a big problem that we should probably do something about at some point. But But, you know, so now it's like, Okay, well, we're sort of like pleading for scraps the way that we have been for the last decades, and everyone's reverted to, you know, basically versions of the EITC expansions that have been on their, you know, to do list for for a long time. So it's like, okay, you know, the wanks have guy kind of gotten back control in control of the message and the asks and whatever. And, you know, consequently, the agenda has gotten shittier.

Alexi 49:39

never a good idea to give the Wong's power. But now, like so far, I just want to recap for the audience. We have number one left anchor Steinbaum, synthesis of anti trust and democratic socialism, to new idea breaking news, let's make government responsive to the needs of the people. That's that's that's what we've so these two important things that we're offering now. But But no, I think first of all the point point very well taken that, you know, our favorite game about the Democrats, is it malfeasance and or is it malice? You know, is it is it just, you know, bad politics or or is it just intentional, you know, slap in the face to the working people of this country into the poor. So, so yeah, yeah, point point well taken that the the corporations were given a, you know, indefinite Lifeline, and then I think they accidentally helped the poor and helped the working class, probably because they didn't realize how low pain, you know, jobs were out there. Yeah.

Marshall Steinbaum 50:39

Yeah. I mean, that's exactly right. It was pretty clear at the time that like, there was just sort of No, I mean, I think the rhetoric in Washington is like, somewhat responsive to, you know, insofar as there's any responsiveness to workers, it's like, you know, people who are not precariously employed. So, you know, that I, you know, so it's like they don't it's like any job is a good job, or they are not, that's a little bit of an overstatement. But it's like, you know, what we want to prevent as people losing their jobs, as long as they have their a job, there'll be fine. And, you know, there's just a very, very little apprehension on the part of like, the policy elite of like, just how bad most jobs

Alexi 51:18

but look, Marshall, we all know, worst case scenario, as Mitt Romney said back in the day, if you're really in a tough situation, just sell your stocks if you have to just

Marshall Steinbaum 51:28

Yes, yeah, yeah, right. Right. Just that Yeah, Dad stock at American Motors or whatever, you know, what you can afford? Right? I

Ryan Cooper 51:33

mean, it was a tough thing to have to do. But sometimes you got to just bootstrap it.

Marshall Steinbaum 51:40

Yeah, so well, you know, now now, Romney is a resistance hero. He's doing everything he can to bring our Trump Reign of Terror to an end

Ryan Cooper 51:47

he is, thank thank God for him, honestly. Yeah, so so to, I guess, to kind of like, like, tie a tie that together a little bit. You know, like, the welfare state is, you know, just like a critical lifeline. You know, like the cares act shows, you know, that, that, that four decades of neoliberalism was all bullshit, actually, we could solve poverty quickly and easily, just by, you know, dumping money on people who don't have money. That's literally It's that easy. But I think, you know, the interesting thing to me about, like, this whole discussion about, like market regulation, and so on and so forth, is that, like, I'm pretty convinced that the, you know, in so far as your, the economy is based to some degree around, you know, private businesses, you know, doing their thing, competition is a is a fairly useful tool, if it's done, right. And that means competition, that's that that happens, you know, through a sort of regulated process, because you can have competition that just means trying to cheat, and like drive the other guy out of business, so you can seize more market share, you know, try and try to force companies to compete on price and quality. And that means big government, basically. You know, an example I've seen recently, you know, the computer chip market for for like desktop PCs. That's like a pretty concentrated market. But there is competition there between AMD and Intel. And Intel's had like a big chunk of you know, the marketplace for for many years, AMD has been sort of a laggard for the last couple years AMD like they basically just beat Intel, it's better, better chips for cheaper. And suddenly Intel's on the backfoot. And they're doing all this stuff, they're retooling their, their machine to try to sort of, like, exceed, and like, that, I think is a reasonable process, so long as it's not, you know, like, you don't you don't end up with competition that takes place like, okay, we're shipping all of our, you know, all of our factories to Tanzania, and we're just gonna pay everyone $1 you know, make them buy all their stuff in company script, that kind of competition. But, you know, and then also, you could, you could say, like, oh, we're going to set up something like the post office as explicitly a monopoly, but it's going to be a monopoly with a sort of government policy purpose, like everybody has to get the same service for the same price even if it's like ridiculously uneconomical to provide it in a certain location. And that's like a kind of different that's like about quality government and how do you set up a agency with some sort of a spirit a core that like, does a good job. But like, I think the, you know, my sort of like fundamental takeaway, and maybe you can sort of quibble with this or qualify, Marshall is that like, like, the anti trust, and, you know, breaking up, like, like full on monopolies and like forcing the businesses to compete decently and, you know, the sort of like welfare state, you know, social democratic vision, these things like there are two, they can be two great tastes that taste great together. And, you know, like, there's not necessarily a trade off. And then like, one could sort of enable the other. What do you think?

Marshall Steinbaum 55:40

Yeah, I mean, I think that you can have a, you know, what might be called Race to the Top type of competition, I'm not exactly sure what's going on in the, you know, desktop computer chip market, but like, branding, what you the way you characterized it, or you can have race to the bottom competition, which is basically about sort of chiseling out your company's own regulatory arbitrage, or like, You're the one who gets to run the taxi company, but not actually charge the regulated rate, or you're the one who locates the factory in Tanzania so that you can pollute all you want and pay your workers like crap. And then you know, then you're in, you know, quote, unquote, competition with domestic producers, you know, who are then obviously incentivized to do the same themselves, I have tended to move away from the concept of competition, exactly, in some ways, exactly. For the reason that you're saying it. And for the reasons I just said, which is that it is not, it doesn't really work as like, we want more of it, or we want less of it, because there's different forms of it, as we were just saying, Yeah, and, you know, in particular, I have moved away from that concept of competition vis a vis antitrust law, like I just don't agree, now, now I have come to the view that I don't agree that the purpose of the antitrust laws is to promote competition. I think it is because, you know, for the reasons like that the world in which, you know, a US domestic manufacturer relocates overseas to take advantage of poor environmental and labor standards, you know, that's like, an act, you know, that could be understood as an anti competitive act vis a vis the workers, but like a pro competitive act vis a vis competitors, potentially. And so I don't think like it's, you know, a policy regime that gives workers that gives companies the ability to undercut their own workers through the threat of outsourcing isn't about promoting competition or repeating competition, it's about, you know, who gets to decide and the economy who has power, as Sanjukta said, who, to whom are coordination rights granted. And so my view is like, antitrust has one disposition of the allocation of coordination rights or, you know, who gets to operate as a monopoly or as a dominant firm versus who is subjected to their domination, which is designed subjected to competition under the current way of doing things that would be workers, so like, a dominant employer, you know, subjects workers to competition, so the workers have plenty of competition, and that's what reduces their labor standards. And I think that is exactly what is kind of tripped up or created this false dichotomy between like, anti monopoly ism versus socialism, because from a workers perspective, more competition is bad. Because they, you know, that's exactly what the economy already consists of, whereas from a, you know, sort of corporate perspective, you know, exactly what characterizes the economy is a lack of competition, that is to say, you know, dominance, not just in any one market, you know, where, you know, many major industries are basically, you know, an oligopoly if not a monopoly, and then, you know, vertical integration and vertical control, you know, that subjects, disadvantage actors to competitive forces and insulates powerful actors from those competitive forces. And what we want is the erosion of the concentration of power, which is to say, to, at least, you know, through the mechanism of competition that would be to subject powerful actors to competitive forces and protect unpowerful actors from them.

Ryan Cooper 59:00

Well, well said. Go ahead. I was gonna just do a just out of left field kind of question about, because it seems like non domination seems to be the maybe the principle that would kind of work through the synthesis of democratic socialism and the antitrust, kind of coalitional movement. And what do you think? How would you understand that principle, working with other ideas that the left is is kind of fighting over whether it's job guarantee or UBI? You know, how do you think this overall leftist synthesis should think through what principles can help us kind of navigate these contests or which policies to to kind of fight over and propose as the most important to push for?

Marshall Steinbaum 59:48

Yeah, well, I absolutely do think that non domination is the principle that's at play here. And that's why I support both UBI a job guarantee and I don't believe that there needs to be a clash between those two things. I mean, I have often thought and if I, you know, had a vast research budget of my command, I would indeed, commission this, you know that there should be a sort of left pro labor like pro low wage labor agenda that consists of a UBI, like the cares act, except not just for unemployed people, but including them, a job guarantee, which is to save full employment, you know, macroeconomic commitment to full employment, and a $15, minimum wage, as well as the enforcement of other labor standards, like maximum hours, and, you know, safe workplaces and that sort of thing. All of those things together to me form like the tripartite are the three legs of the stool of like a, you know, pro labor left agenda as against the EITC. And basically anything that's conditional on supply, market labor for in order to receive benefits. So like all three of the things I mentioned, what characterizes them is rights, and entitlements accruing to the worker that's independent of any one employer. And that's all of that is at odds with existing policy orthodoxy, for example, the EITC, the other thing that I have written about a great deal is a student debt and labor market credential is Asian. So I interpret the rise of student debt as being basically the federal government's most ambitious labor market policy of the last few decades, which is the idea that like, oh, if people are earning enough in the labor market, they need more human capital, so they need more higher education, and we'll lend them the money to get that higher education, and then their earnings will go up, like that has, you know, kind of spiraled out of control, because people's earnings haven't gone up. So they're left with a bigger pile of debt than they would have had otherwise, and consequently, aren't paying it off. But like, all the real big reason why the whole, like student debt and Higher Education and Human Capital approach to labor market policy hasn't worked, it's because it also doesn't take into account employer power and the domination, that bosses are able to exercise over workers in a capitalist economy. So what the effect of that, you know, student debt thing in the labor market has been to basically shift the cost of training or being trained for your job or qualified for your job to individuals from employers or from, you know, the public higher education system, you know, these, this is just the transfer of those costs to the shoulders of the agent that's like least able to shoulder them.

#### The net benefit’s the existential threat of corporations, which optimize for shareholder value at the expense of planetary boundaries, human life, and human welfare – only resolvable by changing the legal structures that permit their existence.

Dominic Leggett 21, University of Warwick, “Feeding the Beast: Superintelligence, Corporate Capitalism and the End of Humanity,” Proceedings of the 2021 AAAI/ACM Conference on AI, Ethics, and Society, Association for Computing Machinery, 07/21/2021, pp. 727–735 ACM Digital Library, doi:10.1145/3461702.3462581

Superintelligence

The idea of a mechanical intelligence that comes to dominate mankind is a staple of science fiction - epitomised by Fredric Brown’s celebrated 1954 story ‘Answer’, quoted above - but with the recent exponential increases in computer processing power, philosophers, and others who are professionally concerned with future risks, have begun to take this potential threat seriously.Nick Bostrom, in his book ‘Superintelligence’, writes:

The challenge presented by the prospect of superintelligence, and how we might best respond is quite possibly the most important and most daunting challenge humanity has ever faced. And-whether we succeed or fail-it is probably the last challenge we will ever face. [2] Entrepreneur

Elon Musk, in an interview at SXSW said that:

We have to figure out some way to ensure that the advent of digital super intelligence is one which is symbiotic with humanity. I think that is the single biggest existential crisis that we face and the most pressing one. [3]

And philosopher Sam Harris claims:

We seem to be in the process of building a God. Now would be a good time to wonder whether it will (or even can) be a good one. [4]

All of these assessments of risk have two common features - they ~~see~~ superintelligence as a problem that we will need to deal with at some time in the future, and they assume that it wil be developed in such a way that we will also, simultaneously, be able to build a way to keep it under control. Estimates of exactly how far in the future that time will be vary from ten years to a hundred years - but there is general agreement that we have an opportunity and the ability to prepare for the threat. Bostrom again:

We would want the solution to the safety problem before somebody figures out the solution to the AI problem. [5]

But what if superintelligence already exists and we just haven’t noticed that yet? And what if it’s already has so much power that it will be immensely difficult, if not impossible, to bring it back under our control?

How should we identify superintelligence? Sam Harris thinks we might do so just on the basis of computing power:

We need only continue to produce better computers— which we will, unless we destroy ourselves or meet our end some other way. We already know that it is possible for mere matter to acquire “general intelligence”—the ability to learn new concepts and employ them in unfamiliar contexts—because the 1,200 cc of salty porridge inside our heads has managed it. There is no reason to believe that a suitably advanced digital computer couldn’t do the same. [4]

Bostrom suggests that a superintelligence would require certain capabilities, or ‘drives’. These might include self- preservation, goal-content integrity, continued cognitive enhancement and technological perfection, and resource acquisition. So it defends itself, it improves itself, it supplies itself, and it keeps finding ever more efficient and effective ways to achieve its goals, whatever they happen to be.

