# Neg vs. Houston HK- Kentucky Round 5

# Round 5 1NC

### 1NC - COP

### \*\*\*1NC – FTC independence module

The FTC should issue enforcement guidance that the presently-existent phrase “unfair methods of competition in or affecting commerce” in Section 5 of the FTCA includes prohibiting amateurism within the National College Athletics Association. The FTC should release a clear statement and data sets that reflects this and enforce accordingly

#### The cplan solves. It also competes – the FTC interprets current authority, instead of creating new prohibitions.

Kahn ‘21

et al; This is a recent joint statement released by the five Federal Trade Commissioners. The Chair of the Federal Trade Commission is Lina Khan - an Associate Professor of Law at Columbia Law School. Also on the Commission is Rohit Chopra – who was previously The Assistant Director of the Consumer Financial Protection Bureau, as well as Rebecca Slaughter - an American attorney who was previously the acting chair of the Federal Trade Commission. Two others also sit on the Commission. “STATEMENT OF THE COMMISSION On the Withdrawal of the Statement of Enforcement Principles Regarding “Unfair Methods of Competition” Under Section 5 of the FTC Act” - July 9, 2021 - #E&F – modified for language that may offend - https://www.ftc.gov/system/files/documents/public\_statements/1591706/p210100commnstmtwithdrawalsec5enforcement.pdf

Section 5 of the Federal Trade Commission Act prohibits “unfair methods of competition in or affecting commerce.”1 In 2015, the Federal Trade Commission under Chairwoman Edith Ramirez published the Statement of Enforcement Principles Regarding “Unfair Methods of Competition” Under Section 5 of the FTC Act (hereinafter “2015 Statement”), which established principles to guide the agency’s exercise of its “standalone” Section 5 authority.2 Although presented as a way to reaffirm the Commission’s preexisting approach to Section 5 and preserve doctrinal flexibility,3 the 2015 Statement contravenes the text, structure, and history of Section 5 and largely writes the FTC’s standalone authority out of existence. In our ~~view~~ (perspective), the 2015 Statement abrogates the Commission’s congressionally mandated duty to use its expertise to identify and combat unfair methods of competition even if they do not violate a separate antitrust statute. Accordingly, because the Commission intends to restore the agency to this critical mission, the agency withdraws the 2015 Statement.

I. Background

On August 13, 2015, the Federal Trade Commission issued the 2015 Statement, which announced that the Commission would apply Section 5 using “a framework similar to the rule of reason,” by only challenging actions that “cause, or [are] likely to cause, harm to competition or the competitive process, taking into account any associated cognizable efficiencies and business justifications[.]”4 The 2015 Statement advised that the Commission is “less likely” to raise a standalone Section 5 claim “if enforcement of the Sherman or Clayton Act is sufficient to address the competitive harm.”5

In a statement accompanying the issuance of these principles, the Commission explained that its enforcement of Section 5 would be “aligned with” the Sherman and Clayton Acts and thus subject to “the ‘rule of reason’ framework developed under the antitrust laws[.]”6 In a speech announcing the statement, Chairwoman Ramirez noted that she favored a “common-law approach” to Section 5 rather than “a prescriptive codification of precisely what conduct is prohibited.”7 She also acknowledged that the Commission’s policy statement was codifying an interpretation of Section 5 that is more restrictive than the Commission’s historic approach and more constraining than the prevailing case law.8 She added, “[W]e now exercise our standalone Section 5 authority in a far narrower class of cases than we did throughout most of the twentieth century.”9

With the exception of certain administrative complaints involving invitations to collude, the agency has pled a standalone Section 5 violation just once in the more than five years since it published the statement. 10

II. The Text, Structure, and History of Section 5 Reflect a Clear Legislative Mandate Broader than the Sherman and Clayton Acts

By tethering Section 5 to the Sherman and Clayton Acts, the 2015 Statement negates the Commission’s core legislative mandate, as reflected in the statutory text, the structure of the law, and the legislative history, and undermines the Commission’s institutional strengths.

In 1914, Congress enacted the Federal Trade Commission Act to reach beyond the Sherman Act and to provide an alternative institutional framework for enforcing the antitrust laws. 11 After the Supreme Court announced in Standard Oil that it would subject restraints of trade to an open-ended “standard of reason” under the Sherman Act, lawmakers were concerned that this approach to antitrust delayed resolution of cases, delivered inconsistent and unpredictable results, and yielded outsized and unchecked interpretive authority to the courts.12 For instance, Senator Newlands complained that Standard Oil left antitrust regulation “to the varying judgments of different courts upon the facts and the law”; he thus sought to create an “administrative tribunal … with powers of recommendation, with powers of condemnation, [and] with powers of correction.”13 Likewise, a 1913 Senate committee report lamented that the rule of reason had made it “impossible to predict” whether courts would condemn many “practices that seriously interfere with competition, and are plainly opposed to the public welfare,” and thus called for legislation “establishing a commission for the better administration of the law and to aid in its enforcement.”14 These concerns spurred the passage of the FTC Act, which created an administrative body that could police unlawful business practices with greater expertise and democratic accountability than courts provided.15

At the heart of the statute was Section 5, which declares “unfair methods of competition” unlawful.16 By proscribing conduct using this new term, rather than codifying either the text or judicial interpretations of the Sherman Act, the plain language of the statute makes clear that Congress intended for Section 5 to reach beyond existing antitrust law. The structure of Section 5 also supports a reading that is not limited to an extension of the Sherman Act. Notably, the FTC Act’s remedial scheme differs significantly from the remedial structure of the other antitrust statutes. The Commission cannot pursue criminal penalties for violations of “unfair methods of competition,” and Section 5 provides no private right of action, shielding violators from private lawsuits and treble damages. In this way, the institutional design laid out in the FTC Act reflects a basic tradeoff: Section 5 grants the Commission extensive authority to shape doctrine and reach conduct not otherwise prohibited by the Sherman Act, but provides a more limited set of remedies.17

The legislative debate around the FTC Act makes clear that the text and structure of the statute were intentional. Lawmakers chose to leave it to the Commission to determine which practices fell into the category of “unfair methods of competition” rather than attempt to define through statute the various unlawful practices, given that “there were too many unfair practices to define, and after writing 20 of them into the law it would be quite possible to invent others.”18 Lawmakers were clear that Section 5 was designed to extend beyond the reach of the antitrust laws. 19 For example, Senator Cummins, one of the main sponsors of the FTC Act, stated that the purpose of Section 5 was “to make some things punishable, to prevent some things, that cannot be punished or prevented under the antitrust law.”20

The Supreme Court has repeatedly affirmed this view of the agency’s Section 5 authority, holding that the statute, by its plain text, does not limit unfair methods of competition to practices that violate other antitrust laws. 21 The Court, recognizing the Commission’s expertise in competition matters, has given “deference”22 and “great weight”23 to the Commission’s determination that a practice is unfair and should be condemned.

#### *Next off is FTC independence:*

#### FTC independence in the US key to *global norms* that support agency independence. Vital for *free trade* and *GLO*.

* United States’ FTC practices are modeled *by several nations* – including South Korea – and *will continue to be modeled* by nations that are still amid transitions towards industrialization;
* Global attentiveness to the United States’ FTC practices *remains ongoing* and - “*to this day*” - are a *central obstacle* to aspired free trade norms;
* The root of the loss of the global public’s confidence in free trade stems from the success of zero-sum strategies. *The root of that* is an interpretation of the FTCA that permits politicized intervention;
* Ambiguity in the United States’ FTCA permit the Act to be exercised *EITHER with a great deal of agency discretion* – *OR* alternatively, *with the perceived influence of external political branches*;
* Current US FTC practices lean away agency independence – and that’s *a central obstacle* to international agencies countering the growth of protectionist mercantilist norms
* More broadly, this hampers *general support for internationalism/GLO*

Nam ‘18

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ABSTRACT:

The Federal Trade Commission Act of 1914 (“FTC Act”), a model for many other countries that set up their own competition agencies, combines the control afforded by presidential appointment and removal powers over FTC commissioners with an exceedingly discretionary mandate. This Article contends that the FTC Act’s outmoded openness to strong presidential direction, where adapted abroad, has helped detract from antitrust regulator independence. Even advanced players in the liberal international economic order such as South Korea have made use of the United States’ original blueprint for unitary executive-stamped antitrust enforcement without sharing a long historical evolution of counterbalancing regulatory norms, e.g. the judicial check that was Humphrey’s Executor v. United States, 295 U.S. 602 (1935).

Strong executive direction in antitrust enforcement is particularly suited to capitalist economies helmed by administrations with mercantilist policies, given their belief that the state and big business must cooperate in the face of zero-sum international competition. South Korean President Lee MyungBak’s term (2008-2013) serves as an apt recent case study, featuring dirigiste calibration of antitrust enforcement against a backdrop of global recession. This Article examines the parallels between the FTC Act and the South Korean Monopoly Regulation and Fair Trade Act (“MRFTA”) before scrutinizing the enabled silo-like enforcement patterns of the Korean Fair Trade Commission under the Lee administration. Increasingly widespread erosion of public confidence in free and competitive trade demands a better understanding of the forces preventing global convergence in antitrust enforcement, and of their roots.

We have created, in the Federal Trade Commission, a means of inquiry and of accommodation in the field of commerce which ought both to coordinate the enterprises of our traders and manufacturers and to remove the barriers of misunderstanding and of a too technical interpretation of the law. —President Woodrow Wilson, September 1916

[Our companies] are fighting with unfavorable conditions amid competition in the global economy. To do so, they must be allowed to escape various regulations. Let’s take just a half step forward to move beyond the pace of change in the global economy. —South Korean President Lee Myung-bak, March 2008

It is clear that, at the beginning of the 21st century, we cannot afford to operate, to enforce our competition laws, in national or regional silos. We must not remain isolated from what happens in other jurisdictions. Even if markets often remain regional or national in terms of competitive assessment, fostering global convergence in our legal and economic analysis is essential to ensuring effectiveness of our enforcement and creating a level playing field for businesses across our jurisdictions. —Joaquín Almunia, Vice-President of the European Commission for Competition Policy, April 2010

The [U.S.] Agencies do not discriminate in the enforcement of the antitrust laws on the basis of the nationality of the parties. Nor do the Agencies employ their statutory authority to further nonantitrust goals. —The U.S. Department of Justice and the Federal Trade Commission, April 1995

INTRODUCTION

The International Competition Network’s founding in October 2001, with the aim of “formulat[ing] proposals for procedural and substantive convergence” among its stated goals,5 sought to usher in a future with more cosmopolitan and coherent global antitrust enforcement. Although U.S. regulatory leadership maintained that “consistently sound antitrust enforcement policy cannot be defined and decreed for others by the U.S., the EU, or anyone else,” many countries (turned) ~~looked~~ to the U.S. as a role model while developing their competition regimes.6 It is ironic, then, that to this day a central obstacle to the aspired international “culture of competition” can be found in none other than the influence of the U.S.’s own FTC Act.7

American antitrust priorities around the time of the legislation’s passage oscillated between tempering trusts and shepherding business to further national economic strength, all towards the domestic interest. They shaped a regulatory environment that would reemerge abroad in many later-developing countries.

The deepening global retreat from internationalism *and* free market principles in the present day, with the specter of trade wars looming, is exacerbated by nationalist competition regimes that are derivative of a U.S. model predating the modern world economy. Domestic critics of open markets often overlook the U.S.’s own past vis-à-vis protectionist governments today. Illiberal or nominally liberal, they walk the kind of dirigiste path once treaded by the American School through the early twentieth century.8

#### Globally, independence of antitrust agencies will prove key – checks spiraling economic nationalisms that’ll crush liberal peace.