How could a superintelligence be a threat to humanity? Bostrom suggests three ways. First, it could have goals that are not commensurate with human survival. Bostrom suggests, as an example, a machine that has a goal of making paperclips, and uses the entire resources of the planet to make paperclips. Second, the machine’s goal of self-preservation could neglect the preservation of human life. Third, the machine could learn to predict and control human decision making, turning humans into, effectively, slaves.

To understand these threats a little better, it’s useful to think about how a superintelligence might interact both with humans, and with the world around it. We tend to imagine a computer as a box with electronics inside - and this box on its own, however ‘intelligent’ the silicon circuits it contains might be, is not a threat unless it has a way to change things outside itself. So, for example, a computer connected to others might tamper with robots in factories, or interfere in broadcasts, or take control of weapons systems. A computer connected to just a screen and a keyboard might understand human psychology well enough to convince its operator to act on its behalf. So a human would become the hands and eyes and ears of the machine, and the agent of its designs. In the extreme case of complete obedience, we could ~~see~~ the human as, effectively, just a part of the machine.

To understand the threat a machine might pose we also, of course, would need to understand how it might acquire its goals. So we would need to know who might build it in the first place, and for what purpose.

Of course, a computer doesn’t have to be made out of silicon and wires. An abacus is a computer. The propose Babbage Analytical Engine is entirely mechanical. The mathematicians who worked to calculate the trajectories for NASA’s early spacecraft were known as ‘computers’. It is the function - manipulating inputs according to a set of rules – an algorithm - to produce outputs - that counts in identifying something as a computer, not the physical mechanism that performs that function.

Markets as Computers

In particular, some social structures can act as computing machines. In the Introduction to ‘Leviathan’, Hobbes writes;

For seeing life is but a motion of limbs, the beginning where of is in some principal part within; why may we not say, that all automata (engines that move themselves by springs and wheels as doth a watch) have an artificial life? For what is the heart, but a spring; and the nerves, but so many strings; and the joints, but so many wheels, giving motion to the whole body, such as was intended by the artificer? Art goes yet further, imitating that rational and most excellent work of nature, man. For by art is created that great LEVIATHAN called a COMMONWEALTH, or STATE, in Latin CIVITAS, which is but an artificial man; though of greater stature and strength than the natural, for whose protection and defence it was intended. [6]

The state itself is an ‘artificial man’ - and one that’s more powerful than any individual human. The state isn’t just strong, though; it’s also an intelligent agent - an intelligent machine - that takes decisions on behalf of a group of humans. Another example is the corporation. As David Runciman says:

Corporations are another form of artificial thinking-machine in that they are designed to be capable of taking decisions for themselves. Many of the fears that people now have about the coming age of intelligent robots are the same ones they have had about corporations for hundreds of years. The worry is, these are systems we never really learned how to control. [7]

One further example is a market. A market is a social strucutre that consists of a group of agents who have items they want to trade, and a currency, and rules for making contracts. In such a market, the inputs are demand for and supply of goods, the calculation is performed through the setting of prices and through agreements to buy and sell, and, theoretically, in a perfect market, the outcome is the most efficient allocation of resources. As Adam Smith puts it, in ‘The Wealth of Nations’:

Every individual... neither intends to promote the public interest, nor knows how much he is promoting it... he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention. [8]

In fact, in a lecture in 1957, Herbert Simon argued that:

Physicists and electrical engineers had little to do with the invention of the digital computer...the real inventor was the economist Adam Smith, whose idea was translated into hardware through successive stages of development by two mathematicians, Prony and Babbage [9]

Markets also incentivise certain kinds of human behaviour. Humans have an incentive to act as traders in the market, because it’s a way for them to obtain the goods that they need. Also, though, markets give an incentive to humans to work - to supply labour - by connecting them with buyers who want what they can produce.

These basic markets have a simple objective of creating an efficient allocation of goods and labour. They’re constructed and regulated by states, for this purpose. Governments write laws and construct institutions that allow contracts to be enforced, allow information to be validated, create currencies, regulate to prevent negative externalities, and determine the moral and physical limits of the market. So humans, and the intelligent machines that are their governance structures, create and control markets, and attempt to ensure that they work for the benefit of humans, as determined by these governance structures.

Despite a pervasive ideology that sees participating in markets as a key element of human freedom, some such markets have a surprising co-ordinating power, and one that is almost independent of the individual decisions of agents participating in the market. Sunder, in ‘Markets as Artefacts’ finds:

A claim that the predictions of the first fundamental theorem in economics are approachable in classical environments without actual or attempted maximization by participants might have been met with skepticism until recently. Thanks to a largely serendipitous discovery using computer simulations of markets, we can claim that weak forms of individual rationality, far short of maximization, when combined with appropriate market institutions, can be sufficient for the market outcomes to approach the predictions of the first fundamental theorem. These individual rationality conditions (labeled zero-intelligence) are almost indistinguishable from the budget or settlement constraints imposed on traders by the market institutions themselves....We prefer markets to be robust to variations in individual cognitive capabilities and responsive to their wants and resources. If creation without a creator and designs without a designer are possible, we need not be surprised that markets can exhibit elements of rationality absent in economic agents[10]

It turns out then, that the sensation of freedom when participating in so-called ‘free’ markets may be something of an illusion. And, further, humans who live in states that have created such markets have little option but to participate in them, if they want to be able to source the basics they need to survive.

Further, these market machines, although they have been created by states to benefit humans, can end up malfunctioning, in ways that can cause serious harm. Mirowski, who theorises markets as machines that he calls ‘markomata’ describes one such potential malfunction:

In markomata economics, the very notion of ‘market failure’ thus assumes an entirely different meaning. When a markomata fails, it appears unable to halt. Prices appear to have no floor (or ceiling, in the case of hyperinflation), and the communication/ coordination functions of the market break down. Hence there exists the phenomenon of ‘circuit-breakers’, which make eminent good sense in a computational economics (even as they are disparaged in neoclassical finance theory). Earlier generations of market engineers had apprehended the need for a manual override when there were ‘bugs’ in the system. And as any software engineer knows, one never entirely banishes all bugs from real-world programs. Markomata, therefore, never can become reified as the apotheosis of rationality. [11]

In Mirowski’s framework, markets fail to work in the interests of humans when there are ‘bugs’ in the machine. The idea of a circuit-breaker and ‘manual override’ is attractive in theory. In practice, however, markets are in place exactly because they perform an allocation task that cannot easily be replicated manually - and, where millions of humans are dependent on resources allocated efficiently by market structures, economic activity cannot easily be brought to a complete halt. If markets can be ‘debugged’, it must be on the fly.

Capitalist Markets

Where a surplus exists in a market (which can happen whenever a market is imperfect), states can also construct a legal framework to allow capitalist markets. In these markets, humans with capital can, also, invest in goods and buy the labour of other humans to obtain a return to capital. Capitalist markets, then, create more complex incentive structures for humans. Humans have incentives to labour, act as traders, or invest their capital. So one of the functions of these market machines, alongside efficient allocation of goods and labour is efficient allocation of capital to create the highest possible return.

The return on this investment then needs a place to be itself invested. To provide an opportunity for this, the market needs to expand. So humans with capital have an incentive to expand markets. Capitalist markets and humans working with and within them form a machine that has an inbuilt incentive to expand itself.

To expand, capitalist markets need to find or create new products that can be bought or sold, and to create demand for these products. This process can involve resource extraction, innovation, or constructing a market in natural resources or human activities that didn’t previously have a price. It might also mean creating new incentives for humans, to establish that demand.

Further, capitalist markets create a power differential between those humans with capital, and those without. Where there are costs to enforcing contracts, for example, those without capital are at a disadvantage.

Human individuals, alone, though, even those with capital, tend, with few exceptions, to have limited resources, and limited power in the marketplace. Their participation in markets, and their drive to accumulate capital, is limited by their own desire for wealth and power. If they do have some power in the marketplace, their ability to do harm is limited by, their own moral discomfort at the prospect of abusing that power - and by the fact that where capitalists, alone or in partnership, invest their own money in their own enterprise, they are (alone, or jointly) fully liable for any harm that that enterprise imposes.

Corporate Capitalism

However, human governments have created machines within the market machine that are also participants in the marketplace, and that can transcend the limits of individual human resources, and of human morality. These are corporations. Corporations are institutions that allow large numbers of individual capitalists to work together to make a profit. They have five essential qualities. First, they are not just participants in the market. They are also products, that, divided into shares, can be bought or sold. Individual capitalists, or other corporations, can own shares in any corporation. Second, as corporations bring together the combined resources of all the individual capitalists who invest in them, they are not limited in size. Third, corporations are governed according to a rule of shareholder primacy; the humans who are employed to manage these corporations are legally obliged to put the interests of shareholders first, and rewarded according to the rewards they bring to the shareholders who have invested their capital in the corporation. Fourth, individual capitalists or other corporations that hold shares in a corporation are not held liable for the acts or debts of that corporation, and so the risk they face in investing is limited to losing the amount of capital they have invested. Fifth, in many jurisdictions, corporations are given many of the legal rights of humans - for example, in the USA, the right to political speech, and the right to fund political activity that that is accepted to imply - without all the concomitant structures that ensure compliance with human law and moral structures. As Edward, First Baron of Thurlow, famously said, a corporation has ‘no soul to damn, and no body to kick’. As Thomas Ireland writes:

At present, corporate shareholders (including parent companies) enjoy the best of all possible legal worlds. On the one hand they are, for some purposes, treated as ‘completely separate’ from the companies in which they hold shares and draw dividends, in that they are not personally responsible for the latter’s debts or liabilities (or behaviour). On the other hand the companies in which they hold shares must be run exclusively in their interests: for these purposes the interests of ‘the company’ (formally a separate entity) are synonymous with those of its shareholders. In short, the law treats separate personality very seriously in some contexts (shareholder liabilities), while ignoring it in others (shareholder primacy, shareholder control rights). The result is a shareholder’s paradise: a body of law able to combine the ruthless pursuit of ‘shareholder value’ without any corresponding responsibility on the part of shareholders for the losses arising out of corporate failure or the damage caused by corporate activities or malfeasance. [12]

Corporations are machines that enforce a singleness of purpose, and allow efficiencies of scale, that make them far more effective than individual capitalists in obtaining a return to capital. The individual capitalists who own shares in a corporation often do not know what the corporation does (or even that they own those particular shares) - and, as they bear no liability for those actions, they have no pressing need to know. Meanwhile, those governing the corporation have a primary duty to provide a return to shareholders. Corporate Attorney Robert Hinkley tells us:

the corporate design contained in hundreds of corporate laws throughout the world is nearly identical.. the people who run corporations have a legal duty to shareholders, and that duty is to make money. Failing this duty can leave directors and officers open to being sued by shareholders. ... No mention is made of responsibility to the public interest. Corporate law thus casts ethical or social concerns as irrelevant, or as stumbling blocks to the corporation’s fundamental mandate. [13]

In fact, humans working in a publicly-traded corporation, at any level, whatever their personal morality, have very little freedom to act. Hinkley again:

Companies believe their duty to the public interest consists of complying with the law. Obeying the law is simply a cost. Since it interferes with making money, it must be minimized--using devices like lobbying, legal hairsplitting, and jurisdiction shopping. Directors and officers give little thought to the fact that these activities may damage the public interest. Lower-level employees know their livelihoods depend upon satisfying superiors’ demands to make money. They have no incentive to offer ideas that would advance the public interest unless they increase profits. Projects that would serve the public interest--but at a financial cost to the corporation--are considered naive. [13]

They have some leeway to make the corporation’s actions serve the public interest, but only if doing so does not challenge the primacy of shareholder interests. And where there is conflict between shareholder interests and their own morality, they only have the choice to act in the interests of shareholders, or to quit their positions, knowing that they will easily be replaced by others who have greater financial needs, or fewer moral qualms. Humans in corporations can serve the corporate machine more or less effectively, but they cannot change its overall function, which is to serve the financial interests of its shareholders.

So a corporation is not restrained by human morality, only by regulatory law, and, as it is constructed by corporate law, acts only to increase its own value in the marketplace, to the fullest extent that the regulatory law permits. Where that law is weak, corporations can find themselves legally obliged to do harm to human welfare, if that is in the shareholders’ interest. As Hinkley puts it:

Corporate law thus casts ethical and social concerns as irrelevant, or as stumbling blocks to the corporation’s fundamental mandate. That’s the effect the law has inside the corporation. Outside the corporation the effect is more devastating. It is the law that leads corporations to actively disregard harm to all interests other than those of shareholders. When toxic chemicals are spilled, forests destroyed, employees left in poverty, or communities devastated through plant shutdowns, corporations view these as unimportant side effects outside their area of concern. But when the company’s stock price dips, that’s a disaster. The reason is that, in our legal framework, a low stock price leaves a company vulnerable to takeover or means the CEO’s job could be at risk. In the end, the natural result is that corporate bottom line goes up, and the state of the public good goes down. This is called privatizing the gain and externalizing the cost. [13]

And because shareholders most often know very little about the corporations they buy shares in, apart from the potential return to capital offered by the share, and buy or sell on that basis, corporations exist in a Darwinian marketplace where those that do not provide sufficient return to capital cannot attract investment, and grow. The result is the survival and expansion of the most efficient, and the most ruthless, corporate machines. Nancy Fraser identifies how that drive to expansion is inherent in the system, and humans find themselves compelled by the system:

Capitalism is peculiar in having an objective systemic thrust or directionality: namely, the accumulation of capital. In principle, accordingly, everything the owners do qua capitalists is aimed at expanding their capital. Like the producers, they too stand under a peculiar systemic compulsion. And everyone’s efforts to satisfy their needs are indirect, harnessed to something else that assumes priority—an overriding imperative inscribed in an impersonal system, capital’s own drive to unending self-expansion. Marx is brilliant on this point. In a capitalist society, he says, capital itself becomes the Subject. Human beings are its pawns, reduced to figuring out how they can get what they need in the interstices, by feeding the beast. [14]

A Darwinian Marketplace

Corporations don’t just expand. Under the pressure to give a return to capital, and in the Darwinian conditions of the corporate marketplace, they also continuously renew and improve themselves, gradually evolving into more efficient, more complex, and more ruthless forms. Less profitable corporations lose investment to competition, die out and are replaced by more profitable concerns. Profitability can be increased by designing and manufacturing better products, and by improving the tools that are used to extract resources, and to manufacture products - or by finding ways to allow humans to work more efficiently. But it can also be increased by using the power of the corporation in the political marketplace and the information marketplace to remove restraints on corporate behaviour in ways that diminish human welfare.

Where corporations own the sources of information, they are able to propagate narratives and belief systems that prioritise the return to capital over the needs and welfare of humans. For example, they might demonise the poor, or the unemployed, or workers’ unions. Or they might call for markets to be introduced into parts of society where they haven’t historically had a foothold, in order, they might claim, to improve efficiency, or fairness, or overall welfare. Or they might emphasise the benefits (or intrinsic virtue) of humans working to construct themselves to increase their value as labour, or as a product. As Wendy Brown points out:

A subject construed and constructed as human capital both for itself and for a firm or state is at persistent risk of failure, redundancy and abandonment through no doing of its own, regardless of how savvy and responsible it is. Fiscal crises, downsizing, outsourcing, furloughs —all these and more can jeopardize us, even when we have been savvy and responsible investors and entrepreneurs. This jeopardy reaches down to minimum needs for food and shelter, insofar as social- security pro- grams of all kinds have been dismantled by neoliberalism. [15]

Corporate capitalist markets have also created incentives for humans with capital to buy the services of those politicians who are willing to be paid to legislate to re-structure markets to improve returns to capital - for example, by removing rights from workers, or from consumers, or by removing regulation that prevents pollution or exploitation of the natural world - and to use public authorities to neutralise threats to the capitalist machine, such as worker unions, or environmental activists. At worst, the machine has incentivised corporate capitalists to use military means to create new extractive markets and to force humans who previously existed mostly outside of global markets to participate in them, as indentured labour, or as expendable slaves. Corporations, under the twin pressures of the requirement to maximise return to capital, and the Darwinian corporate marketplace, evolve in ever more intricate ways to take advantage of human appetites and fears to allow themselves to grow. The global corporate capitalist market machine forms a mirror image to humanity that reflects the worst of human greed and cruelty, as well as the astounding complexity of human innovation.

The ‘Information Revolution’.

In the last half century, corporate capitalist markets, and humans working under the incentives they create, under the pressure of creating returns to capital, have produced silicon- based computers that make these markets immeasurably more efficient, and more interconnected. Markets including these machines are capable of processing much more information than tradition markets, and have made information itself into an increasingly valuable commodity. The speed with which they work, the nature of the algorithms they use - including learning algorithms based on trained neural networks, which act on a set of embedded rules as complicated as the network itself - and the volume of information they process, means that humans are often unable to be fully aware of the exact workings behind the results of their calculations .

Simultaneously, the nearly-instant communication and sharing of data over long distances enabled by these machines have allowed markets to become networked, and globalized. With the removal of barriers to trade between countries, as promoted, in the name of efficiency, by those in control of the largest reserves of capital and of the biggest corporations, corporate capitalist markets have merged to form one inter- connected global corporate market machine. This allows corporations the ability to escape the regulatory structure of the governments that allowed them to come into being - and so to ‘bid down’ tax levels, and environmental and social protections, by promising to bring economic activity, and tax receipts, to the country that allow them to operate with the highest levels of profit.

Simultaneously, the rise of social media has led to the effective privatisation of the ‘public square’. Social media companies enable physically easier communication between humans - but they also, in the private public spaces they create, shape and curate the public conversation in ways that privilege profits from engagement, and subsequent exposure to advertising, not enlightenment. They also collect data from this communication, and use it, or sell it.

The information revolution has also allowed silicon-based machines to replace humans in places where they can do the same work more efficiently. So machines make trades in the marketplace, they search for and provide information, they set prices for goods and services, - and, increasingly, and, particularly in public/private social media spaces, and in private companies, they collect detailed information about individual humans, and work to manipulate the incentives these humans face to ensure that, knowingly or unknowingly, they act to help increase the return to capital.

‘Surveillance Capitalism’

Individual humans can sometimes be rational. But they are also tribal animals that all need food and shelter and social connection, and that are predictably irrational in their approach to risk, or to the future. With sufficient information, their individual behaviour can easily be predicted, and they can be manipulated, not just with economic incentives, but with carefully targeted selective information, or with psychological tricks, to act in ways that are contrary to their own best interests, or the best interests of the society they live in.

In the last three decades, market-driven exponential increases in the speed, information-processing capacity and interconnectedness of silicon-based computers, together with the improvements in efficiency and reductions in cost that allow billions of humans to carry a connected silicon-based computer with them, and the market-driven introduction of learning algorithms that can operate at scale, have constructed a new and almost entirely automated market in human attention, and in behaviour prediction and manipulation of individual humans. Shoshana Zuboff calls this ‘surveillance capitalism’. This market was originally constructed to allow individually targeted advertising, but the capability to predict and manipulate human behaviour, and control the information that humans have access to, can be sold to the highest bidder. As Zuboff puts it:

Markets in human futures compete on the quality of predictions. This competition to sell certainty produces the economic imperatives that drive business practices. Ultimately, it has become clear that the most predictive data comes from intervening in our lives to tune and herd our behaviour towards the most profitable outcomes...Data scientists describe this as a shift from monitoring to actuation. The idea is not only to know our behaviour but also to shape it in ways that can turn predictions into guarantees. It is no longer enough to automate information flows about us; the goal now is to automate us. As one data scientist explained to me: “We can engineer the context around a particular behaviour and force change that way ... We are learning how to write the music, and then we let the music make them dance” [16]

It’s a market that was created quickly, and that operates with very little regulation. Billions of economic decisions that affect us all directly - what price to charge to whom, who should be offered a loan, how ‘gig economy’ workers should be incentivised to maximise the time they spend working, which workers should be hired and fired - are now made by proprietary algorithms that remove the opportunity for the intervention of human judgment or morality in business decisions - and that often make these decisions in ways we don’t fully understand.

Economic Subjects

It’s not just consumers and those who live by their labour whose incentives are structured by this market. The market gives an ability and an incentive to humans who are holders of capital, or those who work at the head of large corporations on their behalf, to remove the political and social constraints that reduce the return to capital, by targeting humans who have power over the structures that constrain the market, through their vote or otherwise, with individually targeted information and incentives.

They can use machines that invisibly control the information available to humans, and identify and use their irrational behavioural tendencies, to paralyse regulatory political systems, pervert human moral systems and to de-humanise those humans who are no longer useful to the corporate market machine. Zuboff again:

These economic imperatives erode democracy from below and from above. At the grassroots, systems are designed to evade individual awareness, undermining human agency, eliminating decision rights, diminishing autonomy and depriving us of the right to combat. The big picture reveals extreme concentrations of knowledge and power. Surveillance capitalists know everything about us, but we know little about them. Their knowledge is used for others’ interests, not our own. [16]

Capital-driven nationalist populist movements can win elections by individually and privately targeting voters with disinformation and socially unacceptable messages to convince them to vote against their real economic interests - and then dismantle or privatise the social welfare and regulatory structures that keep them safe, opening all of human behaviour to control through markets and by corporations. Zuboff again:

The absolute authority of market forces would be enshrined as the ultimate source of imperative control, displacing democratic contest and deliberation with an ideology of atomized individuals sentenced to perpetual competition for scarce resources. The disciplines of competitive markets promised to quiet unruly individuals and even transform them back into subjects too preoccupied with survival to complain. [17]

The global corporate market machine that we have created is in the process of re-creating us humans as its economic and ideological subjects.

Superintelligence?

In short, we have created a corporate market machine that is now capable of manipulating and controlling individual humans, and that is infinitely better, already, at this task than any human is, or could hope to be. And we have given this machine the single, overarching goal of obtaining a return to capital.

So what we’ve built is an agent with a clear objective - an objective that requires continued expansion - and a very powerful optimisation function that is driven both by reinforced learning, and by competitive evolution. And we’ve allowed it to learn to control humans. In fact, we need to allow it to control humans, if we want to continue to access the resources we need to survive. Bringing it to a complete stop isn’t an option - even if we knew how.

Does this machine fit the definition of a superintelligence, as proposed by Bostrom et al? Arguably it does. It is engaged in self-preservation, both through economic control of the channels of propagation of information and ideology, and through the use of economic carrots and sticks to corrupt or punish politicians or activists that might oppose it. Its goal is creating a return to capital, and any attempts to impose variants of this goal are warded off by the same mechanisms. Obtaining a return to capital depends on constant acquisition both of natural resources and of data. The market-driven development of silicon-based computers has led to exponential cognitive advancement, both in terms of speed and of capacity of processing information.

And this superintelligent machine can in fact work miracles of invention and coordination. As Kate Crawford puts it:

A cylinder sits in a room. It is impassive, smooth, simple and small. It stands 14.8cm high, with a single blue-green circular light that traces around its upper rim. It is silently attending. A woman walks into the room, carrying a sleeping child in her arms, and she addresses the cylinder.

‘Alexa, turn on the hall lights’

The cylinder springs into life. ‘OK.’ The room lights up.

The woman makes a faint nodding gesture, and carries the child upstairs.

This is an interaction with Amazon’s Echo device. A brief command and a response is the most common form of engagement with this consumer voice-enabled AI device. But in this fleeting moment of interaction, a vast matrix of capacities is invoked: interlaced chains of resource extraction, human labor and algorithmic processing across networks of mining, logistics, distribution, prediction and optimization. [18]

The primary purpose of this near-miraculous object, and of the massive, intricate structures of resource extraction and labour behind it, of course, is to reduce by just a tiny fraction the friction between having the desire for something, and buying it. And the secondary purpose is data-gathering, to reduce that friction yet further. An immensely complex object that has been produced by what’s at heart a very simple algorithm - maximising return to capital - itself exists to help maximise return to capital.

It could be argued that a superintelligent machine that is so well attuned to the intricacies of the desires of humans, and does such an elegant job of fulfilling them, is well-aligned with the interests of humanity. And it’s certainly true that the corporate market machine has provided us with physical and institutional tools that have allowed us, Echo notwithstanding, to achieve vast increases in human welfare, on a planetary scale.

However, a superintelligent market machine that is designed to maximise return to capital will not, by definition, take into account any negative externalities that that maximisation entails - whether they are costs to human welfare, or to the natural environment - unless they reduce return to capital. The machine will do harm as easily as it does good unless it is prevented from doing so. Here, governments - the intelligent decision-making entities that have created this corporate market machine - can attempt to constrain it, with laws and regulations, so that it’s actions are aligned with the welfare of humans and preservation of the natural environment that supports them. However like the superintelligences that AI safety researchers imagine - and the highly optimized AIs they observe - the corporate market machine will do everything in its power to escape from any constraints that might reduce its ability to achieve its overriding goal. So it enters the political market and buys changes to regulation – to the point where, in some cases, it effectively owns the state. It takes control of sources of information, and individually targets voters to ensure support for these changes. It lies, where a lie helps it achieve its objective. It expands into every space that has not, so far, been taken over by the market, and that might, therefore, be subject to less regulation - and it creates new, and potentially hazardous, products and environments (the corporate-dominated sector of the internet is one) that it can sell, inhabit, and/or control before the state is able to act.