Nam ‘18

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National antitrust silos are not a novel phenomenon. Former European Commissioner for Competition Joaquín Almunia warned of them years ago,152 and scholarship touching upon the furtherance of nationalist goals by various antitrust agencies dates back decades.153 However, a creeping loss of public confidence in open markets—coupled with the obstacles to coherent global antitrust enforcement that bear the FTC Act’s influence, as illustrated in this Article—risks amplifying the problem. As anti-free trade agendas continue to garner more mainstream popularity for formerly counter-establishment parties, a proliferation of protectionist silos could tempt even governments that, for the most part, had moved past them. Why, American officials may ask, should the U.S. continue championing the liberal international economic order when an illiberal China or an ostensibly liberal South Korea bends regulatory rules to disadvantage American companies, workers, and consumers? Skepticism towards a liberal democratic “end of history”154 in general, and failures of economic liberalism in particular, are threatening to motivate political circles accordingly. Even perennial norms and conventions of the U.S. competition regime which evolved to safeguard regulator independence at home are no longer above disruption; the ambiguous statutory articulations that carried over abroad to empower strong executives are likewise playing a paper tiger role domestically of late.155

Protectionist policies designed to compromise market competition—for all its documented excesses and inadequacies—would sap its creative vitality and the concurrent liberal peace156 often taken for granted. Economic liberalism ails not so much from the intrinsic failings of core tenets, but from their more egregious nation-state and corporate violators. Proposals for greater accountability and harmonization have ranged from presumption of an underlying coordination scheme in antitrust investigations of a culpable country’s companies,157 to an international competition regime binding on member states in at least some areas of antitrust.158 Each has associated costs, but their very debate harnesses polycentric dialogue lacking in nationalist regulatory agendas and calls for “our country, right or wrong” protectionist silos. It should be emphasized to policymakers and politicians collectively that lasting convergence in antitrust enforcement is unachievable without global coherence in regulator autonomy, and the FTC Act’s formative influence is not above scrutiny or reproach. Still-elusive realization of the liberal economic international order’s intended form will require an expanded constellation of independent competition regulators empowered to enforce antitrust laws consistently.

#### Global free trade reversals will cause *multiple existential impacts*.

* Arctic conflict
* Space conflict;
* Global nuclear prolif;
* Structural wars;
* Climate;
* Geo-engineering;

Langan-Riekhof ‘21

et al; Maria Langan-Riekhof is the Lead Author and is the new Director of the Strategic Futures Group at the National Intelligence Council, leading the Intelligence Community’s assessment of global dynamics and charged with producing the quadrennial Global Trends product for the incoming or returning administration. She has spent more than 27 years in the intelligence community as both a senior analyst and manager, serving at the CIA and on the NIC. She brings a background in Middle East studies and has spent more than half her career analyzing regional dynamics. Her leadership roles include: Chief of the CIA’s Red Cell, founder and director of the CIA’s Strategic Insight Department, and research director for the Middle East. She was one of the DNI’s Exceptional Analysts in 2008-09 and the Agency’s fellow at the Brookings Institution in 2016-17. She is a member of the Senior Analytic Service and the Senior Intelligence Service and hold degrees from the University of Chicago and the University of Denver - National Intelligence Council - Global Trends 2040 – Form the section: “Scenario Four – Separate Silos” - MARCH 2021 - #E&F - https://www.dni.gov/files/ODNI/documents/assessments/GlobalTrends\_2040.pdf

With the trade and financial connections that defined the prior era of globalization disrupted, economic and security blocs formed around the United States, China, the EU, Russia, and India. Smaller powers and other states joined these blocs for protection, to pool resources, and to maintain at least some economic efficiencies. Advances in AI, energy technologies, and additive manufacturing helped some states adapt and make the blocs economically viable, but prices for consumer goods rose dramatically. States unable to join a bloc were left behind and cut off.

Security links did not disappear completely. States threatened by powerful neighbors sought out security links with other powers for their own protection or accelerated their own programs to develop nuclear weapons, as the ultimate guarantor of their security. Small conflicts occurred at the edges of these new blocs, particularly over scarce resources or emerging opportunities, like the Arctic and space. Poorer countries became increasingly unstable, and with no interest by major powers or the United Nations in intervening to help restore order, conflicts became endemic, exacerbating other problems. Lacking coordinated, multilateral efforts to mitigate emissions and address climate changes, little was done to slow greenhouse gas emissions, and some states experimented with geoengineering with disastrous consequences.

*Note to students*: this ev appears to advance a cemented future – but it is an ebook report by the National Intelligence Council outlining possible futures \*if\* certain premises were to take place. Perhaps this is best explained by an except from the opening of this report: “Welcome to the 7th edition of the National Intelligence Council’s Global Trends report. Published every four years since 1997, Global Trends assesses the key trends and uncertainties that will shape the strategic environment for the United States during the next two decades. Global Trends is designed to provide an analytic framework for policymakers early in each administration as they craft national security strategy and navigate an uncertain future. The goal is not to offer a specific prediction of the world in 2040; instead, our intent is to help policymakers and citizens see (aware of) what may lie beyond the horizon and prepare for an array of possible futures”.

## States CP

### 1NC

Text: The 50 states and relevant territories should engage in multistate antitrust action and enforcement over

Schools participating in the NCAA despite the federal amateurism excemption

Create adequately resourced programs for education and training that combat gendered stereotypes and context gender discrimination

#### States solve best---multistate organizations, expanded jurisdiction, and can “fill the gap”

Rauch 20 Daniel E. Rauch J.D. Yale Law School. (2020 ). ARTICLE: SHERMAN'S MISSING "SUPPLEMENT": PROSECUTORIAL CAPACITY, AGENCY INCENTIVES, AND THE FALSE DAWN OF ANTITRUST FEDERALISM. *Cleveland State Law Review*, 68, 172. <https://advance-lexis-com.proxy2.cl.msu.edu/api/document?collection=analytical-materials&id=urn:contentItem:5YDM-6NS1-FCK4-G4MV-00000-00&context=1516831>. {DK}

In 2020, as in 1890, states attorneys general have much to offer antitrust enforcement. Illegal anticompetitive conduct is often concentrated locally, rather than nationally, making state-level enforcement especially appropriate. 202Link to the text of the noteMany states have antitrust statutes (or bodies of state law) that allow for prosecutions that the federal laws do not. 203Link to the text of the noteState governments often will have better knowledge of local economic conditions than distant agencies in Washington, making them natural choices for [\*210] antitrust enforcement. 204Link to the text of the noteAnd if the federal government fails to enforce the antitrust laws, state attorneys general often have the ability and political incentives "step up" to "fill the void." 205Link to the text of the note

Yet, if the early failure of antitrust federalism holds a single lesson, it is that even such compelling political, historical, and economic imperatives are, without more, insufficient to spur state antitrust action. Unless state prosecutors have the capacity and incentives to take on the antitrust challenge, they will not act.

What does this mean for today's state antitrust enforcers? On one hand, the years since 1890 have seen several innovations that substantially mitigate the problem of prosecutorial capacity. Multistate organizations like the National Association of Attorneys General (NAAG) have allowed for coordination and information sharing between attorneys general on antitrust matters, thus reducing the costs and burden of such cases. 206Link to the text of the noteLikewise, the rise of multistate antitrust suits brought jointly by dozens of states allows for cost-and-capacity-sharing. 207Link to the text of the noteChanges in federal law, like the Hart-Scott-Rodino Act of 1976, created an economic incentive for states to pursue antitrust cases by codifying the ability of state attorneys general to sue as parens patriae and by offering states treble damages when they prevail (a strong economic incentive if ever there was one). 208Link to the text of the note

Going further, the federal government has sometimes expressly subsidized state antitrust efforts, as with the supplemental funding offered in the Crime Control Act of 1976. 209Link to the text of the noteAnd in some states, the capacity of the attorney general's office has increased to levels inconceivable at the turn of the century: New York's Attorney General, for instance, supervises over 1,800 employees, 210Link to the text of the notewhile California employs a staggering [\*211] 4,500. 211Link to the text of the notePerhaps because of these shifts, it is unsurprising that in recent times at least some state attorneys general have heeded the call to enforce state and federal antitrust laws, from local investigations of healthcare consolidation 212Link to the text of the noteto multistate actions against Silicon Valley behemoths like Apple and Amazon. 213Link to the text of the note

## Politics DA

#### Biden’s PC is key to pass debt ceiling through reconciliation

Hartmann 9-30-21 (Thom Hartmann, writing fellow with the Independent Media Institute, #1 progressive talk-show host, carried on SiriusXM, Pacifica, radio stations nationwide, Free Speech TV, author of "The Hidden History of Monopolies: How Big Business Destroyed the American Dream," and more than 25 other books in print, “GOP Suicide Bombers Threaten Debt-Ceiling Sabotage of US Economy,” City Watch, 9-30-2021, https://www.citywatchla.com/index.php/375-voices/22694-gop-suicide-bombers-threaten-debt-ceiling-sabotage-of-us-economy)

There's plenty of coverage about how worried Treasury Secretary Janet Yellen is about how severe the impact an American default—or even a pause in issuing Treasuries, which are essential to the smooth functioning of the international monetary system—would be.

"I think there would be a financial crisis, and a calamity," Yellen told reporters yesterday.

But left unsaid was why Republicans would want such a "crisis" and "calamity." What's possibly in it for them?

After all, raising the debt ceiling has, on its face, nothing to do with Democrats' plans to spend $3.5 trillion or so on infrastructure over the next decade; that would be dealt with in future debt ceilings.

Why would the Republicans filibuster the debt ceiling, forcing the Democrats to burn through their one-reconciliation-bill-a-year?

Perhaps that question answers itself, although it is possible under Senate filibuster rules to have a separate reconciliation bill just to raise the debt ceiling; the problem is that doing so makes the entire reconciliation process for other things even more complicated.

So what do they want? Why the suicide vests?

When McConnell last tried this, then against President Obama eight years ago, the GOP had a list of demands that Must Be Met to stop them from blowing up the country along with themselves: cut taxes on the morbidly rich, turn Medicare into a welfare program, and make it easier for big refineries and coal mines to pollute our air and rivers.

This time it appears their goal is to stop President Biden's Build Back Better legislation, also known as the $3.5 trillion reconciliation bill, a failure which will damage the Democrats politically both with their base and with independent voters for 2022 and 2024.

In other words, it's all about splitting the Democratic base against itself while making President Biden look impotent so Republicans can regain control of the House and Senate and set up Donald Trump (or equivalent) to run for president in three years.

Reconciliation is a complex and time-consuming process, and if McConnell's threat works and Democrats have to come up with an entirely new reconciliation bill to raise the debt ceiling it'll burn through precious time and political capital needed to pass Biden's signature legislation.

Even if they roll the debt ceiling and funding the government into that larger bill, it'll take a startling amount of Senate floor time that gives giant special interests more time to carpet bomb TV and other media with propaganda opposing the $3.5 trillion Build Back Better legislation while they dangle ever more money and future income opportunities in front of wavering Democrats.

And, as a bonus, the American media will fail to blame this on the GOP: they'll go along with McConnell's line that it's all the Democrats fault, even though it was the Republicans who invoked the filibuster that forces reconciliation.

Just that sentence is complex enough that our media will default to a "Democrats Fail Again" headline instead of "Republican Suicide Bombers Threaten America with Such Damage That Democrats Kill Their Own Legislation To Save the Country."

#### Plan drains PC, provokes a time-consuming partisan battle

#### Collapses global finance

Hanlon 9-13-21 (Seth Hanlon, senior fellow for Economic Policy at the Center for American Progress, former special assistant to the president for economic policy at the White House National Economic Council, where he coordinated the Obama administration’s tax policy, JD Yale Law School, BA Harvard University, “Congressional Republicans Must Not Play Political Games With the Debt Limit,” Center for American Progress, 9-13-2021, https://www.americanprogress.org/issues/economy/news/2021/09/13/503720/congressional-republicans-must-not-play-political-games-debt-limit/)

Ten years ago, the Republican leaders of the U.S. House of Representatives risked an unthinkable economic catastrophe in a reckless attempt to gain leverage in budget negotiations. They threatened to block an increase in the U.S. debt limit—a routine and necessary step that enables the government to make ongoing payments required by law without defaulting. The crisis was averted, but the episode caused significant harm to the economy.

The debt limit needs to be raised again this fall, most likely in October. But in recent weeks, 106 Republican House members and 46 Republican senators, including Senate Minority Leader Mitch McConnell (R-KY), have said they will not vote for a debt limit increase. They claim that President Joe Biden and the congressional majority bear sole responsibility for taking the necessary action to avoid default. These members of Congress’ position is deeply hypocritical: As this column explains and Figure 1 helps illustrate, many of their own actions and policies have made the debt limit increase necessary. Their position is also terribly irresponsible because failing to raise the debt limit would cause catastrophic harm to the entire country.

Figure 1

[FIGURE 1 OMITTED]

Raising the debt limit is needed to preserve the full faith and credit of the United States

One of the bedrocks of the U.S. and world economy is the full faith and credit of the United States: the secure expectation that the U.S. government will pay its obligations in full and on time. The United States’ rock-solid credit allows financial markets to function and the country to pay low interest, or even negative real interest, to bondholders based on the certainty that they will be paid interest and principal on time. It also gives Americans, such as Social Security beneficiaries, veterans, military and federal civilian employees, beneficiaries of federal programs, and countless others, the security of knowing that they will receive the payments they rely on and are entitled to.

The United States has never defaulted on its obligations. The closest thing was a minor technical snafu in 1979 that was quickly fixed.

From time to time, Congress must raise the debt limit to prevent the country from defaulting. The debt limit is a 104-year-old provision that places a dollar cap on the total amount of outstanding debt that the Treasury Department can have to finance the government’s ongoing legal obligations. The debt limit is an unnecessary historical relic; almost no other comparable countries have one. The actual public debt is determined not by the debt limit but by the substantive spending and revenue laws that Congress passes.

In practice, the debt limit serves little function other than to potentially enable factions in Congress to force the United States to default on obligations it has already incurred—if they are reckless enough to do so.

The debt limit debacle of 2011 must not be repeated

Before 2011, parties in Congress never seriously threatened to force the United States into default to extract concessions. But then, the House Republicans’ reckless gambit brought the country to the brink of disaster. Even though the United States narrowly avoided default, the episode raised costs of borrowing for the government, private businesses, and homebuyers, and it slowed the already struggling economic recovery by undermining consumer and business confidence.

No good came out of the 2011 crisis. The resulting agreement produced an ill-conceived budget “sequester” that further slowed the economic recovery and resulted in chronic underfunding of key priorities.

Since 2011, every time the debt limit has needed to be raised, Congress has raised or suspended it without incident and on a bipartisan basis. Congress did so on a bipartisan basis seven times since that year: in 2013 (twice), 2014, 2015, 2017, 2018, and 2019.\* Then-President Barack Obama took the position after 2011 that he would never again negotiate over the debt limit. Similarly, the Trump administration repeatedly urged Congress to pass “clean” debt limit increases—that is, debt limit increases without conditions.

A majority of Senate Republicans, including then-Majority Leader McConnell, supported suspending the debt limit all three times it was needed under Trump.\* The most recent time, in 2019, McConnell explained:

[The debt limit suspension] ensures our federal government will not approach any kind of short-term debt crisis in the coming weeks or months. It secures our nation’s full-faith and credit and ensures that Congress will not throw this kind of unnecessary wrench into the gears of our job growth and thriving economy.

Raising the debt limit is just as imperative now as it was in 2019. The only difference in 2021 is that a Democrat sits in the White House.

A U.S. default would be catastrophic

When the United States reaches the debt limit, the Treasury Department cannot issue additional debt and therefore risks running out of cash. With the debt at the limit, the Treasury is now buying time through previously used accounting moves known as “extraordinary measures.” Unfortunately, those measures will probably only last into October, according to Treasury Secretary Janet Yellen. At that point, the government will not be able to meet its ongoing legal obligations. It would default. And while no one knows precisely what that could mean, the consequences could entail:

* Social Security checks stopping, putting the livelihoods of millions at risk
* The military and federal workers not receiving their paychecks
* Providers such as hospitals and doctors not being paid for services provided under Medicare and Medicaid
* People filing taxes on extension this fall not getting the refunds they are owed, and monthly child tax credit payments ceasing
* Countless families and businesses being thrown into turmoil as they are stiffed on many other kinds of payments
* Critical government services shutting down

In addition, a U.S. default would cause chaos in global financial markets. Treasury bonds set the benchmark for the risk-free interest rate—and if the government suddenly defaults on the payments on those bonds, the financial system would be fundamentally uprooted. The financial system could melt down even worse than it did in 2008, drying up credit and grinding commerce to a halt.

As Treasury Secretary Yellen told Congress in June:

Failing to increase the debt limit would have absolutely catastrophic economic consequences. It would be utterly unprecedented in American history for the United States government to default on its legal obligations. I believe it would precipitate a financial crisis. It would threaten the jobs and savings of Americans, and at a time when we are still recovering from the COVID pandemic.

Mark Zandi, chief economist at Moody’s Analytics, said: “It would be financial Armageddon. It’s complete craziness to even contemplate the idea of not paying our debt on time.” And JPMorgan Chase CEO Jamie Dimon said that a U.S. default “could cause an immediate, literally cascading catastrophe of unbelievable proportions and damage America for 100 years.” The American Enterprise Institute’s Michael Strain emphasized, “Even edging close to defaulting is dangerous,” and with as much as a temporary default, the “unthinkable might happen.”

#### Cascades to multiple intersecting existential risks – including nuclear wars, environmental destruction, and critical infrastructure – AND turns case – including implementation and enforcement capacity, alliances and authoritarianism

--VUCA = volatility, uncertainty, complexity, and ambiguity

--JIT = just in time

Maavak 21 (Mathew Maavak, consultant at Risk Foresight, specializing in Strategic Foresight, Contingency Planning, Perception/Crisis Management, Energy and Resource Geopolitics, Defense and Security Analysis, PhD policy studies, Universiti Teknologi Malaysia, MA International Communication, University of Leeds, “Horizon 2030: Will Emerging Risks Unravel Our Global Systems?” Salus Journal, 9(1), 2021, https://salusjournal.com/wp-content/uploads/2021/04/Maavak\_Salus\_Journal\_Volume\_9\_Number\_1\_2021\_pp\_2\_17.pdf)

According to Professor Stanislaw Drozdz (2018) of the Polish Academy of Sciences, “a global financial crash of a previously unprecedented scale is highly probable” by the mid-2020s. This will lead to a trickle-down meltdown, impacting all areas of human activity

[FIGURE 1 OMITTED]

Figure 1: Systemic Emergence of Global Risks

The economist John Mauldin (2018) similarly warns that the “2020s might be the worst decade in US history” and may lead to a Second Great Depression. Other forecasts are equally alarming. According to the International Institute of Finance, global debt may have surpassed $255 trillion by 2020 (IIF, 2019). Yet another study revealed that global debts and liabilities amounted to a staggering $2.5 quadrillion (Ausman, 2018). The reader should note that these figures were tabulated before the COVID-19 outbreak.

The IMF singles out widening income inequality as the trigger for the next Great Depression (Georgieva, 2020). The wealthiest 1% now own more than twice as much wealth as 6.9 billion people (Coffey et al, 2020) and this chasm is widening with each passing month. COVID-19 had, in fact, boosted global billionaire wealth to an unprecedented $10.2 trillion by July 2020 (UBS-PWC, 2020). Global GDP, worth $88 trillion in 2019, may have contracted by 5.2% in 2020 (World Bank, 2020).

As the Greek historian Plutarch warned in the 1st century AD: “An imbalance between rich and poor is the oldest and most fatal ailment of all republics” (Mauldin, 2014). The stability of a society, as Aristotle argued even earlier, depends on a robust middle element or middle class. At the rate the global middle class is facing catastrophic debt and unemployment levels, widespread social disaffection may morph into outright anarchy (Maavak, 2012; DCDC, 2007).

Economic stressors, in transcendent VUCA fashion, may also induce radical geopolitical realignments. Bullions now carry more weight than NATO’s security guarantees in Eastern Europe. After Poland repatriated 100 tons of gold from the Bank of England in 2019, Slovakia, Serbia and Hungary quickly followed suit.

According to former Slovak Premier Robert Fico, this erosion in regional trust was based on historical precedents – in particular the 1938 Munich Agreement which ceded Czechoslovakia’s Sudetenland to Nazi Germany. As Fico reiterated (Dudik & Tomek, 2019):

“You can hardly trust even the closest allies after the Munich Agreement… I guarantee that if something happens, we won’t see a single gram of this (offshore-held) gold. Let’s do it (repatriation) as quickly as possible.” (Parenthesis added by author).

President Aleksandar Vucic of Serbia (a non-NATO nation) justified his central bank’s gold-repatriation program by hinting at economic headwinds ahead: “We see in which direction the crisis in the world is moving” (Dudik & Tomek, 2019). Indeed, with two global Titanics – the United States and China – set on a collision course with a quadrillions-denominated iceberg in the middle, and a viral outbreak on its tip, the seismic ripples will be felt far, wide and for a considerable period.

A reality check is nonetheless needed here: Can additional bullions realistically circumvallate the economies of 80 million plus peoples in these Eastern European nations, worth a collective $1.8 trillion by purchasing power parity? Gold however is a potent psychological symbol as it represents national sovereignty and economic reassurance in a potentially hyperinflationary world. The portents are clear: The current global economic system will be weakened by rising nationalism and autarkic demands. Much uncertainty remains ahead. Mauldin (2018) proposes the introduction of Old Testament-style debt jubilees to facilitate gradual national recoveries. The World Economic Forum, on the other hand, has long proposed a “Great Reset” by 2030; a socialist utopia where “you’ll own nothing and you’ll be happy” (WEF, 2016).

In the final analysis, COVID-19 is not the root cause of the current global economic turmoil; it is merely an accelerant to a burning house of cards that was left smouldering since the 2008 Great Recession (Maavak, 2020a). We also see how the four main pillars of systems thinking (diversity, interconnectivity, interactivity and “adaptivity”) form the mise en scene in a VUCA decade.

ENVIRONMENTAL

What happens to the environment when our economies implode? Think of a debt-laden workforce at sensitive nuclear and chemical plants, along with a concomitant surge in industrial accidents? Economic stressors, workforce demoralization and rampant profiteering – rather than manmade climate change – arguably pose the biggest threats to the environment. In a WEF report, Buehler et al (2017) made the following pre-COVID-19 observation:

The ILO estimates that the annual cost to the global economy from accidents and work-related diseases alone is a staggering $3 trillion. Moreover, a recent report suggests the world’s 3.2 billion workers are increasingly unwell, with the vast majority facing significant economic insecurity: 77% work in part-time, temporary, “vulnerable” or unpaid jobs.

Shouldn’t this phenomenon be better categorized as a societal or economic risk rather than an environmental one? In line with the systems thinking approach, however, global risks can no longer be boxed into a taxonomical silo. Frazzled workforces may precipitate another Bhopal (1984), Chernobyl (1986), Deepwater Horizon (2010) or Flint water crisis (2014). These disasters were notably not the result of manmade climate change. Neither was the Fukushima nuclear disaster (2011) nor the Indian Ocean tsunami (2004). Indeed, the combustion of a long-overlooked cargo of 2,750 tonnes of ammonium nitrate had nearly levelled the city of Beirut, Lebanon, on Aug 4 2020. The explosion left 204 dead; 7,500 injured; US$15 billion in property damages; and an estimated 300,000 people homeless (Urbina, 2020). The environmental costs have yet to be adequately tabulated.

Environmental disasters are more attributable to Black Swan events, systems breakdowns and corporate greed rather than to mundane human activity.