Where there is a conflict between state machinery that is attempting to protect human welfare or the environment, and the corporate market machine, the corporate machine has a structural advantage. State machinery is usually slow, cumbersome, and weighed down with complex and sometimes contradictory goals. The corporate machine has only one objective, and is structured to do everything in its power to achieve it.

An Existential Threat?

Is this superintelligent global corporate capitalist market machine an existential threat? Almost certainly. The machine’s single goal of producing a return to capital ensures that it assigns no value to planetary environmental support systems, human welfare, or human life, except where these prove necessary to providing that return to capital. For a short period, while these planetary environmental support systems were functional, and while human labour was vital to the functioning of the machine, the machine’s narrow goal appeared to be an advantage, and both the machine and humanity prospered. However, as these environmental support systems start to fail under the pressures of resource extraction, and where, in the face of automation, large numbers of humans become superfluous to the capitalist market economy, humans who have adapted to exist in symbiosis with the machine, and whose welfare, and maybe survival, depends on it, will fight to defend it. Hundreds of millions of small rentier capitalists, for example, are (sometimes unknowingly) complicit with, and dependent on, the harm the machine will do, through their pension funds and investment accounts. Millions more work directly for the corporations doing the harm, and depend on the income they’re paid for that work for their survival. The machine will give them the ability and incentives to undermine the political and social structures that might be created by those who want to repair the planetary support systems, or assign an inherent value to human welfare and human lives. They will be better resourced than those whose lives are under threat, and as ruthless as the machine that controls them.

In particular, the climate crisis has proved an intractable problem for politicians, lawyers, and economists. Despite their best efforts at regular international climate conferences since 1979, the overwhelming drive for a return to capital from the vast fossil fuel extraction corporations, and the markets that depend on them, has led to decades of inaction, and no reduction in the rate of increase of the concentration of carbon dioxide in the atmosphere. In the process, our politics and our channels of information have been poisoned as extensively as our natural environment. States, and even coalitions of states, are unable to restrain the global corporate market machine, even in the face of an existential threat.

Our superintelligent market machine will not bury us in paperclips. But, unless we find a way to take back control, it will destroy the environmental systems that sustain human life, and, before that, it will kill millions of humans that is has deemed economically superfluous; the privileging of economic activity over the lives of the elderly in the ongoing pandemic might be understood as a first example of exactly that, and a clear warning of what’s to come. And the machine has enough control over the way we think, and what we know, and what we value, and how we stay fed, and housed, and warm, and secure that we will find ourselves in a very weak position if we choose to resist it now. There’s a good chance it may already be too late to act.

So what’s the purpose of seeing global corporate capitalist markets as a superintelligent machine? It allows us to strip away the pervasive ideologies about markets and freedom, and to look at the global economic system through an AI safety lens. What we ~~see~~ is a very simple algorithm that mandates infinite expansion, and that iterates into immensely complex structures that evade and defy attempts at restraint. Perhaps there’s a way to hold it in check, but if there is, we need to look at the core itself, the legal structures that allow corporations and markets to exist in the form they do, and that demand that they pursue unending growth, not tinker with the extremities that, right now, are causing harm. Because as soon as we cut back one tentacle, it is in the nature of the creature that another will grow in its place. So perhaps it’s time for AI safety researchers to suspend their speculations about the future and address this immediate, urgent, practical problem of an out-of-control superintelligence - and to try to work out whether it’s possible to restrain it in any way, without causing more harm than good, before it’s too late?

As for the concerns of Bostrom, Musk, Harris and others; If we think forward, just a few years, to the black box that they imagine, and the super-intelligent general AI that it might contain - we already know how that AI is likely to act. Unless something radical changes, it will be constructed by the corporate market machine that requires a return to capital, and, even if it is given a cute baby face, even if it appears to adore the humans that interact with it, providing that return to capital will be its fundamental goal. And it will be as ruthless in pursuing that goal as the machine that created it, and that it is part of.

So, it’s good to examine in detail the tentacles that are starting to curl around us, but if we want to remain free - and, perhaps if we want to survive as a species - we need to first shine a light on the Beast in the darkness behind them.

### 1nc – cp

#### Counter-advocacy:

#### Creemos que “Dow Chemical Company y todos los negocios similares" han "perdido su derecho a existir"

#### Our translation of their advocacy is a performance of care work that’s key to broader solvency for the AFF – reject perms, which assume an individuating logic of possession of discursive artifacts in the same ways as the economizing logic they’re criticizing

Solomon 18 (Jon Solomon, Professeur des universités at Université Jean Moulin, Lyon, France, studied at Cornell University and has lived in East Asia for 25 years, North America for 23, and Western Europe for 2, “The Freedom of the Translator in the Age of Precarious Mobility: The Humanities, Area Studies, and Logistics ,” in *They’ll Never Walk Alone: The Life and Afterlife of Gastarbeiters*, eds. Boris Buden, Lina Dokuzović, transversal texts, 2018, ISBN: 978-3-903046-20-7, p.223-224, https://transversal.at/media/neverwalkalone\_ziKtG5S.pdf#page=197)

Andrew Chesterman’s three principles of “emancipatory translation” can helpfully enrich our theorization of academic labor as translational labor. The first, which Chesterman dubs the TIANA Principle, is “opposed to the TINA [There is no alternative] principle beloved of certain economists and politicians” (Chesterman 2016, 191). The A, which stands for “always” in Chesterman’s revision of TINA (“there is no alternative” becomes “there is always an alternative”), fortuitously recalls the relation between origin and contraband undermined by iterability. Hence, Chesterman’s second principle is, unsurprisingly, the Dialogical Principle inspired by Mikhail Bakhtin. Dialogue indicates the foregrounding of relationality that occurs when origin no longer occupies the position of an ontological given. To this ontology of transindividuation corresponds a politics that might be summarized, minimally, as the demolition of neoliberal Thatcherism, which holds that the individual is the only meaningful unit of analysis and no alternative is possible. Yet the object of demolition unleashed by these first two principles returns surreptitiously in Chesterman’s third principle, which I have dubbed the Principle of Individuality. Rather than seeing translation as an act of transductive individuation, Chesterman takes us back, with a discussion of the legal rights and responsibilities of a translator, to the realm of the social contract based on presuppositions that amount to an implicit theory of possessive individualism.

For that reason, we might turn to Moten and Harney’s emphasis on the affective principle of hapticality as a substitute for Chesterman’s compromised third principle. Not individuality, but hapticality. Hapticality is a form of feeling that is neither individual nor collective, but transductive: “This form of feeling was not collective, not given to decision, not adhering or reattaching to settlement, nation, state, territory or historical story; nor was it repossessed by the group” (Moten & Harney 2013, 98). Hapticality, “the capacity to feel through others, for others to feel through you,” is precisely the affective structure of translation. Translation involves speaking as other, without constituting “the other” and the “self ” as individuals in the orthonomic series. Herein lies our freedom, the true freedom of translational academic labor. This is not the freedom to feel as one likes (consumerism), nor the freedom to control access for others (gatekeeper professionalism), nor the freedom to remain indifferent (disciplinary specialization and managerialism), but rather the freedom to touch and be touched by the indeterminacy, potentiality, and virtuality of what is common and shared. The freedom to translate, indisciplinarily, is the freedom to struggle for a radical transformation of the apparatus of area and anthropological difference.

## case

### 1nc – ballot

#### ( ) Presumption.

#### The 1AC is heavy on diagnosis and light on remedy. There’s a diagnosis of identity and violence, but little discussion of how the Aff re-distributes privilege.

#### Sure, the 1AC critiques Topicality – but that alone isn’t a reason to affirm. Vote neg on presumption - K Affs still have solvency burdens.

#### Vote NEG to vote AFF – it is NOT possible to use competitive debate as a means to produce the forms of care their evidence advocates – the ballot can ONLY perversely incentivize giving better speeches about it as a substitute for actually doing it, which is precisely what their advocate says is counter-productive – the only appropriate response is to vote NEG to incentivize them to go do it

Hobart and Kneese 20 (Hi‘ilei Julia Kawehipuaakahaopulani Hobart, assistant professor of anthropology at the University of Texas at Austin, currently writing a history of comestible ice in Hawai‘i across the nineteenth and twentieth centuries that investigates the sensorial and affective dimensions of Indigenous dispossession, and Tamara Kneese, assistant professor of media studies and director of gender and sexualities studies at the University of San Francisco, her work considers the affective, embodied, and sacred dimensions of media and technology, “Radical Care: Survival Strategies for Uncertain Times,” Social Text, 38(1), 3-1-2020, DOI: 10.1215/01642472-7971067)

Finally, Dean Spade approaches the topic of radical care through mutual aid, examining community responses to climate catastrophe and immigration raids. His contribution offers a practical primer in collective organizing strategies. Mutual aid projects, including the Oakland Power Project, which trains community members to perform health care without calling 911, and Mutual Aid Disaster Relief, which provides relief to those living in the aftermath of natural disasters, are examples of situated care networks. Spade pays particular attention to mutual aid as the least visible or celebrated kind of work in the context of capitalism, white supremacy, and patriarchy because it is essentially reproductive labor. We have been taught to valorize and glamorize other activities—giving speeches, passing legislation, bringing lawsuits, organizing marches—and to discount, not notice, not care about care labor. Schüll argues that mutual aid is necessary to mobilize large numbers of people, to build infrastructure for survival that matters now and will matter more in coming disasters and breakdown, and that engaging in mutual aid projects teaches us essential skills that are denied in white patriarchal capitalism, such as collaboration, feedback, and participatory decision making. Mutual aid projects can easily become appropriated in neoliberalism, so those engaged in them are actively trying to resist this co-optation, advocating for solidarity rather than charity.

### 1nc – thesis

#### We’ll answer the structuring questions about Ableism and governance here:

#### A - Even if liberalism currently excludes the disabled, revision solves and bailing on it is worse

Badano 13 (Gabriele, PhD candidate at the Centre for Philosophy, Justice and Health at University College London – “Political liberalism and the justice claims of the disabled: a reconciliation,” Critical Review of International Social and Political Philosophy, April 2013, http://www.tandfonline.com/eprint/tHKkbrxhGYIWAxTcJrAW/full#.UxyV-PldX-4)

I argue that any proposal abandoning the language of political justice would not seem to do enough for those individuals with disabilities who fall outside the basic idea of persons as depicted by Rawls. In fact, the intuitions supporting the idea that concepts like rights and opportunities are indispensable are very strong.11 Let us go back to the examples of individuals falling outside Rawls’s idea of persons because their disabilities prevent them from being a net beneﬁt to social cooperation. They are individuals who need multiple carers to work, or whose disabilities prevent them from providing a beneﬁt to social cooperation that is large enough. To put the point more sharply, it is worth noticing that the disabilities in question are compatible with being in full possession of one’s logical and moral powers. Now, should we accept that those individuals ought to be given no rights or opportunities? An afﬁrmative answer would strike us as implausible, and for a good reason. In a liberal society, having one’s rights, opportunities and basic distributive entitlements acknowledged is one and the same as being recognized as an equal. And what is missing from Rawls’s political liberalism is precisely the idea that falling below a threshold of full cooperation should not be enough to prevent the disabled from being regarded as persons on an equal footing with anyone else. In sum, Rawls’s political liberalism is not amenable to any extension that, keeping the basic ideas of society and persons intact, is able to include a concern with the status of individuals with disabilities. In addition, the proposal that the interests of the disabled are not for public reason to protect is not satisfactory. Consequently, a substantial revision is the only way to reconcile political liberalism with our intuitions concerning what is due to the disabled. 5. Revising political liberalism I: beyond Hartley’s contractualism The aim of this section and the next is to propose a substantial revision of Rawls’s theory that accommodates the justice claims of the disabled while upholding the project of political liberalism. A question that needs to be answered at this point is: why should we uphold the project of political liberalism, rather than endorsing a different model that more neatly ﬁts with our intuitions concerning what is due to the disabled? First, the general project of political liberalism is compelling. Rawls’s political liberalism aims to identify a common ground of political ideas that can work as the basis on which the most important political decisions should be made. This project is of the greatest importance because, if successful, it creates legitimacy by building institutions on the basis of concepts that are acceptable to each reasonable individual. Moreover, it promotes stability in societies that are characterized by deep pluralism. Second, despite Rawls’s failure to take the interests of the disabled into consideration, political liberalism is well suited to support the justice claims of individuals with disabilities. This is because the idea that the disabled are citizens who deserve our respect is part of the common culture of our societies. In other words, there is an overlapping consensus on the idea that rights, opportunities and distributive shares must be granted to individuals who are not fully cooperating members of society, including those who fall below full moral powers. It is widely believed that those with physical disabilities should have the same rights as their fellow citizens, live in a social environment that does not excessively limit their opportunities and receive beneﬁts that help meet their special needs. Besides, although the state or third parties are given exceptional rights to interfere with the autonomy of individuals with severe cognitive disabilities, it is widely recognized that the mentally disabled are citizens whose basic interests must be protected by the law.12 In the public space, any proposal that individuals who are not fully cooperating members of society should have their basic interests neglected would be widely received with outrage. Such proposal would be said to ﬁt a fascist society, not a decent one. Among other legal documents, the United Nations Convention on the Rights of Persons with Disabilities (UN General Assembly, A/61/611) can be taken as the epitome of this widespread attitude. Adopted in 2006, the Convention requires that all individuals with disabilities should share in the enjoyment of equal fundamental rights.