Our JIT world aggravates the cascading potential of risks (Korowicz, 2012). Production and delivery delays, caused by the COVID-19 outbreak, will eventually require industrial overcompensation. This will further stress senior executives, workers, machines and a variety of computerized systems. The trickle-down effects will likely include substandard products, contaminated food and a general lowering in health and safety standards (Maavak, 2019a). Unpaid or demoralized sanitation workers may also resort to indiscriminate waste dumping. Many cities across the United States (and elsewhere in the world) are no longer recycling wastes due to prohibitive costs in the global corona-economy (Liacko, 2021).

Even in good times, strict protocols on waste disposals were routinely ignored. While Sweden championed the global climate change narrative, its clothing flagship H&M was busy covering up toxic effluences disgorged by vendors along the Citarum River in Java, Indonesia. As a result, countless children among 14 million Indonesians straddling the “world’s most polluted river” began to suffer from dermatitis, intestinal problems, developmental disorders, renal failure, chronic bronchitis and cancer (DW, 2020). It is also in cauldrons like the Citarum River where pathogens may mutate with emergent ramifications.

On an equally alarming note, depressed economic conditions have traditionally provided a waste disposal boon for organized crime elements. Throughout 1980s, the Calabria-based ‘Ndrangheta mafia – in collusion with governments in Europe and North America – began to dump radioactive wastes along the coast of Somalia. Reeling from pollution and revenue loss, Somali fisherman eventually resorted to mass piracy (Knaup, 2008).

The coast of Somalia is now a maritime hotspot, and exemplifies an entwined form of economic-environmental-geopolitical-societal emergence. In a VUCA world, indiscriminate waste dumping can unexpectedly morph into a Black Hawk Down incident. The laws of unintended consequences are governed by actors, interconnections, interactions and adaptations in a system under study – as outlined in the methodology section.

Environmentally-devastating industrial sabotages – whether by disgruntled workers, industrial competitors, ideological maniacs or terrorist groups – cannot be discounted in a VUCA world. Immiserated societies, in stark defiance of climate change diktats, may resort to dirty coal plants and wood stoves for survival. Interlinked ecosystems, particularly water resources, may be hijacked by nationalist sentiments. The environmental fallouts of critical infrastructure (CI) breakdowns loom like a Sword of Damocles over this decade.

GEOPOLITICAL

The primary catalyst behind WWII was the Great Depression. Since history often repeats itself, expect familiar bogeymen to reappear in societies roiling with impoverishment and ideological clefts. Anti-Semitism – a societal risk on its own – may reach alarming proportions in the West (Reuters, 2019), possibly forcing Israel to undertake reprisal operations inside allied nations. If that happens, how will affected nations react? Will security resources be reallocated to protect certain minorities (or the Top 1%) while larger segments of society are exposed to restive forces? Balloon effects like these present a classic VUCA problematic.

Contemporary geopolitical risks include a possible Iran-Israel war; US-China military confrontation over Taiwan or the South China Sea; North Korean proliferation of nuclear and missile technologies; an India-Pakistan nuclear war; an Iranian closure of the Straits of Hormuz; fundamentalist-driven implosion in the Islamic world; or a nuclear confrontation between NATO and Russia. Fears that the Jan 3 2020 assassination of Iranian Maj. Gen. Qasem Soleimani might lead to WWIII were grossly overblown. From a systems perspective, the killing of Soleimani did not fundamentally change the actor-interconnection-interaction-adaptivity equation in the Middle East. Soleimani was simply a cog who got replaced.

Geopolitics will still be dictated by major powers. However, how will the vast majority of nations fare during this VUCA decade? Many “emerging nations” have produced neither the intelligentsia nor industries required to be future-resilient. Raw materials and cheap labour cannot sustain anaemic societies in a volatile world. Advances in material sciences and robotic automation as well as technological “ephemeralization” (Fuller, 1938; Heylighen, 2002) may shift manufacturing back to the Developed World.

In an attempt to mask the looming redundancy of these nations, untold billions have been wasted on vanity studies, conferences and technological initiatives drawn up by an army of neoliberal experts and native proxies. Risks were rarely part of the planning calculus. National and regional blueprints ranging from Malaysia’s Vision 2020, Saudi Vision 2030, ASEAN 2025 to Africa 2030, amongst others, will fail just as their innumerable precursors did.

The author defines a redundant nation as one which persistently lacks a comprehensive brain bank and an adaptive governance structure in order to be future-resilient. Redundant nations are preludes to failed states. They will lack native ideations and coherent policies that are critically needed in a VUCA decade. While policies intended to “promote growth in developing countries” had traditionally acted “as agents for conflict prevention” (Humphreys, 2003), the trade-off was often bureaucratic overgrowth, corruption, ethnoreligious discrimination and resource wastages.

Attempts to re-use these nations as geopolitical proxies a la the Cold War may prove too costly for potential sponsors. The Fat Leonard scandal (Whitlock, 2016) in Southeast Asia – which entrapped senior US naval officers in a web of sleaze – may be a harbinger of similar breaches on friendly territory, particularly as China’s Belt and Road Initiative (BRI) challenges US geopolitical hegemony worldwide. The BRI however snakes through many potentially redundant nations and may expose China to a “death by a thousand cuts” via geo-economic extortion. Beijing’s recent attempts to portray itself as a humanitarian superpower has somewhat backfired after numerous defects were discovered in its “medical aid” exports (Kern, 2020).

Ultimately, one should not underestimate the possibility, however remote, of national boundaries being redrawn before the Great Reset period is over. The global map was different only 100 years back. The once-mighty Soviet Union no longer exists while its former nemesis, the United States, faces social clefts of ominous proportions. Alarming parallels are now being drawn between the inauguration of President Abraham Lincoln on March 4, 1861 – which led to the US civil war – and the swearing in of Joe Biden as 46th President of United States on Jan 20 2021 (Waxman, 2021). How will a weakened United States affect NATO and the larger Western-led global alliance?

SOCIETAL

The WEF (2017) had pencilled “global social instability” as the biggest threat facing our collective future. A similar outcome was gamed out in a 2007 study by the Development, Concepts and Doctrine Centre at the United Kingdom Ministry of Defence (DCDC, 2007).

According to Peter Turchin (2016), a professor of Evolutionary Biology at the University of Connecticut, the United States may experience “a period of heightened social and political instability during the 2020s” – marked by governmental dysfunction, societal gridlock and rampant political polarization. To blame this phenomenon on the presidency of Donald J. Trump is to wilfully ignore the gradual build-up of various fissiparous forces over decades.

The social media plays a force multiplier role here. While risks metastasize at the bedrock levels of society, policymakers are constantly distracted from the task of governance by a daily barrage of recriminations, fake news and social media agitprops. As a result, longterm policy imperatives are routinely sacrificed for immediate political gains. The importunate presidential impeachment sagas and electoral fraud accusations in the United States are reflective of wider social fissures, state fragilities and policy paralyses worldwide.

There is nothing new in this panem et circenses (bread and circuses) phenomenon. Juvenal had noted a similar trend during Rome’s imperial decline circa 100 A.D. Recently, despite clear signals that the world was facing an economic catastrophe, the United Nations seemed more focused on the discovery of gender bias in virtual assistant software like Siri and Alexa (UNESCO, 2019). How will this revelation benefit the bottom 99% of humanity in dire economic conditions; one where the victims will be preponderantly women and children?

Just like in Imperial Rome, bread and circuses are symptomatic of an economic system that relentlessly benefits the elite. The mountain is ignored and the molehill is prioritized through controlled public narratives. The issue of “stolen childhoods”, for example, is now couched in terms of climate change rather than on sexual exploitation. Few take note that nearly “100,000 children – girls and boys – are bought and sold for sex in the U.S. every year, with as many as 300,000 children in danger of being trafficked each year.” Child rape, as John Whitehead (2020) further notes, has become “Big Business in America.” Not surprisingly, human trafficking has emerged as a $150 billion global industry (Niethammer, 2020).

Such shocking human rights failures do not figure prominently in the calculus of various “social justice” movements. The Top 1% needs their “useful idiots” – a phrase misattributed to Lenin – to generate a constant supply of distractions. Activist-billionaire George Soros, for example, is pumping $1 billion into a global university network to “fight climate change” and “dictators” which curiously include elected leaders such as former US President Donald J. Trump and India’s Prime Minister Narendra Modi. These “academically excellent but politically endangered scholars” (Open Society, 2020), as Soros calls them, may turn out to be the very disruptors who will “undermine scientific progress” in the West – just as Turchin (2016) predicted in his seminal study. Soros’ pledge was coincidentally made when COVID19 began to decimate the global economy and healthcare systems. Elite philanthropy is now an avenue for global subversion. An assortment of scholars, government officials and NGOs are already channelling the agendas of their well-pocketed patrons, backed by Big Tech’s control of the mainstream and social media (Maavak, 2020c). Their narratives are reminiscent of giddy sophistries which fuelled a variety of communist and anarchist movements during the build-up to WWII.

Under these circumstances, some nations may eventually seal their borders and initiate authoritarian measures in order to maintain internal stability. This is no longer an unthinkable proposition as dissatisfaction with democracy has peaked worldwide (Foa et al, 2020). Measures perfected by COVID-19 lockdowns may have inadvertently served as a test run in this regard.

## Case:

No Magnitude- no specific large impacts of their structural violence, they don’t know their own case arms/ have no magnitude – no timeframe bc they have no urgency, they r just saying stuff, cross ex binding

“Question of philosophy”… so no timeframe/magnitude

Specific to college athletics- admitted to cross ex (soccer, basketball) , uses money from funds, runs itself as a company

Masculinity and femininity are not gendered – they don’t know

#### Neolib solves global poverty and structural violence---prefer long-run, macro-level trends over short term disruptions to individual communities. Their aff artificially amplifies the minor downsides of the system---this tactic is straight out of Trump’s pocket and ignores that every alternative system decimates quality of life.

Bowman 17 [Sam, September 2017, Executive Director of the Adam Smith Institute (British think tank) in London, “IN DEFENCE OF NEOLIBERALISM,” <https://www.cis.org.au/app/uploads/2017/09/33-3-bowman-sam.pdf>]

To free marketeers, there is little question that this change is worth it. Automation and technological progress may disrupt people’s lives but ultimately we think of new things for people to do and the extra wealth and tools that technological advances create raise everybody’s living standards in the long run. Trade, usually blamed for hurting ordinary workers while helping the rich, is actually especially good for the poor. A 2014 study in the United States estimated the gains from trade to different parts of American society based on baskets of goods designed to represent different consumption patterns along the income distribution, and then calculated how much poorer the bottom 10% would be without global trade, compared with the top 10%.5 The gains from trade accruing from cheaper goods were not felt equally between rich and poor: the real income loss from closing off trade is 63% at the bottom 10% of the income distribution and 28% for the top 10%. Globally, extreme poverty has fallen from 44% of the world’s population in 1981 to 9.6% today.6 Openness to trade, better property rights and the de-nationalisation of state-run industries in China have between them driven at least two-thirds of that country’s growth since 1980, lifting millions of people out of poverty. Under communism, Chinese GDP per capita was $300 a year. Today it’s $10,000 a year and rising. Migration, generally a mild net positive for natives, can make the migrants themselves far richer. World Bank officials have argued that there is ‘simply no contest’ between guest worker programs and other anti-poverty programs like cash transfers or microfinance—participants in New Zealand’s seasonal worker program experience huge increases in income, greater subjective well-being, and more schooling for their kids.7 But the shocks are real enough and the trend is not particularly encouraging. David Autor, David Dorn and Gordon Hanson recently evaluated the ‘China shock’ of greater Chinese imports to the US between 1990 and 2007.8 They found that in areas with existing manufacturing that were competing with Chinese imports, rising imports raised local unemployment, cut wages, and drove more people out of the labour force altogether, whether onto disability benefits or into early retirement. Other studies have looked at the declining labour share of GDP—a trend observable in most OECD countries since the early 1990s, ending a previously stable ‘stylized fact’ of the ratio between returns to capital and labour.9 The reason seems to be entirely driven by the rise of so-called ‘superstar firms’ like Google, Facebook and Amazon in new kinds of markets where very low marginal costs mean there is no inherent ceiling on firm size. Software often does not have the same diseconomies of scale that normal products do, so one firm would be expected to dominate each market at a time. These ‘winner takes all’ markets are not inherently monopolistic, because these large firms are still vulnerable to rivals with better products, but whoever has the best product on offer at a given time is likely to have a very large amount of market share. Low marginal costs and high fixed costs (of innovating better products) have, so far, meant that only a small number of extremely talented workers are necessary for success. The result has been something of a divergence between economic growth and wage growth which may continue. Trying to reverse or undo these trends would be counterproductive, yet this is often the usual political answer. Regulation to try to brute-force firms into paying workers more usually backfires, and protectionism is not the answer to disruption caused by trade. As Paul Krugman writes: The lesson I took from the widely cited Autor, Dorn, and Hanson paper on the China shock was that Ricardo and Heckscher-Ohlin were less relevant to the political economy of trade than the sheer pace of change, which disrupted local manufacturing concentrations and the communities they supported. The point is that a protectionist turn, reversing the trade growth that has already happened, would be the same kind of shock given where we are now. It’s like the old joke about the motorist who runs over a pedestrian, then tries to undo the damage by backing up— and runs over the victim a second time.10 The neoliberal agenda There is no new ‘neoliberal moment’, though it is convenient to suggest that France’s Emmanuel Macron represents one. But for a group of us the term is a useful differentiation from fellow travellers (see the box overleaf on how to spot a neoliberal). We are globalist consequentialists who have concluded that free markets, property rights, free trade and liberal migration policies are effective tools for fostering economic growth and improving the well-being of the global poor. We’re suspicious of politics; democracy is not the panacea for our problems that many on the left and, increasingly, the populist right seem to think. We cannot hope to solve political problems by chucking out experts and replacing them with politicians or referendums. We are comfortable with redistribution of income, done simply through cash transfers instead of a complicated welfare state. In a sentence, a neoliberal’s worldview might be something like this: Governments should facilitate as much wealth creation as possible, and redistribute some of it after. This differs from left-liberal Blairism in its scepticism about the effectiveness of government as a piecemeal problem-solver and its prima facie preference for markets in most cases where scarce resources must be allocated. It differs from libertarianism and classical liberalism in its support for a fairly large degree of income redistribution, though done differently to how most developed nations do this at present. Neoliberals are alarmed at the right’s embrace of nationalism and the populist idea that economics and good policy doesn’t matter, that ‘experts’ are systematically biased and should be ignored. At the same time, the lurch towards the hard left in the form of people like Jeremy Corbyn, Bernie Sanders, Beppe Grillo and Jean-Luc Melenchon suggests that the old ideological battles that many thought had been settled must be fought once again. The ‘neoliberal agenda’, then, is to resist both zombie Marxism and right-wing populism in the areas where these are making the biggest gains. Trade, in particular, is vulnerable. Defending and extending the global liberal order means, above all, resisting moves away from trade openness favoured by the Trump administration and some ‘hard’ Brexiteers who have toyed with the idea of tariffs and subsidies to protect British jobs from better foreign competition. Seen costs dominate unseen benefits. The negative consequences of trade openness and automation—the ‘destruction’ of some old jobs and the low status of many of the new ones—seem to be much more salient to people than the benefits. A cheaper iPhone is seen as a frivolity compared to a rewarding, high status job in manufacturing, and the other benefits of trade and automation are nearly invisible. Welfare and labour market reforms may at least mitigate some of the harms here. Replacing complicated welfare systems (in Britain there are over 50 different kinds of benefit payments available) with simple cash payments, whether in the form of a Negative Income Tax, a workcontingent payment (similar to the Earned Income Tax Credit) or wage subsidies to employers may make uneconomic jobs that give workers a greater sense of self-worth (such as some of those involving manual labour or manufacturing) more viable. Combined with labour market deregulation, greater innovation about how to use workers may stop or reverse the shift of income away from workers’ wages. Ultimately, a lack of economic growth across much of the developed world seems like the biggest cause of our present woes. People will put up with a lot if they feel like their family’s lives are getting better. ‘Going for growth’ involves a focus on the lowesthanging policy fruit. For example, in most Englishspeaking countries, urban zoning and planning laws have created housing crises in prosperous cities. Living in Sydney, London or San Francisco is astonishingly expensive now by historical or international standards. Apart from the first-order effects this has of raising people’s cost of living, the second-order effect is probably a significant drag on growth. By preventing people from moving to where they could be most productive, expensive housing holds economic growth back. This ‘spatial misallocation’ is estimated by Chang-Tai Hsieh and Enrico Moretti to have lowered aggregate US growth by more than 50% between 1964 and 2009.11 The same is likely true in other Englishspeaking countries. (Continental Europe has different problems.) Another example is tax, where the structure of corporation tax is such that investment is usually taxed heavily. This need not be the case: full capital expensing would effectively shift the burden of corporation tax away from investment towards consumption and be far less of a drag on growth. This would also probably allow the creation of more manufacturing jobs in developed countries, since it is machinery and property investment that are typically hit hardest by corporation tax. (In the UK, former Chancellor George Osborne funded his headline corporation tax cuts by increasing the relative tax burden on machinery and property investment.) Neoliberals will always be a small group. But the idea of neoliberalism has captured some people’s imaginations and seems to be filling an open niche in the political market. Online especially, many younger people who are uncomfortable with libertarianism’s dogmatic image and enjoy the naughtiness of re-appropriating a political swear word have adopted the label.

#### Neolib discourse *creates realities* which re-frame the social violence cited by the Aff. That link turns case … it’s also external offense via neolib’s perpetuation of sexualized, racialized, and socio-economic repression.

#### Della Faille ‘15

Dr. Dimitri DELLA FAILLE (PhD, Sociology) is a professor in International Development and Social Sciences at Université du Québec en Outaouai - “A Sociological Understanding of Neoliberal Discourses of Development” - #E&F - https://hal.archives-ouvertes.fr/hal-02046915/document

This paper will attempt to show that social scientists studying development issues must consider these common ideas with considerable caution. We argue that words are, in fact, actions. And as such, they must be investigated. We contend that an examination of underdevelopment and "developing" societies must go beyond an artificial divide between discourse and action. But also, that it must not limit its definition of discourse to an act of deception. Otherwise, we run the risk of misunderstanding social problems, which is the basis for much social action and collective mobilization in the "developing" world. We will also propose in this paper a number of ways to examine language and discourse that go beyond received ideas. We will attempt to show that they are integral parts of action - whether scholarly, activist, administrative or otherwise - against underdevelopment. In the first place, we will focus most of our explanation on how neoliberal governance and policymaking use language, social representation and discourse to achieve their goals. Using example of neoliberal discourses, we will attempt to show how the main ideologies of the various contemporary development discourses transforms our perception and understanding of development problems. This transformation, we argue, exists both in imposing the use of specific words and in successfully controlling means of communication.

We will begin with a quick presentation of discourse and a definition of neoliberal ideologies. Then, we will demonstrate how discourse analysis could study neoliberal discourses by applying to documents about a natural disaster in the Philippines. After this demonstration, we present other various examples of discourse analysis as it applies to development discourses. Then, we present some of the major approaches and methodologies of discourse analysis. Before concluding, we will present some ethical considerations for the analysis of development discourses.

Words of Caution

A paper about language and discourse would fall short of its goal to draw attention to the use of language if it did not contain at least some form of criticism of usages of the word "development". We argue that calling societies "developing" is actually making a normative statement about the past trajectory, current status and expected future of these societies. Social scientists may contend that political, scientific, ethical or lay statements about development and underdevelopment are in fact "problematizations" of human societies. A problematization is a process by which social relations, practices, rules, institutions, and habits previously established are suddenly viewed as doubtful and problematic (Foucault 2001). The word "development" itself may carry different meanings around the world (Thornton et al. 2012). The understanding and expectations of actions in the name of "development" are conditioned by social representations and interpretations. However, we contend that development discourses are problematizations of the "developing" world because they transform the history of societies of Latin America, Asia, Africa and some parts of Europe into a long story of troubles and failures. They do that in order to justify social transformations and interventions (Escobar 1994). We also contend that they are problematizations because they produce cultural discourses that apply specifically to "developing" countries, and therefore reinforce ideas about the perceived superiority of "developed" countries over the rest of the world (Mohanty 1984).

This paper refuses to hierarchize societies based on perceptions of their economic achievement, their form of political governance or the global recognition of their cultural products. We recognize that discourses about "development" are problematizations, and that perceptions of any social, political or cultural inferiority of these regions, countries or populations must be criticized. We therefore use the term "developing" for some societies, not as a normative statement on regions, countries, and populations viewed as economically, socially, politically or culturally inferior to the "developed world", but rather as an unfortunate shortcut to describe regions and countries in which actors desire to act in the name of "development". There is a wealth of scholarly literature on criticism of the use of the word "development", some of which is evoked further in this paper.

We will give further explanations that might help you better understand why we must be cautious when comparing societies in terms of their perceived "development". Now that we explained why we, in this paper, are cautious of talking about "development" and "underdevelopment", let us very briefly present some aspects of discourse and its analysis.

Understanding discourse and its analysis

If discourse analysis is getting more recognition in development studies, before we further embark in this paper it must be noted that if you chose to study discourse, you might encounter disapproval (Ziai 2015). As we have argued elsewhere, discourse analysis is often viewed with reservations or criticized in the context of the study of "development" and "underdevelopment" (Delia Faille 2011; 2014). But very often, the criticism comes from misunderstanding of what discourse actually is. Discourse analysts face many commonly held ideas, as per the examples we have provided in the introduction of this paper. We believe that the best way for social scientists to justify the analysis of words, language and communication is to approach it with a clear definition of discourse that relates to the study of social relations and also to present convincing analysis. This section attempts to clarify our definition of discourse analysis and the following sections will attempt to illustrate how this analysis relates to the study of social relations and "development".

Social scientists studying discourses are examining the social and institutional constraints of language. At the conceptual level, language can be apprehended either as a social fact determined by material conditions and social domination, or as a field of social activity with specific rules and a social environment where meaning, social relations, and society are produced. Most discourse analysts adopt the latter conception. They attempt to reveal the strategies that aim to convey cultural values and ideologies, whether implicitly or explicitly. They define language as the production of meaning and the results of acts of communication that are conditioned by collective rules and social codes. Through the use of language, social groups and individuals come to build their identity, describe themselves, interact, and share ideas. Language is thus more than the use of specific vocabularies and grammars. It is an organized sequence of social acts that is not limited to speech or utterance. Some analysts study images and material artefacts as sequences of social acts and social strategies to convey ideologies.

In the 1960s French and British philosophers, sociologists and political scientists began to understand the production of language in terms of communication strategies. This new direction was dubbed the "linguistic turn" of humanities and social sciences (Rorty 1967). Based on several decades of debate in literary study, linguistics and anthropology, discourse analysis emerged as a new discipline. It proposed a way to see language as a field of social confrontation and struggles. Discourse is therefore understood as the social usage of language and studied as a social practice and a materialization of social relations. It means that discourse analysts are interested in the social practice of using language to put forward agendas, to express dissent, to defend a position, or to transmit values. They also study acts of silencing and censoring - such as prohibiting other worldviews from circulating and being heard. Therefore, discourse analysts see language as a series of social processes and they acknowledge that language is not limited to otherwise unrelated individual acts.

Discourse analysis could be described as a political understanding of the use of language in the context of unequal access to platforms of decision making, economic resources, and social recognition. As we will attempt to demonstrate throughout this paper, the study of discourse is not limited to looking for hidden agendas, lies or the uttering of meaningless and empty words. Deception is only one of the strategies used to convey worldviews, and it is not necessarily the most effective or even the most interesting for discourse analysts.