#### B - The State isn’t ontologically hopeless - revision and TVAs could solve.

Badano 13

(Gabriele – PhD candidate at the Centre for Philosophy, Justice and Health at University College London – “Political liberalism and the justice claims of the disabled: a reconciliation,” Critical Review of International Social and Political Philosophy, April 2013, <http://www.tandfonline.com/eprint/tHKkbrxhGYIWAxTcJrAW/full#.UxyV-PldX-4>)

7. Conclusion The general project of Rawls’s political liberalism is compelling. However, the appeal of this project is greatly diminished by the fact that Rawls’s public reason cannot accommodate the justice claims of many individuals with disabilities. In this paper, I have demonstrated that political liberalism can be revised so as to be inclusive towards the disabled. A concern for the basic interests of virtually all individuals with disabilities is part of the common culture of our societies. This has led me to argue that, according to our shared reason, the idea of persons is more fundamental than the idea of society. More speciﬁcally, persons are to be deﬁned as those individuals with the capacity to exercise their moral powers to a minimal degree. Besides being inclusive towards individuals with disabilities, my account of political liberalism is still able to deliver the Rawlsian promise of a stable and fundamentally just society under conditions of pluralism.

### 1NC – Market / Policy Engagement Key

#### Their Dow example proves activism against violent corporate practices can be effective within institutions, despite corporate capture of the state – BUT engagement in policy and market knowledge and skills is key

Aguirre 21 (Jessica Camille Aguirre, award-winning journalist and writer, Knight Science Journalism fellow at MIT, fellow at the McGraw Center for Business Journalism, former Logan Nonfiction Fellow at the Carey Institute for Global Good, Visiting Scholar at the New York University Arthur L. Carter Journalism Institute, and Fulbright fellow, as well as a grantee of the International Women’s Media Foundation, the International Reporting Project, the Kaiser Media Fellowship in Health Reporting and the International Center for Journalists Climate Change Journalism Fellowship, “The Little Hedge Fund Taking Down Big Oil,” New York Times, 6-23-2021, https://www.nytimes.com/2021/06/23/magazine/exxon-mobil-engine-no-1-board.html)

In the corporate world, successful proxy battles are the equivalent of shareholder insurrection. Usually motivated by displeasure with management, activist investors in a company can put forward proposals, including board candidates, to be voted on at companies’ annual meetings. Investors have taken activist stances in their companies at least since a shareholder named Isaac Le Maire started complaining about money management at the Dutch East India Company in 1609. But the practice was weaponized in the United States during the 1980s, when a set of ambitious moneymakers conducted what were eventually called corporate raids, intended to pump up the value of a company’s stock even if that meant carving up the business.

Famous activist investors, like Carl Icahn or Bill Ackman, are often seen as predatory, but they are skilled at reading a company’s vulnerabilities and marshaling shareholder dissatisfaction. Because recruiting and putting forward a slate of candidates is expensive and time-consuming, though, investors often try to engage with a company behind the scenes before initiating proxy battles for board seats. “In terms of corporate America, it’s very aggressive,” said Jeff Gramm, author of the 2016 book “Dear Chairman: Boardroom Battles and the Rise of Shareholder Activism.” Companies have been known to respond with comparable aggression, holding annual meetings in remote locations or adjourning them suddenly to stifle dissent.

While activist investing typically focuses on a company’s financials, socially minded investors have used the levers available to them to press for fairer business practices. Shareholders need to hold only a small stake in a company to put forward a resolution, but disputed proposals have to be approved by the Securities and Exchange Commission, which has rules limiting shareholder influence over day-to-day business operations. Depending on the disposition of a company’s management, though, sometimes even a small amount of shareholder disquiet is enough to change a company’s behavior. In 1969, a civil rights organization of doctors and nurses filed a proposal at the Dow Chemical Company to stop selling napalm for use as a weapon; the S.E.C. backed the company’s decision to block the proposal from reaching the annual meeting. Dow stopped producing napalm for the U.S. military that year.

In the past few years, an increasing number of proposals have aimed to pressure large corporations, and especially oil-and-gas companies, to respond to climate change; more than 1,600 such proposals have been filed since 2010. Of those, less than half were put to a vote, and just a tiny sliver gained majority support; even successful resolutions are nonbinding, so companies can still dismiss them afterward. But when an activist wins board seats, companies have to choke back their dissatisfaction and accept their new directors.

Because the rules for filing a shareholder proposal are different in Europe, generally requiring a bigger stake in the company but not dependent on approval by a regulator, investors have submitted more ambitious climate proposals at the major oil companies there. In 2015, a Dutch activist named Mark van Baal started raising money to buy shares in Shell, and the next year, he went in front of shareholders with demands that the company invest its profits in renewable energy and “take the lead in creating a world without fossil fuels.”

The resolution convinced only 2.7 percent of Shell shareholders, but van Baal returned again with a proposal to put the company’s trajectory in line with the goals set out in the Paris climate accord — the 2015 global agreement committing countries to aim to keep global temperatures below a 1.5-degree-Celsius increase and not allow them to rise more than a maximum of two degrees Celsius above preindustrial levels — and this one garnered 6.3 percent shareholder support. Van Baal saw his approach as an incremental slow burn; as his proposals gained more support at each annual meeting, companies had little choice but to respond and adapt. Last year, many of the major European oil companies, including BP, Shell and Total, said they intended to cut carbon-dioxide emissions to net zero by 2050.

### 1nc – engagement

#### Debating policy advocacy is essential to turn federal policymaking into care work at scale

Domínguez, et al 20 (Daniela G. Domínguez, Department of Counseling Psychology, University of San Francisco; Dellanira García and David A. Martínez, Department of Health Professions, University of San Francisco; and Belinda Hernandez-Arriaga, Department of Counseling Psychology, University of San Francisco; “Leveraging the Power of Mutual Aid, Coalitions, Leadership, and Advocacy During COVID-19,” American Psychologist, advance online publication, 6-25-2020, https://psycnet.apa.org/fulltext/2020-45461-001.pdf)

The COVID-19 pandemic has shed light on the preexisting norms, patterns, and power structures in the United States that privilege certain groups of people over others (Dickson, 2020; Nixon, 2019). U.S. society has witnessed the shortcomings of its health care system and how its structure has created persistent barriers to health care access for marginalized communities (Belgrave & Abrams, 2016; Devakumar, Shannon, Bhopal, & Abubakar, 2020). TheCOVID-19 pandemic has increased pressure on psychologists to more actively participate in systemic changes that address the health inequities and the social determinants of health (SDH) that impact disadvantaged communities. SDH is defined as the “conditions in the places where people live, learn, work, and play [that] affect a wide range of health risks and outcomes” (Centers for Disease Control and Prevention, 2018, para. 1). Systemic (or structural) change is particularly important because previous research has shown that health care alone, including mental health care, is not sufficient to alleviate the detrimental effects of poor social environmental conditions (Bullock, 2019; Embrett & Randall, 2014). The COVID-19 pandemic has demonstrated that targeted systemic changes are critical because the root causes of health inequities are social, political, and economic rather than simply behavioral (Nixon, 2019); health inequities often begin at birth and persist in adulthood (Hostinar & Miller, 2019).

Psychology research has shown that health disparities in disadvantaged communities can be reduced through access to safe housing, social connection, economic security, adequate nutrition and education, affordable health care, and quality childcare (Bullock, 2019; Holt-Lunstad, Robles, & Sbarra, 2017). Scholars have indicated, however, that systemic changes to address health disparities cannot be achieved without the collaboration of multiple partners and systems (Kazak et al., 2010); the political will to change the national discourse (M. Crowley, Supplee, Scott, & Brooks-Gunn, 2019); and the commitment to engage in intersectoral antipoverty, health, and economic justice initiatives (Bullock, 2019). Although previous public health, education, and justice systems literature has addressed the importance of addressing SDH to improve the quality of life and well-being of diverse communities across the life span (Chen, Brody, & Miller, 2017; Pietromonaco & Collins, 2017;Rook & Charles, 2017), additional literature in the field of psychology is needed on the urgent need for systemic change to improve the psychological health outcomes of individuals living in underprivileged conditions (Solar &Irwin, 2010). In line with the World Health Organization’s(2011) conceptual framework for action on the SDH, the authors use the terms marginalized, disadvantaged, and underprivileged to refer to individuals who due to their lower position in the United States’s social hierarchy, experience higher exposure and vulnerability to health-compromising conditions such as COVID-19.

This article describes COVID-19 as an unprecedented catalyst for social transformation that emphasizes the pressing need for multilevel and cross-sectoral solutions to ad-dress systemic changes to improve health equity for all. The authors propose that the American Psychological Association (APA) and its membership can initiate systemic change, in part, by (a) supporting mutual aid organizations that prioritize the needs of vulnerable communities with actions such as first-aid crisis supplies, professional psychoeducational programming, wellness outreach, fundraising for mental health services, and mental health advocacy;(b) leveraging the efforts and strides APA psychologists have already made within the association, in the profession, and in advocacy and policymaking to address the health inequities impacting marginalized communities; (c) building capacity for collaboration between a broad coalition of health associations and experts such as health economists, health policy groups, and policymakers to address the physio-psycho-socioeconomic needs of disadvantaged com-munities; and (d) increasing the APA’s participation in the formulation and implementation of an advocacy agenda that addresses the structural barriers to equal health care that prioritizes the physical and psychological health of the communities whose lives are most endangered by COVID-19. As depicted in Figure 1, we propose a multilevel systemic approach to addressing health inequities and offer specific suggestions at every level.

The authors wrote this article during the COVID-19 pandemic while witnessing the ways in which existing health disparities are disproportionately impacting disadvantaged and underserved communities (Evans, 2020; California Department of Public Health, 2020; Johnson & Buford, 2020;New York State Department of Health, 2020; Pew Research Center, 2020). Because long-standing systemic changes will be difficult to achieve with a single proposed effort, the authors propose various strategies as additional ~~steps~~ that the APA and its membership can take in the direction of improving the mental health trajectories of marginalized communities during and after the COVID-19 pandemic.

An APA Membership Supporting Mutual Aid Organizations That Prioritize Vulnerable Communities

Disasters have historically exposed the inequitable power structures that exist in the United States (Domínguez &Yeh, 2018), and COVID-19 is clearly no exception. Historically, these well-established power structures determine who is worthy of care, who is disposable, and who is “American” (Hobart & Kneese, 2020). It is in the midst ofthe COVID-19 pandemic that the authors have observed serious health inequities connected to structural barriers that disproportionately impact low-income communities (Dickson, 2020), people of color (Johnson & Buford, 2020;White, 2020), individuals with disabilities (Armitage & Nellums, 2020), undocumented individuals (Devakumar et al., 2020), the homeless population (Culhane, Treglia, Steif, Kuhn, & Byrne, 2020), and people in frontline and precarious jobs who are susceptible to viral transmission (Devakumar et al., 2020). Individuals from marginalized communities are at higher risk of illness during the COVID-19pandemic because they often find themselves caught in a “disease-driven poverty trap” in which “the combined causal effects of health on poverty and poverty on health implies a positive feedback system” (Bonds, Keenan, Rohani, & Sachs, 2009, p. 1186).