Some schools of discourse analysis criticize social reproduction of gender inequality, racism and social class. Critical Discourse Analysis is an example of this field. For this school of thought, discourse analysis is the social study of language, its social constraints and its effects (Fairclough 2001). Through language, social groups come to represent society in a way that perpetuates domination, positive or negative discrimination, and social repression. Critical discourse analysts look at the perpetuation of social conflicts and unequal relations of power. They examine issues related to gender, sexuality, social class, and ethnicity.

While our presentation of neoliberal discourses and its analysis does not fall totally under the umbrella of the school of Critical Discourse Analysis, this paper demonstrates how to analyse discourse in the context of the study of global inequalities, social discrimination and repression. We are critical of the current state of global politics, economy and society as it reproduces and reinforces inequalities. Therefore, the next section presents a critical analysis of neoliberalism understood as an ideology whose aim is to impose its ~~worldviews~~ (perspective) and the interest of the actors it attempts to defend and whose interests this ideology is putting forward in the context of development discourses.

# 2NC Round 5

## FTC CP

### OV – 2NC-1NR

#### At the top -

#### Our internal net benefit is *perception of FTC independence*.

#### The CPlan *boosts it* because the FTC’s the lone actor. Plan and perm *don’t solve* - they involve *non-FTC actors*.

#### Our Nam cards are shockingly strong. The global community models FTC independence levels. External actors might be good or bad domestically, but – overseas - they greenlight involvement of political appointees. That boosts mercantilist postures and crushes global free trade.

#### Free trade turns case – it checks ongoing global wars which structurally complicate the Aff advantages AND detract resources for Aff enforcement.

#### Our ev lists six extinction warrants – we’ll deepen the terminals:

#### ( ) geoengineering overcompensates – fails and causes extinction.

#### Baum ‘13

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Perceived failure to reduce greenhouse gas emissions has prompted interest in avoiding the harms of climate change via geoengineering, that is, the intentional manipulation of Earth system processes. Perhaps the most promising geoengineering technique is stratospheric aerosol injection (SAI), which reflects incoming solar radiation, thereby lowering surface temperatures. This paper analyzes a scenario in which SAI brings great harm on its own. The scenario is based on the issue of SAI intermittency, in which aerosol injection is halted, sending temperatures rapidly back toward where they would have been without SAI. The rapid temperature increase could be quite damaging, which in turn creates a strong incentive to avoid intermittency. In the scenario, a catastrophic societal collapse eliminates society’s ability to continue SAI, despite the incentive. The collapse could be caused by a pandemic, nuclear war, or other global catastrophe. The ensuing intermittency hits a population that is already vulnerable from the initial collapse, making for a double catastrophe. While the outcomes of the double catastrophe are difficult to predict, plausible worst-case scenarios include human extinction. The decision to implement SAI is found to depend on whether global catastrophe is more likely from double catastrophe or from climate change alone. The SAI double catastrophe scenario also strengthens arguments for greenhouse gas emissions reductions and against SAI, as well as for building communities that could be self-sufficient during global catastrophes. Finally, the paper demonstrates the value of integrative, systems-based global catastrophic risk analysis.

#### ( ) *Prolif* and *climate* each independently cause extinction

* Climate change is true and real bad
* Prolif = probable scenario for extinction bc of *miscalc*, *user error*, or *unauthorized use*.

Thakur ‘15

Ramesh Thakur, Director of the Centre for Nuclear Non-Proliferation and Disarmament in the Crawford School of Public Policy, The Australian National University. 2015. “Nuclear Weapons and International Security.” Routledge

The world faces two existential threats: climate change and nuclear Armageddon. Those who reject the first are derided as denialists; those dismissive of the second are praised as realists. Nuclear weapons may or may not have kept the peace among various groups of rival states; they could be catastrophic for the world if ever used by both sides in a war between nuclear-armed rivals; and the prospects for their use have grown since the end of the Cold War. Even a limited regional nuclear war in which India and Pakistan used 50 Hiroshima-size (15kt) bombs each could lead to a famine that kills up to a billion people. 1 Having learnt to live with nuclear weapons for 70 years (1945–2015), we have become desensitized to the gravity and immediacy of the threat. The tyranny of complacency could yet exact a fearful price with nuclear Armageddon. The nuclear peace has held so far owing as much to good luck as sound stewardship. Deterrence stability depends on rational decision-makers being always in office on all sides: a dubious and not very. reassuring precondition It depends equally critically on there being no rogue launch, human error or system malfunction: an impossibly high bar. For nuclear peace to hold, deterrence and fail-safe mechanisms must work every single time. For nuclear Armageddon, deterrence or fail-safe mechanisms need to break down only once. This is not a comforting equation. It also explains why, unlike most situations where risk can be mitigated after disaster strikes, with nuclear weapons all risks must be mitigated before any disaster. 2 As more states acquire nuclear weapons, the risks multiply exponentially with the requirements for rationality in all decision-makers; robust command-and-control systems in all states; 100 percent reliable fail-safe mechanisms and procedures against accidental and unauthorized launch of nuclear weapons; and totally unbreachable security measures against terrorists acquiring nuclear weapons by being able to penetrate one or more of the growing nuclear facilities or access some of the wider spread of nuclear material and technology.

#### ( ) Arctic war means extinction

#### outweighs on probability and magnitude – war exits the region, goes nuclear, and can be instigated by miscalc.

Chrisinger ‘20

Internally quoting Niklas Granholm – who is Deputy Director of Studies at FOI, the Swedish Defence Research Agency, Division for Defence Analysis. Mr Granholm currently heads a study project on behalf of the Swedish Foreign Ministry studying the strategic developments in the Arctic. He was seconded to the Swedish Ministry of Defence in 2007 and during 2006 was a Visiting Fellow to RUSI. He has been an Associate Fellow of the Institute since 2007. Between 1999-2006, he headed the project for international peace support and crisis management operations on behalf of the Swedish Ministry of Defence. From 1997-99 he was seconded to the Swedish Ministry for Foreign Affairs, Division for European Security Policy. David Chrisinger is a Logan Nonfiction Fellow and a contributing writer to The New York Times Magazine and The War Horse, an award-winning nonprofit newsroom educating the public on military service, war, and its impact. Prior to this, David worked at the U.S. Government Accountability Office as a Strategic Planning and Foresight Analyst. For nearly nine years, he taught public policy writing, consulted with researchers on the design and execution of governmental audits and evaluations, facilitated message development exercises, and wrote and edited reports and testimonies for the U.S. Congress. For six years, he also taught public policy writing at Johns Hopkins University. “It Would Be a Mistake to Underestimate Russia”: The New Cold War That’s Emerging in the Arctic” – The War Horse – Nov 19th - #E&F - https://thewarhorse.org/military-arctic-new-cold-war-with-russia-and-climate-change/

One of the greatest risks, according to Niklas Granholm, is that the Arctic region will undergo a “Balkanization” like what occurred in Eastern Europe after the fall of the Soviet Union. Granholm is the deputy director of studies at the Swedish Defence Research Agency, and he points to the Faroe Islands calling for self-rule from Denmark, Scotland clamoring for independence from the United Kingdom after Brexit, and the resurgence of troubles in Northern Ireland as indicators that more fragmentation and political division in the Arctic could lead to less cooperation or even hostility. Paired with the great-power competition among the United States, Russia, and China, any Balkanization of the region would, in Granholm’s words, be a “double whammy” and could make the Arctic much more combustible.

“Whatever happens in the Arctic won’t stay there,” he said. “It will escalate.”

Is this the beginning of a new Cold War?

The new Norwegian radar system undermines Russia’s ability to launch a retaliatory nuclear strike from its submarine fleet in the Arctic, New York Times reported, and that bothers Russia, according to Lt. Col. Tormod Heier, a faculty adviser at the Norwegian Defense University College. Because it upsets the strategic nuclear balance between the United States and Russia, the new radar system establishes a blow to Russia’s last indisputable claim to great-power status.

“There is a new Cold War,” Heier told the Times, adding that the risk of nuclear war was much higher now than in the old Cold War “because Russia is so much weaker, and because of that much more dangerous and unpredictable.”

In recognition of the threats posed by a new Cold War, the Pentagon released an updated National Defense Strategy in January 2018. While the document makes no specific mention of the Arctic, it recognizes the threats posed by great-power competition (especially as it relates to America’s eroding competitive edge) and clarifies that potential conflict with Russia and China had supplanted terrorism as the biggest threat to American national security.

To achieve this end state, the United States must confront three risks that, if they materialized, would stand in the way. First, bad actors could use the Arctic as a staging ground for an attack on the U.S. homeland. Second, states like Russia and China could challenge the rules-based international order in the Arctic in ways that could lead to conflict. Third, but not least, tensions, competition, and conflict in other parts of the world could spill over into the Arctic.

Three months later, the U.S. Coast Guard released its own strategy for the Arctic, which called for funding to upgrade ships, aircraft, and unmanned systems operating in the region. Admiral Karl Schultz, the Coast Guard’s commandant, told the Washington Post that the goal should be to return the Arctic to a “peaceful place where we work to cross international lines here with partner nations that share interests in a transparent fashion.” Projecting sovereignty, he continued, will help expedite that return.

But all these plans have failed to persuade decision makers to establish new organizational structures designed to address changes in the Arctic wrought by climate change and the rush to exploit the region’s natural resources. The plans do not include any substantive plans to guide the construction of infrastructure needed in the region, nor do they detail how resources will need to be reallocated to mitigate risks and help the United States reach its desired end state. They provide a vision for the future, but they do not provide a road map on how to get there.

Russia won’t back down

In late August 2019, a Russian submarine emerged from the icy waters near the North Pole and fired a Sineva-type intercontinental ballistic missile capable of carrying a nuclear warhead. That same day, another Russian submarine in the Arctic Circle launched a Bulava-type intercontinental ballistic missile from beneath the surface of the Barents Sea. One missile hit a remote corner of Russia’s Pacific coast, and the other landed on the Kanin Peninsula. Twelve years after Russia planted its flag on the seabed below the North Pole, this demonstration of its military capabilities in the Arctic can be seen as its latest attempt to assert its sovereignty in the region. Against a broader backdrop of distrust and diminished communication across the U.S.-Russia divide, there exists a risk that relatively minor miscalculations or misinterpretations could escalate into broader conflict.

#### ( ) Space conflict causes extinction

* creates “use it or lose it” pressures bc an attack on a satellite creates communication and (subsequently) warfighting vulnerabilities;
* outweighs on probability

Marshall ‘21

Timothy John Marshall is a British journalist, author and broadcaster, specialising in foreign affairs and international diplomacy. He is a guest commentator on world events for the BBC. Marshall's blog, 'Foreign Matters', was short-listed for the Orwell Prize 2010.[8] In 2004 he was a finalist in the Royal Television Society's News Event category for his Iraq War coverage. He won finalist certificates in 2007, for a report on the Mujahideen, and in 2004 for his documentary 'The Desert Kingdom' which featured exclusive access to Crown Prince Abdullah and his palaces. “War in space is a growing threat – with hypersonic missiles and lasers to shoot down satellites” - This is an edited excerpt from the book: The Power of Geography: Ten Maps That Reveal the Future of Our World by Tim Marshall - April 20, 2021 - #E&F – modified for language that may offend - https://inews.co.uk/news/long-reads/space-war-lasers-missiles-satellites-conflict-tim-marshall-963439

Without binding treaties, low Earth orbit is a probable battlefield for military weapons aimed firstly at rivals within the belt, and then below it.

Russia and China have made organisational changes in their military, as have the Americans with the formation of the US Space Force in 2019. There are concerns that this activity violates the Outer Space Treaty, but it only states that weapons of mass destruction such as nuclear missiles should not be placed “in orbit or on celestial bodies or [stationed] in outer space in any other manner”. There’s nothing in international law to prevent the stationing of laser-armed satellites. And every page of history suggests that if one country does it, so will another, and then another. This is why the US Department of Defence has a mantra: “Space is a war-fighting domain.”

Britain’s space force

The UK Space Command was officially formed on 1 April, staffed from the Royal Navy (RN), British Army and Royal Air Force (RAF), the Civil Service and key members of the commercial sector. Its commander is a former Harrier jump jet pilot, Air Vice-Marshal Paul Godfrey.

The defence think-tank Rusi said after the British announcement that “questions remain as to what a space command means in practice, particularly for a medium-sized space power with few sovereign assets”. It added that “major decisions shaping the future of the UK’s military space capabilities and activities are likely to be taken this year”.

The head of the RAF, Air Chief Marshal Sir Mike Wigston, warned in November that Russia and China were developing anti-satellite weaponry and that the UK must be prepared.

“A future conflict may not start in space, but I am in no doubt it will transition very quickly to space, and it may even be won or lost in space, so we have to be ready and, if necessary, defend our critical national interests.”

In the previous century the possibility of nuclear war threatened to destroy our way of life; now the weaponisation of space ~~looks~~ (seems) as if it will pose a similar danger.

At the inauguration of Space Force, the then US President Donald Trump said: “American superiority in space is absolutely vital… The Space Force will help us deter aggression and control the ultimate high ground.”

The Chinese and Russians view space in the same way. We saw an early attempt to gain this advantage with the American Strategic Defence Initiative in the 80s, trying to develop a missile-defence system that could protect the US from nuclear attack. One of the options it investigated was space-based weaponry, earning it the name “Star Wars”.

Now the development of hypersonic missiles, which can fly at more than 20 times the speed of sound, is also focusing attention on this area. Unlike conventional intercontinental ballistic missiles, hypersonic missiles do not fly in an arc and can change direction and altitude. Therefore, at launch the potentially targeted country cannot work out where they are heading and co-ordinate their defences. Hitting a missile with a missile is hard enough; hypersonic missiles make it much more difficult.

Governments are examining the possibility of positioning anti-hypersonic laser systems in space to fire downwards. But machines capable of firing on the laser systems would then be developed, and then defensive systems for them – a space arms race.

The situation will only become more complicated as we continue to turn science fiction into reality. An example of that came in July 2020. Russia’s Kosmos 2542 military satellite had been “stalking” an American satellite, USA 245, at times coming within 150km of it, a distance regarded as close. It then released a mini satellite from within it – Kosmos 2543. The US military calls these “Russian dolls”. This “baby” Kosmos also shadowed the American spacecraft before manoeuvring towards a third Russian satellite. It then appeared to fire a projectile travelling at more than 400mph.

The Kremlin says it was simply inspecting the condition of its satellites, but the British and Americans both believe it was a weapons test. The US also shadows foreign satellites and is researching its own space weapons, but it was furious about what it believes was a breach of conventional behaviour. Such protocols and understandings are not codified in ratified law. But the threat to satellites is one that all countries must take seriously.

Dangers in orbit

Satellites are vital for modern warfare. All advanced countries rely on satellites for intelligence and surveillance. If a series of military satellites were hit, the high command would immediately worry that this was a precursor to being attacked on the ground. Early-warning systems of a nuclear launch might go down, triggering a decision on whether to launch first. Even if a conflict remained non-nuclear, the other side would have the advantage of precision-targeting its enemy and moving its own forces without being “seen”, while its opponent’s ability to send encrypted communications would also be limited.

This is all a very real threat. Already Russia, China, the US, India and Israel have developed “satellite-killer” systems. Techniques are being invented to shoot down satellites with lasers, to “dazzle” them so they cannot communicate, to spray them with chemicals, and even to ram them. And with no laws about who can be where, how close they can be and what activity is allowed, there is the growing danger of an exercise, or even faulty navigating, being mistaken for an impending attack.

#### Our internationalism module

#### 1NC Nam gave a separate internal link – when other nations are commitment to a model that support agency independence in Antitrust regulation It checks rivalry spirals that hampers support for global Internationalism *outside of free trade*.

#### That’s key to check extinction from AI, climate, and security risks.

Jain ‘19

et al; Ash Jain is a Senior Fellow and coordinates the Atlantic Council’s Democratic Order Initiative and D10 Strategy Forum. He previously served as a member of the Secretary of State’s policy-planning staff, focusing on US alliances and partnerships, international norms, and challenges to the democratic order—including those posed by Russia, China, Iran, and North Korea. Mr. Jain has also taught as an adjunct professor at Georgetown University’s School of Foreign Service. He earned a JD/MS in foreign service from Georgetown University – “Present at the Re-Creation: A Global Strategy for Revitalizing, Adapting, and Defending a Rules-Based International System” - Atlantic Council Strategy Papers – October - #E&F - https://www.atlanticcouncil.org/wp-content/uploads/2019/10/Present-at-the-Recreation.pdf

This international system, while not perfect, has proven to be more successful than any in human history at providing security, economic prosperity, and freedom. The evidence of this is apparent in the numbers. Before 1945, major powers frequently engaged in direct warfare on a massive scale, as in the Napoleonic Wars, World War I, and World War II. Since 1945, however, there have been zero great-power wars. As shown in Figure 1, the percentage of people killed in armed conflict has drastically declined in the post-World War II era. Armed conflict killed an average of 1–2 percent of the human population from 1600 to 1945. During the Cold War, an average of 0.4 percent of the world’s population perished due to war. Since the year 2000, less than one one-hundredth of 1 percent of people have died this way.8 Under a rules-based system, the world has continued to make progress in reducing deaths from all kinds of war, including often-intractable civil conflicts.9

Turning to economic prosperity, the global gross domestic product (GDP) per capita in 1945 was $4,079.10 Today it is $11,570.11 This drastic increase in global living standards is evident in Figure 2. The share of the global population living in poverty has dramatically decreased. In 1929, the number of people living in extreme poverty (defined as earning less than 1.90 international dollars per day) was 1.35 billion, almost two-thirds of the world population at the time. In 2015, that figure was 733.48 million, or slightly less than 10 percent of the world population.12 China itself has been one of the biggest beneficiaries of this system, as geopolitical stability in Asia and integration into the global economy helped to lift four hundred million Chinese out of poverty.

In the realm of good governance, the number of democracies has substantially increased. With the end of World War II and decolonization, the number of democracies increased from seventeen to forty-eight between 1945 and 1989.13 That number further skyrocketed at the end of the Cold War, as countries formerly behind the Iron Curtain rushed to join the West. In the year 1900, there were twelve democracies in the world. Today there are ninety-six.14 The percentage of the world’s population living under democratic governments has also increased from about 12 percent in 1900 to more than 55 percent today.15 This trend is visible in Figure 3.

To be sure, these outcomes are the result of an enormous and interconnected range of factors. International-relations scholars, for example, believe that nuclear deterrence and the absence of a multipolar distribution of power also contributed to great-power peace.16 In addition, globalization and economic development have been fueled by new technological developments. Further, global norms on democratic governance and human rights have come a long way since the early twentieth century.17

Still, it is doubtful whether this dramatic improvement in the human condition could have been achieved in the absence of the rules-based international system. Moreover, many of these other driving forces are themselves constitutive of, if not partially the result of, that system. Global bipolarity, and then unipolarity with the United States at its center, was critical for the postwar development of a rules-based system, which may not have been possible in a more multipolar distribution of international power, or with a non-democratic hegemon at the system’s apex. The splitting of the atom could have resulted in widespread nuclear-weapons proliferation and nuclear use had it not been for the NPT and extended US nuclear deterrence in Europe and Asia.18 The most important technological advances for globalization, including the Internet, occurred and flourished in the free world, defended by the United States and its democratic allies and partners.19 Finally, the United States and its democratic partners, along with nongovernmental organizations and individuals operating in these states, were the most important norm entrepreneurs propagating global norms around issues of good governance, democracy, and human rights.

In sum, the rules-based international system that has been the defining feature of global order for the past seventy years has coincided with—and was almost certainly essential in bringing about—the most secure, prosperous, and well-governed world humanity has ever known.

Despite this record of unprecedented and enduring success, the rules-based international system is currently besieged by a number of challenges unleashed by rapid and dramatic global change. Understanding the current strategic context, including global trends and threats both external and internal to the system’s democratic core, is a necessary first step toward devising a strategy to revitalize, adapt, and defend a rules-based international system.

Global Diffusion of Power. The international distribution of power, as defined by relative economic weight, is shifting away from the founders of the post-World War II system to other emerging economies. As recently as the 1990s, nearly 70 percent of global economic activity occurred in Europe and the Americas. By the 2040s, that number is expected to drop to roughly 40 percent. At the same time, the Asian share of global GDP will increase from 32 percent at present to 53 percent in 2050, meaning that, by that time, the majority of all economic activity on Earth will occur in Asia.

While the United States remains the world’s most powerful state militarily and economically, it is declining relative to other rising powers, particularly China. When corrected for purchasing-power parity (PPP), China’s GDP has already surpassed the United States. The better metric for international power and influence, however, is real GDP; here, too, the US advantage is narrowing, but more slowly.21 At the conclusion of World War II, the United States possessed roughly 50 percent of global GDP.22 From the 1970s through today, that number has held steady at roughly 25 percent.23 Despite a common misperception, the United States’ share of global power is not declining in absolute terms.

Rather, other powers—especially China—are rising. China’s share of global GDP rose from 4.6 percent in the 1990s to 15 percent today.24 Many economists predict that China could surpass the United States as the world’s largest economy by 2030. It is noteworthy, however, that in 2009, economists predicted that this transition would happen by 2020. That date has been pushed back a decade as Chinese growth has slowed. Future projections depend entirely on assumptions about growth rates in the United States and China that cannot be known with certainty. Still, most economists expect that China will, at some point, surpass the United States as the world’s largest economy.

China is joined by other emerging economies with rapid growth rates, including India, Indonesia, and others. US allies, including Japan, Germany, and the United Kingdom, remain among the wealthiest nations on Earth, but their share of global power is also declining relative to the rise of the rest.

This shift is significant because international orders function best when their formal attributes at least roughly reflect the underlying balance of power. While only one measure of global influence, economic power is central given the leverage it provides over trade and investment, and the resources it offers to sustain military and security advantages.

It is also important to point out, however, that the United States and its formal treaty allies continue to possess a preponderance of power in the international system. As Figure 4 shows, the United States and its formal allies currently produce 59 percent of global GDP. When including other countries considered to be “democracies” by the widely used Polity scores, that number rises to 75 percent of global GDP. Democracies continue to retain global influence because more countries have transitioned to democracy since the end of the Cold War, and overall economic growth in democratic countries has outpaced that in autocratic states since 1991.

The major shift since the dawn of the post-Cold War world, therefore, is not that the power of the United States and its democratic allies and partners has declined substantially. The major difference is that the share possessed by autocratic challengers, especially China, has grown. As Figure 4 shows, the world is approaching a more bipolar distribution of power, with more wealth concentrated in the democracies and in a grouping of autocratic challengers led by China.

This means that, if they are able to work together more cohesively, the United States and its democratic allies and partners still have the power and influence necessary to significantly shape international outcomes. Moreover, if they are able to expand their ranks to court other nonaligned democracies like India, Indonesia, and Mexico, their influence on the international system can be even more decisive.

Disruptive Technologies. New technologies—including artificial intelligence (AI), robotics, quantum computing, and biotech, among others—are being developed at an exponential pace, and have the promise to transform society. They will determine how people live and function in the twenty-first century, significantly shaping the global economy, international security, and the course of geopolitics.