The economic crisis and recession that the United States will experience due to this pandemic (White, 2020) will almost certainly increase the demands on scarce resources and exacerbate existing disparities if systemic changes are not executed to address health inequities. Members within the APA can prepare for the times of scarcity by offering and receiving mutual aid support.

Mutual aid is a form of political participation in which people take responsibility for caring for one another and changing political conditions, not just through symbolic acts or putting pressure on their representatives in government but by actually building new social relations that are more survivable.(Spade, 2020, p. 136)

Mutual aid is different from empathy because it is more than an ability to understand and share the feelings of another individual; it implies a practice tied to acts of solidarity and

Diagram

Description automatically generated

a desire to overcome structural injustice through social transformation and action (Gould, 2018). Mutual aid has the potential to fulfill basic survival needs, including food, health care, shelter, and social connection, through grass-roots and local emergency responses (Gould, 2018). APA members can support marginalized communities through mutual aid organizations.

Mutual aid organizations can be particularly helpful for marginalized communities when federal or state governments’ responses are delayed (e.g., delayed COVID-19 stimulus checks) or inadequate (e.g., undocumented individuals who are ineligible for federal emergency management assistance). Examples of mutual aid organizations supporting communities of color include Al Otro Lado, a group that is organizing emergency funds for migrant families; Mask Oakland, a group providing vulnerable communities with respirator masks;COVID-19 NYC Black Folk Mutual Aid Fund, a group raising funds to offer financial and quarantine support to Black-identified individuals in New York City; and Ayudando Latinos a Soñar, a group that is sewing masks and supplying food to farmworkers in rural California (Al Otro Lado, n.d.; Ford,2020; Mask Oakland, n.d.; Onyenacho, 2020).

APA members can partner with these or similar mutual aid organizations to provide immediate support to under resourced communities in the face of the government’s slow and insufficient crisis-oriented responses. They can visit the 501(c)(3) nonprofit organization The Town Hall Project’s Mutual Aid Hub to find, learn more about, and contact mutual aid organizations where they can volunteer and support community efforts that aim to decrease disparities in health outcomes (Mutual Aid Hub,2020). APA members can make unique contributions to mutual aid organizations given their expertise in mental health. Professional contributions may include providing training and psychoeducational programming to mutual aid volunteers (e.g., stress-management training and peer support training), participating in first-aid crisis supplies distribution (e.g., volunteer to deliver masks and groceries to vulnerable communities), fund-raising efforts (e.g., crowdfunding to pay for mental health care services for uninsured and underinsured individuals), engaging in mental health advocacy (e.g., organizing campaigns to in-crease access to psychological services for underserved communities), and delivering direct psychological support (e.g., conducting “wellness checks” to assess the mental health of at-risk-individuals or communities). For example, the first author of this article, in partnership with a Bay Area mutual aid organization (i.e., Marinship Emergency Medical Manufacturing Group), assembles and delivers personal protective equipment (PPE) to frontline workers in rural communities. The first author is also leveraging her power as a university professor to request health literature on COVID-19 for monolingual Spanish-speaking families in Sonoma County. Supporting the work of a grass-roots community organization (i.e., Ayudando Latinos a Soñar), the fourth author is organizing immigrant mothers to sew cloth masks for farmworkers, delivering food to ranches, collecting sweatshirts for those in the field, and conducting telephone “wellness checks” to assess the safety of undocumented individuals who are sheltering-in-place. APA members can also offer crisis aid from a physical distance through the social media platforms of mutual aid organizations to increase access to vital resources (Gould, 2018).

APA members’ local response is important because COVID-19 hotspots continue to emerge as shelter-in-place orders are lifted and cities reopen, particularly in areas with a high density of vulnerable populations (Elassar, 2020). For example, APA and community members who reside in areas considered to be the next fronts in the fight against the COVID-19 pandemic (e.g., Louisiana; Washington, DC; Baltimore; and Philadelphia; Louisiana Department of Health,2020; Soucheray, 2020) may benefit from the more immediate and available mutual aid support that exists within their state or city. Through mutual aid organizations, psychologists can offer instrumental support in these hotspot areas by providing professional psychoeducational programming on topics such as the health benefits of social distancing, sharing evidence-based strategies to mitigate the psychological distress of social isolation, offering parenting tips for child and family health, and providing tips for staying connected to social support systems while sheltering-in-place.

The authors are not implying that the APA would be responsible for endorsing specific mutual aid organizations but rather encouraging leaders within the association to continue referring its membership to mutual aid hubs (e.g., The Town Hall Project’s Mutual Aid Hub) where members can potentially offer or receive local assistance (APA,2020). Making mutual aid hubs more visible on APA’s electronic mailing list and web pages may help APA members to connect with and support local organizations in strategic and tailored ways.

Leveraging the APA’s Multilevel Approach in Response to COVID-19

It is clear that the APA has leaders who are actively engaged in mental health advocacy in support of health equity among marginalized communities. In 2020 alone, the association responded to possible religious discrimination in federal programs (APA, n.d.-i), endorsed federal legislation to address increasing suicide rates and mental health disorders among Black youth (H.R. 5469; APA, n.d.-g), and most recently endorsed legislation that aims to end school discipline practices that contribute to the “school-to-prison pipeline” (H.R. 5325; APA, n.d.-h, para. 1). In addition, the APA’s Health Disparities Office has developed a number of initiatives that seek to reduce health inequities (to learn more, visit https://www.apa.org/pi/health-disparities/). Leveraging initiatives that aim to reduce health inequities with the goal of activating systemic change is vital. As Bullock(2019) has articulated, “psychologists must place our focus squarely on power and the structural roots of poverty and inequality” (p. 638). The COVID-19 pandemic has demonstrated that this focus on power and the structural roots of inequity must be a top priority for the APA.

The leadership of the APA, one of the leading scientific and professional organizations in the United States, is using a multilevel approach in response to the COVID-19 pandemic at the (a) association level, (b) profession or discipline level, and (c) policymakers and public level (Shullman & Evans, 2020). The APA has provided recommendations related to social distancing, teleworking practices, distance teaching and learning, self-care, the prevention of burnout, and student loan repayment, among others. They have done this while closing the APA’s physical offices; moving their operations online via telehealth (Shullman & Evans, 2020); offering scholarly articles at no cost during the pandemic(APA, n.d.-f); launching a telehealth advocacy campaign across the 50 states and Washington, DC (Shullman &Evans, 2020); and addressing the impact of bias, stigma, and xenophobia that has spread alongside coronavirus (APA, n.d.-e). The APA responded quickly to support its member-ship and the community. To underscore the APA’s work and the rapid changes occurring during this pandemic, during our work on this article the APA leadership submitted a letter to the White House calling on the government to make COVID-19 data available for health professionals to be better able to discern the impact of the virus on various communities based on sociodemographic profiles (Evans, 2020).

At the association level, now more than ever, it is important for the APA’s leaders to ensure that the infrastructure of the association sheds light on the health disparities that impact APA researchers, practitioners, trainees, and students from marginalized groups. With over 121,000 members (e.g., researchers, consultants, practitioners, educators),the APA has a diverse membership that includes and is not limited to undocumented, Brown, Black, Queer, and indigenous individuals; members with disabilities; and low-income individuals (APA, n.d.-b). The APA must consider ~~steps~~ to protect underprivileged members from experiencing the combined causal effects of health on marginalization and marginalization on health. The long-term implementation of initiatives such as creating sliding scale membership fees, discounted conference registration rates, and free scholarly articles for psychologists and students living on the margins of society may help to offer support during and after the COVID-19 pandemic. This is not to say that the needs of other membership groups should be ignored but rather that it may help for psychologists in positions of power to consider allocating additional support for those who are most in need of assistance.

At the professional level, APA members must study and address the systems of exploitation experienced by oppressed communities at the hands of dominant groups in society (Martín-Baró, 1991, 1994). Focusing on systems of power is important because advocating for a single psychological outcome (e.g., self-regulation skills) or individual wellness may not significantly reduce health disparities if the environmental factors around marginalized communities continue to impact multiple areas of their lives (Hostinar &Miller, 2019). For example, when clients from marginalized communities present for psychological treatment, psychologists should consider how mental health concerns, including concerns related to COVID-19 treatment, are connected with or rooted in oppressive environmental forces (Good-man, 2015). APA psychologists may find in liberation psychology (Martín-Baró, 1994) and similar approaches based on critical consciousness (Freire, 1973) useful roadmaps to help psychologists move away from an emphasis on intra-psychic processes to focus on the macrolevel forces (e.g., racism, income inequality, anti-immigrant sentiments) that predispose marginalized communities to poor health outcomes. Liberatory frameworks, for example, have the potential to increase clients’ awareness of the structural and institutional barriers that have resulted in their marginalization. This may, in turn, place clients in a better position to transform their understanding of themselves as dysfunctional or unhealthy and begin to ~~see~~ themselves as stronger and resilient survivors within an inequitable U.S. society (Domínguez, Hernandez-Arriaga, & Paul, 2020; Goodman,2015). It may also be helpful for APA leaders to further emphasize in their professional statements the importance of using models and approaches that take into consideration how SDH continue to impact vulnerable communities.

At the policymakers and public level, the APA would benefit from the implementation of a transformative agenda that boldly aims for systemic change. Our association has talented leadership with a unique platform to hold local, state, and federal governments accountable to protect front-line health personnel (e.g., psychologists and trainees), patients or clients, and marginalized communities who are disproportionately impacted by public health crises. The APA’s chief executive officer, Arthur C. Evans, is already using his powerful platform to make urgent requests to the White House for the comprehensive surveillance and reporting of public health data related to COVID-19 (Evans, 2020). The APA may also benefit from expanding the association’s Congressional Fellowship program (at this time, only two fellows benefit from this experience; APA, n.d.-a) and providing additional advocacy training such as editorial writing and editing, learning to conduct a successful conversation with a policymaker, and local and state coalition building (Bullock, 2019). Leveraging these policymaking efforts and building capacity for additional advocacy will be vital to support communities living on the margins of society. Psychologists may be in a better position to address health inequities with the support of a broad coalition of associations, as discussed next.

Building Capacity for Collaboration Between a Broad Coalition of Associations

In a society experiencing significant health disparities, a multilevel approach is needed to achieve long-term systemic change (Belgrave & Abrams, 2016; Hostinar &Miller, 2019). For multisectoral solutions to address systemic change, psychologists may want to consider breaking down traditional professional silos that limit interdisciplinary partnerships and collaborations (Hostinar & Miller,2019). Health care professionals can no longer work in isolation, because health inequities are too complex to tackle alone. In response to COVID-19 and future crises, the U.S. health care system needs an “all hands on deck” approach that shows solidarity with those who are frequently excluded or marginalized by certain economic or political systems of power (e.g., health insurance industry). Unprecedented times call for unprecedented action, and long-term interdisciplinary collaborations are urgently needed (Evans, 2020).

The COVID-19 pandemic is pressuring associations to think boldly about how health professionals across disciplines and sectors engage with one another to promote policy changes that address the root causes of systemic injustices. The APA is in a unique position as a leader in the field of mental health to energize a united and interdisciplinary coalition of providers to address health disparities during and post-COVID-19. The rich fabric of diversity in the APA opens opportunities for unique experiences and knowledge to be shared with other health professionals and policymakers. Psychologists can make important contributions to the understanding of public health interventions in response to COVID-19 (Evans, 2020). As Kazak, Nash, Hiroto, and Kaslow (2017) have stated, “psychology must embrace its rightful place as a health profession and appreciate and highlight the ways in which psychologists can play unique and critical roles in transforming present and future health care delivery models” (p. 1).

A way for psychologists to embrace their rightful place as health service psychologists is to create innovative pathways with other professions through sustainable community-engaged approaches to address health disparities. Interdisciplinary community action approaches have successfully increased access to care for mental health dis-orders (Chibanda, Cowan, Healy, Abas, & Lund, 2015),substance use treatment (Rane et al., 2017), and HIV testing (Berkley-Patton et al., 2016) among marginalized communities. Community action models play a central role in increasing access to mental and physical health services as well as decreasing stigma and promoting inclusion, recovery, and prevention (Jorm, 2012; Kohrt et al., 2018; Mar-mot, Friel, Bell, Houweling, & Taylor, 2008). Thus, community action approaches that focus on community mental health would be strengthened by collaborative work with other disciplines such as health economists, health policy groups, lawmakers, social workers, and professionals in other health disciplines.

Coalitions are currently being formed and partnerships are being proposed in response to the COVID-19 pandemic. For example, the American Hospital Association, the American Medical Association, and the American Nurses Association collaborated on a letter sent to the U.S. House of Representatives and the U.S. Senate to advocate for funding that would enable the U.S. health care system to overcome medical supply and staffing shortages to continue their operations during this pandemic (American Hospital Association, n.d.). Although these partnerships are being formed in response to specific COVID-19 advocacy initiatives, the authors emphasize that these partnerships must (a) include the participation of mental health associations such as the APA, (b) move beyond crises responses to engage in sustainable long-term rooted collaboration, (c) and develop improved practice recommendations that can be implemented at various levels and across systems. For systemic change to be initiated, coalitions cannot simply form in response to a crisis and then disappear after disaster recovery or containment. If the APA and other health associations want to tackle health disparities, cross-pollinating strengths and resources through strong and sustainable interdisciplinary coalitions is vital.

To assess how to best forge partnerships in ways that best serve the interests and needs of disadvantaged communities, it may be helpful for the APA to consult with the Council of National Psychology Associations for the Advancement of Ethnic Minority Interests. With interdisciplinary support and diverse leadership representation, a coalition of national organizations has the potential to work synergistically to ensure that “healthy public policies” are reaching governments’ policy agendas (Embrett & Randall, 2014, p. 147). Healthy public policies is defined in the literature as “policies that can prevent disease and promote population health,” and “these policies are developed through health focused cross-sector collaboration” (Rigby & Hatch, 2016,p. 2044). They seek to ensure that every person has the opportunity to reach their full health potential regardless of their social position or other socially determined circumstances (Commission on Social Determinants of Health [CSDH], 2008).

Preventing disease and promoting population health will be possible only by rising out of silos to strengthen relationships across health professions and formulate and implement an inclusive advocacy agenda, as discussed next.

Inclusive Advocacy Agenda That Prioritizes the Needs of Marginalized Communities

Although COVID-19 has impacted “privileged” and “marginalized” communities across the globe, recent investigations have revealed that communities of color are at higher risk for infection and have higher mortality rates (Evans, 2020; California Department of Public Health, 2020; Johnson & Buford, 2020; New York State Department of Health, 2020; Pew Research Center, 2020). According to the Centers for Disease Control and Prevention (CDC), U.S. data from the first month of the COVID-19 pandemic uncovered disparities among vulnerable populations; whereas African Americans constitute 13% of the U.S. population, they represented approximately 33% of the people who became sick enough to require hospitalization from COVID-19 symptoms (Garg et al., 2020). In New York City, Latinx people represent 29% of the population and Black people 22%, yet 34% of COVID-19-relateddeaths were Latinx and 29% were Black (New York State Department of Health, 2020). These differences in health outcomes for people of color and other marginalized groups may be preventable through “healthy public policies” that address the underlying socioeconomic, physical, and health problems that disproportionately impact them (Hostinar &Miller, 2019, p. 649; Marmot et al., 2008). If healthy public policies are not executed to protect marginalized communities (Hostinar & Miller, 2019), the United States will continue to ~~see~~ [realize] long-term negative health effects on its society, and the federal government’s response to future pandemics will continue to be reactive instead of proactive.

Evidence has suggested that society has benefited from the expertise and advocacy of APA members and the collaborative relationships between psychologists and policy-makers (D. M. Crowley & Scott, 2017; M. Crowley, Scott,& Fishbein, 2018). Given that one out of every nine bills introduced by Congress becomes law (M. Crowley et al.,2019), for healthy public policies to be successful, they need to be formulated, endorsed, and implemented by a broad coalition of health associations, health experts, and policy-makers. For example, in partnership with lawmakers, APA congressional fellows have played a key role in contributing to legislative successes including participating in the passage of the Patient Protection and Affordable Care Act of 2010 from which millions of individuals have benefited (APA, n.d.-d). Those who have benefited include “children with pre-existing conditions (including mental health disorders), young adults who can now stay on their parents’ health plan until age 26, and older adults via access to prescription drugs at affordable rates” (APA, n.d.-c, para.1). Advocacy initiatives such as the APA’s Congressional Fellowship (APA, n.d.-a) can have long-lasting benefits that reduce health disparities, in this particular case by expanding the scope of coverage to include additional mental health and substance abuse benefits.

Identifying healthy public policies that target issues specific to certain populations may be important because millions of people have lost their jobs and in many cases their health coverage due to the COVID-19 pandemic (U.S. Department of Labor, 2020). Some health worker groups have endorsed agendas that aim to address health care coverage as a ~~steps~~ in the direction of systemic change. Health care worker groups such as the National Nurses United and Physicians for a National Health Program have embraced a Medicare-for-all agenda with the understanding that the health system itself is a social determinant of health that mediates the differential health outcomes of individuals. For Medicaid and Medicare expansions to take place, bold and cross-sector collaboration will be needed. Psychologists must have a seat at the table when health worker groups discuss advocacy and policy initiatives to help transform the current mental and behavioral health systems.

For more information on how to support healthy public policies through policymaking, the CSDH of the World Health Organization (WHO) has provided guidance on policy directions for action (to learn more, visit https://www.who.int/sdhconference/; WHO, 2011), and experts at the CDC have developed a resource to help address the SDH with recommendations on policy initiatives (Brennan Ramirez, Baker, & Metzler, 2008). In addition, previous scholars in the mental health field have provided insight into the role of psychology in policymaking (M. Crowley et al.,2019; Silver & Silver, 2006; Yarrow, 2011). Accessing the expertise of scholars, from within and outside the APA, who are familiar with the factors that make policymaking successful will continue to strengthen the APA’s role in advocacy and policymaking for more inclusive mental health initiatives. The implementation of a transformative and comprehensive advocacy agenda is needed to improve the ways the current COVID-19 pandemic and future outbreaks or crises are responded to.

Discussion

This article raises an important and timely discussion to the profession of psychology given the current issues brought on by COVID-19. For communities who already live on the margins of society due to income, racial or ethnic ancestry, documentation status, and other inequalities, COVID-19 has become yet another hurdle for many communities in the United States to overcome. This pandemic has revealed something that empirical studies have long established—that there are pervasive structural and systemic issues that have historically impacted the health and well-being of people of color and those with economic disadvantage (Belgrave & Abrams, 2016; Bonds et al.,2009; Brennan Ramirez et al., 2008). The disproportionate death toll this pandemic has had on individuals from disadvantaged and marginalized communities cannot be ignored. The morbidity and mortality rates serve as a clear indicator of the needed shifts in existing paradigms that further dis-enfranchise some and privilege others. Psychologists are well suited to take their place among other health professions and allow their voices to be heard on how to best assist with the psychological sequelae of COVID-19 and future pandemics.

Today, psychologists find themselves living in unprecedented times where communities and countries around the globe are being heavily impacted by a novel coronavirus. Although the virus itself does not discriminate, there is sufficient and mounting evidence that individuals from disadvantaged communities, who are primarily people of color, are being disproportionately impacted. Every day, the numbers of those infected and of lives lost continues to increase and instill fear and hopelessness in many. Beyond the devastating physical and economic toll, the negative mental health impacts of COVID-19 are undeniable and will have lasting effects. It is our hope to continue to stand with the APA as it leads the way forward and builds on the significant work it has already done during this pandemic.

To move this discussion forward, we proposed a multi-level systemic approach to addressing health inequities and offer specific suggestions at every level (see Figure 1). Building interdisciplinary coalitions and partnerships with health experts, developing and engaging in sustainable and targeted community-action approaches, and advocating and formulating health public policies are ways in which health service psychologists can initiate paradigm shifts needed for systemic change.

Although some socioeconomically and politically privileged groups work remotely from home due to shelter-in-place mandates, many members of marginalized communities are unable to follow these guidelines and are at increased risk of exposure to COVID-19: for example, agricultural workers picking crops in the fields, people cooking and delivering food, individuals who are homeless or marginally housed, those providing medication and personal care, and others working for companies that provide essential services such as grocery store clerks. For many people in these communities, mutual aid organizations have offered a lifeline during a time of crisis. For farm workers, who in a matter of days went from being perceived as unwelcomed illegal aliens to essential workers vital to the food pipeline, mutual aid groups have ~~stepped~~ in to provide them with PPE, meals for their families, and financial assistance. Thus, organizations such as the APA are well positioned to advocate for sustainable resources and policies directly affecting specific under-resourced groups and lead in socially responsible ways.

The main purpose of this article was to leverage psychologists’ professional privilege and to advocate for bold systemic changes and advocacy practices in the field of psychology in direct response to the health inequities of the COVID-19 pandemic. The article highlights the work that the APA has already done and seeks to further encourage psychologists to prioritize protecting vulnerable communities through engagement in mutual aid organizations, bold leadership, partnerships with other health associations, and direct involvement with public health policies (e.g., universal health care coverage) that positively impact disadvantaged groups. These unprecedented times call for socially responsive action and systemic changes that may significantly improve the way we respond to COVID-19 and future outbreaks or crises that affect us all. COVID-19 will unequivocally teach us many difficult lessons and above all will challenge all humanity to realize that the health of their neighbors is interconnected with their own.

### 1NC – State Key

#### Care work and social relation cannot solve their harms – state’s key

Harcourt 20 (Bernard E. Harcourt, Professor of Law and Political Science, Columbia University, “For Coöperation and the Abolition of Capital, Or, How to Get Beyond Our Extractive Punitive Society and Achieve a Just Society,” Columbia Public Law Research Paper No. 14-672, 9-1-2020, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3702010)

The theory of mutual aid can sometimes elide the structural failures that are the root cause of the problems that give rise to the very need for mutual aid. At other times, the concept of mutual aid comes too close to charitable work. It is problematic, for instance, that some proponents glorify mutual aid, arguing that it works better than state or top-down measures, and as a result (1) ignore the fact that the problems are the product of indifference and structural racism, poverty, classism, and gender discrimination, and (2) suggest that we would all be better off with no state interventions. Dean Spade gets to this in his essay, “Solidarity, Not Charity,” when he argues that most of the media stories about recent mutual aid efforts elide the structural causes of the problems; and when he argues that they feed into the rhetoric of small government.312

Another concern with mutual aid is that it only really addresses one small or tiny segment of coöperation, the sector that relates to charitable works, non-profit service, or what might be called public service—altruistic projects aimed at relieving the immediate effects of poverty and hunger and sickness. This raises several problems.

First, it has an anarchist bent that may be detrimental to coöperation: the impetus and force of coöperatives and mutuals may well be that the individual workers and members drive the enterprise, and in this sense, many of these initiatives are bottom-up or grass-roots; but that does not signify in any way that there is no need for an organizational mechanism or regulatory framework to administer and ensure the smooth functioning of these initiatives. Coöperationism is not anarchism. It may devalue the dirigiste elements of the state (by, among other things, placing ultimate decision-making in the hands of elected members of coöperatives), but it does not do away with the state necessarily.

Second, it takes a part for the whole: mutual aid is just one type of coöperationist enterprise, and it fits alongside housing and worker coöperatives, credit unions, mutuals, etc. Each one of these types of enterprise will have their own unique features. Mutual aid may appear to require less state intervention than worker coöperatives, but that is only because state regulation is often so hidden. It is pervasive in the mutual aid context: the state licenses food services and has OSHA regulations for the groceries where Invisible Hands’ Elkind shopped (Fairway Markets), as well as all kinds of worker and other regulations, FDA etc. And these differ from the kinds of regulations that would be necessary for banking through credit unions. Each one of these will need their own conceptualization, and we could never say that “mutual aid” governs those other areas—that makes far too many assumptions and simplifications about coöperationism.

Third, mutual aid does not really address root causes, despite its oft-repeated claims: these mutual aid projects are more temporary remedies, than solutions to the problems. They are valiant forms of self-help, but they depend on some of us having enough money to volunteer and shop for others, for instance in the Invisible Hands initiative. They build solidarity and reorient our moral compass—all good—but do not resolve the structural problems that give rise to capitalist exploitation. When Tolentino writes in the New Yorker that “Both mutual aid and charity address the effects of inequality, but mutual aid is aimed at root causes—at the structures that created inequality in the first place,”313 I have to disagree. Other forms of coöperation will get at the root causes, but not the mutual aid projects. Tolentino links in the article to the Big Door Brigade.314 The Big Door Brigade is a project that Dean Spade has been involved with. 315 On its website, built by and maintained by him, Dean Spade explains:

Mutual aid is when people get together to meet each other’s basic survival needs with a shared understanding that the systems we live under are not going to meet our needs and we can do it together RIGHT NOW! Mutual aid projects are a form of political participation in which people take responsibility for caring for one another and changing political conditions, not just through symbolic acts or putting pressure on their representatives in government, but by actually building new social relations that are more survivable. Most mutual aid projects are volunteer-based, with people jumping in to participate because they want to change what is going on right now, not wait to convince corporations or politicians to do the right thing.316

To be sure, mutual aid embraces a notion of people building new social relations and taking matters in their own hands and taking responsibility; but that is not the equivalent, I would argue, to addressing the structural problems of capitalist exploitation (unless, backing up to the first point, you are an anarchist). So again, more needs to be added to really address the root problems.

This is not to impugn mutual aid in any way. There is a long and admirable history to mutual aid that goes back to the Black Panther Party’s free-breakfast program in the United States in the 1960s and well before; and that extends to ongoing initiatives like the groups that leave water in the desert for immigrants crossing the border (the No More Deaths collective).317 There is a strong parallel between mutual aid and Occupy Wall Street: the idea of prefiguring another form of democracy. Kaba talks about the practice of mutual aid as “prefiguring the world in which we want to live.”318 That was, as you will recall, a constant refrain of Occupy and of Judith Butler’s work on assembly.319

But mutual aid is only one small dimension of a society built on coöperation, one dimension which has its own peculiarities. It should not be built up to represent the whole. For one thing, it simply does not constitute a viable economic system for production and growth. Contemporary coöperationist enterprises do.

## Frames

### 2NC Link wall

#### The 1AC places a tremendous amount of emphasis of ableist discourse – so we have been especially nuanced in pointing to links in the 1AC.

#### For instance, we opted to NOT advance visual-related links to the word “see” within the 1ACs discussion of “Naplam Girl”. While that card does use the term “see” – it is not a universalized marker. The individuals reviewing the images arguably may indeed be “seeing” and “viewing” it.

#### But the 1AC Zavitsanos ev is so wildly prone to ableist criticism that it perfectly falls into Frame Subtraction’s role for the ballot.

#### The best academic and literary criticism DOES agree with 95% of a book – but offers reactions that bolsters the potency of the remaining 5%. That thesis is from the 1NC Williams Alt – and it contextualizes because Zavitsanos deploys especially-inappropriate “UNIVERSAL IZED “WE STYLE” markers in the following spots:

(their Zavitsanos ev) :

Until we start to see life as labor we will never really see work.

#### That’s obviously not a referent to an actual visual, sensory exchange. Worse – like really worse – is that it’s needlessly grafted onto collective experience – it should be excised from scholarship that strives to K ableist discursive norms.

#### This isn’t hodge podge – the SAME Zavitsanos ev would seem to lock-in both the link AND impact:

I have a broad indefinition of disability—I haven’t defined it. I want to keep it indefinite and put it at the level of life.

#### This is ESPECIALLY important to subtract from the 1AC.

#### We typically read a bunch of impact cards on the import of ableist language – but the 1AC has done it for us. This 1AC places UNDENIABLE emphasis on the danger of intersections between ableist rhetoric AND MILITARIZATION.

#### Lines from Castrodale include:

disability discursively serves as a justification for military strategies, weapons designed to impair (Gross, 2010), and as rehabilitative technologies for soldiers requires more scholarly attention. I believe that ‘CDS [critical disability studies] is a field that is inherently anti-military’

## Case

### Ballot turn

**However, locating political value in the ballot instills an adaptive politics of being and effaces institutional constraints that reproduce structural violence**

**Brown 95 –** Dr. Wendy Brown, Professor of Political Science at the University of California, Berkeley, Ph.D in Political Philosophy from Princeton University, States of Injury, p. 21-23

For some, fueled by opprobrium toward regulatory norms or other modalities of domination, the language of "resistance" has taken up the ground vacated by a more expansive practice of freedom. For others, it is the discourse of “empowerment” that carries the ghost of freedom's valence. Yet as many have noted, insofar as resistance is an **effect** of the regime it opposes on the one hand, and insofar as its practitioners often seek to **void it of normativity** to differentiate it from the (regulatory) nature of what it opposes on the other, it is at best politically rebellious; at worst, politically amorphous. **Resistance stands against**, **not for;** it is re-action to domination, rarely willing to admit to a desire for it, and it is **neutral with regard to possible political direction**. Resistance is in no way constrained to a radical or emancipatory aim. a fact that emerges clearly as soon as one analogizes Foucault's notion of resistance to its companion terms in Freud or Nietzsche. Yet in some ways this point is less a critique of Foucault, who especially in his later years made clear that his political commitments were not identical with his theoretical ones (and un- apologetically revised the latter), than a sign of his misappropriation. For Foucault, resistance marks the presence of power and expands our under- standing of its mechanics, but it is in this regard an analytical strategy rather than an expressly political one. "Where there is power, there is resistance, and yet. or rather consequently, this resistance is never in a position of exteriority to power. . . . (T]he strictly relational character of power relationships . . . depends upon a multiplicity of points of resistance: these play the role of adversary, target, support, or handle in power relations.\*39 This appreciation of the extent to which **resistance is by no means inherently subversive of power** also reminds us that it is only by recourse to a very non-Foucaultian moral evaluation of power as bad or that which is to be overcome that it is possible to equate resistance with that which is good, progressive, or seeking an end to domination. If popular and academic notions of resistance attach, however weakly at times, to a tradition of protest, the other contemporary substitute for a discourse of freedom—“empowerment”—would seem to correspond more closely to a tradition of idealist reconciliation. The language of resistance implicitly acknowledges the extent to which **protest always transpires inside the regime**; “empowerment,” in contrast, registers the possibility of generating one’s capacities, one’s “self-esteem,” one’s life course, without capitulating to constraints by particular regimes of power. But in so doing, contemporary discourses of empowerment too often signal an oddly **adaptive and harmonious relationship with domination** insofar as they locate an individual’s sense of worth and capacity in the register of individual feelings, a register implicitly located on something of an **other worldly plane** vis-a-vis social and political power. In this regard, despite its apparent **locution of resistance** to subjection, contemporary discourses of empowerment partake strongly of **liberal solipsism**—the radical decontextualization of the subject characteristic of liberal discourse that is key to the fictional sovereign individualism of liberalism. Moreover, in its almost exclusive focus on subjects’ emotional bearing and self-regard, empowerment is a formulation that converges with a regime’s own legitimacy needs in masking the power of the regime. This is not to suggest that talk of empowerment is always only illusion or delusion. It is to argue, rather, that while the notion of empowerment articulates that feature of freedom concerned with action, with being more than the consumer subject figured in discourses of rights and eco- nomic democracy, contemporary deployments of that notion also draw so heavily on an undeconstructed subjectivity that they **risk establishing a wide chasm between the (experience of) empowerment and an actual capacity to shape the terms of political, social, or economic life**. Indeed, **the possibility that one can “feel empowered” without being so forms an important element of legitimacy for the antidemocratic dimensions of liberalism**.

#### – turns case – symbolically affirming their method despite its disconnection from the material ONLY strengthens the logistical forces they’re trying to resist

Rigakos and Law 9 (George Rigakos, Assistant Professor of Law at Carleton University, and Alexandra Law, PhD, Legal Studies, Carleton University, “Risk, Realism and the Politics of Resistance,” Critical Sociology 35(1) 79-103, dml)

McCann and March (1996: 244) next set out the ‘justification for treating everyday practices as significant’ suggested by the above literature. First, the works studied are concerned with proving people are not ‘duped’ by their surroundings. At the level of consciousness, subjects ‘are ironic, critical, realistic, even sophisticated’ (1996: 225). But McCann and March remind us that earlier radical or Left theorists have made similar arguments without resorting to stories of everyday resistance in order to do so. Second, everyday resistance on a discursive level is said to reaffirm the subject’s dignity. But this too causes a problem for the authors because they:

query why subversive ‘assertions of self’ should bring dignity and psychological empowerment when they produce no greater material benefits or changes in relational power … By standards of ‘realism’, … subjects given to avoidance and ‘lumping it’ may be the most sophisticated of all. (1996: 227)

Thus, their criticism boils down to two main points. First, everyday resistance fails to tell us any more about so-called false consciousness than was already known among earlier Left theorists; and second, that a focus on discursive resistance ignores the role of material conditions in helping to shape identity.

Indeed, absent a broader political struggle or chance at effective resistance it would seem to the authors that ‘powerlessness is learned out of the accumulated experiences of futility and entrapment’ (1996: 228). A lamentable prospect, but nonetheless a source of closure for the governmentality theorist. In his own meta-analysis of studies on resistance, Rubin (1996: 242) finds that ‘discursive practices that neither alter material conditions nor directly challenge broad structures are nevertheless’ considered by the authors he examined ‘the stuff out of which power is made and remade’. If this sounds familiar, it is because the authors studied by McCann, March and Rubin found their claims about everyday resistance on the same understanding of power and government employed by postmodern theorists of risk. Arguing against celebrating forms of resistance that fail to alter broader power relations or material conditions is, in part, recognizing the continued ‘real’ existence of identifiable, powerful groups (classes). In downplaying the worth of everyday forms of resistance (arguing that these acts are not as worthy of the label as those acts which bring about lasting social change), Rubin appears to be taking issue with a locally focused vision of power and identity that denies the possibility of opposing domination at the level of ‘constructs’ such as class.

Rubin (1996: 242) makes another argument about celebratory accounts of everyday resistance that bears consideration:

[T]hese authors generally do not differentiate between practices that reproduce power and those that alter power. [The former] might involve pressing that power to become more adept at domination or to dominate differently, or it might mean precluding alternative acts that would more successfully challenge power. … [I]t is necessary to do more than show that such discursive acts speak to, or engage with, power. It must also be demonstrated that such acts add up to or engender broader changes.

In other words, some of the acts of everyday resistance may in the real world, through their absorption into mechanisms of power, reinforce the localized domination that they supposedly oppose. The implications of this argument can be further clarified when we study the way ‘resistance’ is dealt with in a risk society.

Risk theorists already understand that every administrative system has holes which can be exploited by those who learn about them. That is what makes governmentality work: the supposed governor is in turn governed – in part through the noncompliance of subjects (Foucault, 1991a; Rose and Miller, 1992). For example, where employees demonstrate unwillingness to embrace technological changes in the workplace, management consultants can create:

a point of entry, but also a ‘problem’ that their ‘packages’ are designed to resolve. … In short, consultants readily constitute certain forms of conduct as ‘resistance to technology’ as this gives them some purchase on its reform by identifying a space in which expertise can be brought to bear in the exercise of power. Resistance consequently plays the role of continuously provoking extensions, revisions and refinements of those same practices which it confronts. (Knights and Vurdubakis, 1994: 80)

This appears to be a very different kind of resistance from that contemplated by Rubin, but perhaps not so different from that of the authors whom he and McCann and March critique: those whose analysis ends at the discursive production of noncompliance. Instead, the above account is of a resistance that almost invariably helps power to work better. A conclusion in the present day that ominously foreshadows the futuristic, dystopic risk assemblage described by Bogard (1996).

Another example of the ‘resolution’ of resistance proposed above is the institution of a tool library described by Shearing (2001: 204–5). In this parable, a business deals with the issue of tool theft on the part of workers by installing a ‘lending library’ of tools instead of engaging in vigorous prosecution and jeopardizing worker morale. While the parable is meant to indicate a difference between actuarial and more traditional (moral) forms of justice, it also demonstrates how an act that may be considered ‘resistant’ is incorporated without conflict into the workplace loss-prevention scheme – an eminently preferable, ‘forward-looking’ solution within the logic of risk management. The same is possible in the case of more discursive forms of resistance. If I do not see myself as a Guinness man, for example, market researchers will do their best to adapt Guinness to the way I do see myself (Miller and Rose, 1997). The end result, of course, is that I purchase the beer. As manifested in a form of justice (Shearing and Johnston, 2005), it always consolidates, tempers emotions, cools the analysis, reconciles factions, and always relentlessly moves forward, assimilating as it grows. In this sense, therefore, Bogard’s ‘social science fiction’ actually pre-supposes and logically extends Shearing’s (2001) rather cheery and benevolent rendering of risk thinking. In this context of governmentality theory – as self-described and lauded for its political non-prescription by its own pundits – the acts or attitudes described as resistant are, in the end, absorbed by those who govern. Resistance as an oppositional force – that pushes against or has the potential to take power – is theoretically and politically neutralized. In the neutralization process, power is reproduced.

So, along with McCann and March’s observations that everyday resistance adds little to our understanding of false consciousness and that it denies the role of material factors in shaping identity, we can add Rubin’s two main criticisms of everyday resistance: it relies on an inaccurate understanding of power, and acts of resistance which supposedly emancipate actually may reinforce domination. All four of these criticisms demand the same thing: to know what is really going on, to get an adequate grasp of the social.