Throughout history, progress has been built on technological innovation, ranging from Thomas Edison’s light bulb to Henry Ford’s assembly line to the silicon chip, the personal computer, and the Internet. While new technology promises improved productivity and quality of life, it will bring serious downside risks, including economic dislocation and weapons proliferation. AI, for example, is already being widely adopted in the private sector to achieve great efficiencies and cost savings.25 At the same time, automation threatens to put millions out of work as jobs once performed by humans are replaced by machines. Moreover, AI is also being introduced into national militaries. A logical next step is fully autonomous weapons that can select and engage targets without a human in the decision-making loop. Some warn that these “killer robots” introduce many ethical and security risks, including the fear that they may turn on their creators and threaten humans’ very existence or, indeed, what it means to be human.26 Henry Kissinger warns, “We are in danger of losing the capacity that has been the essence of human cognition.”27

The existing international system was designed to deal with the most important dual-use technologies of the twentieth century, such as nuclear power, but it must be updated to deal with the technologies of the twenty-first century. As with nuclear energy, the international community needs an entirely new set of international norms, standards, and agreements for responsible uses of new technologies that mitigate their downside risks, while maximizing their upside potential.

Since the time of Edison, the United States has been the world’s most innovative country, but it is at risk of losing that title to China and other countries that aim for the first-mover advantage in the next round of technological breakthroughs. Throughout history, technological progress and international leadership have gone hand in hand. Think of roads and aqueducts in ancient Rome, the steam engine in nineteenth-century Great Britain, and the Internet in the United States. If China or another country takes the lead in the new tech arms race, Beijing may be in a better position to rewrite the international system’s rules.

Nuclear Proliferation. Even as the world grapples with the technological challenges of the twenty-first century, century-old technological challenges remain. The NPT may be the most successful treaty in history, but its future is uncertain. North Korea has become the only country in history to sign the treaty, withdraw, and build nuclear weapons. If North Korea is allowed to become an accepted nuclear-weapons state, it would pose a severe threat to international peace and security. Other members of the treaty may also reconsider their nuclear options. In particular, South Korea and Japan may be at risk of pursuing nuclear-weapons programs if the program in Pyongyang continues to advance and the United States is unwilling or unable to provide Seoul and Tokyo with adequate security assurances.

Iran’s nuclear program was allowed to operate within strict limits according to the terms of the Joint Comprehensive Plan of Action (JCPOA), but the US withdrawal from that agreement may lead Tehran to accelerate its nuclear program or dash to achieve a nuclear weapon. A bomb in Iran could also instigate further regional nuclear proliferation.28 Officials in Saudi Arabia, for example, have declared that if Iran acquires nuclear weapons, Riyadh will follow suit.

A proliferation cascade in East Asia or the Middle East would undermine the global nonproliferation regime and fuel regional insecurity. Moreover, new technologies such as additive manufacturing may make it easier for future proliferators to build nuclear-weapons programs, and harder for the international community to catch and stop them.29

The additional spread of a weapon that remains the ultimate instrument of military force could threaten the global security and stability necessary for the smooth functioning of the rules-based international system.

Ecological Disaster. As with nuclear war, an ecological disaster could constitute a direct threat to humanity’s very existence. While states have made efforts to address climate change caused by carbon emissions, including in the Paris Climate Agreement, these steps will not be sufficient to keep emissions below the target levels set by leading scientific panels. Higher average global temperatures are leading to rising sea levels, drought, an increased frequency of violent storms, and forced migrations, all of which are threatening vulnerable societies, undermining already-weak national governments, and contributing to conflicts over natural resources.

### Solvency Advocate

#### Section 5 affords great latitude for FTC discretion.

Dagen ‘10

Richard – Formerly, Adjunct Professor Boston University School of Law (Aug 2005 - Dec 2006) specializing in Antitrust; former Kramer Fellow - Harvard Law School. At the time of this writing, the author served as Antitrust, High Tech and Antitrust Special Counsel to the Director, Bureau of Competition, Federal Trade Commission “RAMBUS, INNOVATION EFFICIENCY, AND SECTION 5 OF THE FTC ACT” – BOSTON UNIVERSITY LAW REVIEW - Vol. 90 - #E&F - http://www.bu.edu/law/journals-archive/bulr/documents/dagen.pdf

The Sherman Act was enacted over one hundred years ago to prevent conduct likely to harm consumers.14 Section 1 of the Sherman Act proscribes unreasonable agreements between competitors, such as naked price fixing.15 Section 2 addresses exclusionary conduct by single firms, making it unlawful to “monopolize or attempt to monopolize” a market for goods or services in the United States.16 The Sherman Act is enforced by federal and state authorities, as well as through private rights of action. Successful plaintiffs are entitled to treble damages under the Sherman Act. The FTC, created in 1914, enforces the antitrust laws through Section 5 of the FTC Act, which prohibits “unfair methods of competition.”17 As discussed at length below, Section 5 also “empower[s] the Commission to define and proscribe an unfair competitive practice, *even though* the practice does not infringe either the letter or the spirit of the antitrust laws.”18

#### FTC recently expanded authority. That renders Aff disads to the CPlan are not unique – but it doesn’t complicate our internal net benefits.

Roach ‘21

Lee Roach – Partner with Faegre, Drinker, Biddle & Reath LLP. Holds a J.D. (cum laude), Notre Dame Law School – “The FTC Expands Section 5 Enforcement Efforts With Potentially Broad Implications” – JD Supra – July 12th, 2021 - #E&F - https://www.jdsupra.com/legalnews/the-ftc-expands-section-5-enforcement-7020931/

The Federal Trade Commission (FTC) recently updated its interpretation of its authority to challenge “unfair methods of competition” under Section 5 of the FTC Act. It will no longer limit enforcement actions under Section 5 to conduct that violates the consumer welfare standard. This may significantly expand the sorts of business activities the FTC investigates and challenges.

Although this adjustment, in conjunction with other recent developments at the FTC, is widely interpreted to signal increased scrutiny of Big Tech companies, the FTC’s pivot on its Section 5 authority may have broader implications. Companies should monitor the FTC’s next steps closely for further insights on conduct it may challenge in the future.

On July 1, the FTC voted to expand its enforcement efforts under Section 5 of the FTC Act. Section 5 authorizes the FTC to investigate and challenge “unfair methods of competition in or affecting commerce” (15 U.S.C. § 45(a)(1)) — language that is seemingly open-ended. Courts have not precisely defined the outer-bounds of the FTC’s Section 5 authority.

Previously, according to a 2015 policy statement, the FTC was “guided by” the consumer welfare standard when using its Section 5 authority, and focused on whether the conduct in question artificially raised prices. This hewed closely to how courts have interpreted the other main federal antitrust statutes, the Sherman Act and the Clayton Act. In fact, in that same 2015 policy statement the FTC clarified that it would be “less likely to challenge an act or practice as an unfair method of competition on a standalone basis if enforcement of the Sherman Act or Clayton Act is sufficient to address the competitive harm arising from the act or practice.” And even where the Sherman Act or Clayton Act may not have prohibited certain conduct, the FTC’s record of enforcement has tended to focus on “incipient” conduct that could in the future lead to clear violations of those statutes, such as invitations to collude or exchanges of competitively sensitive information.

The FTC’s move on July 1 constitutes a meaningful departure from its prior interpretation of Section 5, and signals that the FTC may now interpret “unfair methods of competition” more expansively than in the past. Indeed, in a statement released in conjunction with the move, new FTC Chair Lina Khan stated that the 2015 policy statement “contravene[d] the text, structure, and history of Section 5 and largely wr[ote] the FTC’s standalone authority out of existence.” The move also harkens to previous advocacy by Chair Khan that the consumer welfare standard is an inadequate tool for challenging Big Tech companies.

Importantly, however, nothing limits the FTC’s newly expansive understanding of its Section 5 authority only to Big Tech companies. In fact, prior statements by those commissioners who voted with Chair Khan to expand the FTC’s authority under Section 5 seem to indicate just the opposite. To take but one example, two years ago FTC Commissioner Rohit Chopra released a statement, joined by fellow Commissioner Rebecca Kelly Slaughter, criticizing an FTC settlement with online cosmetics company Sunday Riley Modern Skincare LLC. The company had posted false reviews of its products online in order to drive traffic. Commissioner Chopra argued this “false advertising [was] an unfair method of competition,” and thereby criticized the FTC’s action for failing to address the conduct as an antitrust violation and not simply a consumer protection violation.

The FTC’s vote on July 1 opens the door to such an approach in future cases. All companies – not just Big Tech companies – will have to watch the FTC’s next steps carefully and determine how they might affect their own legal and business strategies. It will also be important to monitor how courts may respond to future challenges the FTC brings under its Section 5 authority, as courts may not necessarily agree with the FTC’s newly expansive view.

### vs. “Perm Do both” - Turf war disad

#### Turf war disad.

#### Aff solvency is a net benefit – CP alone has *better solvency* than the perm.

Hittinger ‘19

et al; Carl W. Hittinger is a senior partner and serves as BakerHostetler’s Antitrust and Competition Practice National Team Leader and the litigation group coordinator for the firm’s Philadelphia office. He concentrates his practice on complex commercial and civil rights trial and appellate litigation, with a particular emphasis on antitrust and unfair competition matters, including class actions. “Antitrust Agency Turf War Over Big Tech Investigations” – The Temple 10-Q - This article is reprinted with permission from the Oct. 4, 2019, edition of The Legal Intelligencer. #E&F - https://www2.law.temple.edu/10q/antitrust-agency-turf-war-over-big-tech-investigations/

As we discussed in June 2018, because the FTC and DOJ have concurrent civil antitrust jurisdiction, they rely on a clearance agreement to coordinate their authority. The current agreement’s Appendix A seeks to prevent disputes by assigning particular industries to each agency. The quasi-independent, consumer-protection-focused FTC generally monitors industries that, as Simons recently put it, “most directly affect consumers and their wallets.” By contrast, the DOJ, an executive branch law enforcement agency, generally oversees less consumer-facing industries and sectors impacting national defense. Because Appendix A is perfunctory, however, disputes frequently arise when a company targeted for investigation falls between Appendix A’s cracks or, more commonly, straddles more than one industry. The clearance agreement lists criteria for resolving these disputes. Emphasizing specialization and conservation of resources, it grants priority to the agency “with expertise in the product or similar products … gained through a substantial antitrust investigation … within the last seven years.” The agreement also enumerates a list of tie-breaking factors; for example, an agency gets more “expertise” credit if a case was litigated to verdict than if it was filed and later settled. While the vast majority of disputes are settled with Appendix A and the tie-breaking criteria, disagreements may also be settled through a neutral evaluator and, ultimately, upon elevation to direct discussion by the FTC chairperson and the assistant attorney general for the Antitrust Division of the DOJ.

Conflicts Over Investigations Into Big Tech:

The agencies’ turf war over Big Tech suggests they may be struggling to apply the aging clearance agreement to companies and business models that were somewhat embryonic when it was drafted in 2002. For example, social media is not explicitly addressed in the agreement, and there appears to be no obvious analogue to it in Appendix A. Although there are reports that the FTC and DOJ struck a new clearance deal concerning Big Tech, there are bound to be hiccups. U.S. Sen. Mike Lee, chairman of the Senate Subcommittee on Antitrust, Competition Policy, and Consumer Rights, said last month: “What’s evident from this latest institutional tug of war is that the Antitrust Division of the DOJ and the FTC are now actively battling each other to take the lead in pursuing Big Tech.”

However, the emergence of Big Tech does not fully explain the discord. This summer, the DOJ and FTC publicly clashed in the FTC’s monopolization case against cellular chipmaker Qualcomm—a quarter-century-old enterprise whose product seems to fit neatly within Appendix A’s framework. The case was filed by a divided FTC commission in the waning days of the Obama administration, alleging the company licensed standard essential patents in an anticompetitive fashion. The district court ruled in the FTC’s favor, but, on Qualcomm’s appeal, the DOJ filed an amicus brief siding with Qualcomm’s request for a stay of the lower court’s ruling. It argued: “Immediate implementation of the remedy could put our nation’s security at risk, which is vital to military readiness and other critical national interests.”

More importantly, because the standard for a stay requires a peek at the merits of Qualcomm’s appeal, the DOJ found itself in the unusual position of undermining the FTC’s case: “Qualcomm is likely to succeed on the merits because the district court’s decision ignores established antitrust principles and imposes an overly broad remedy.” The FTC responded in its opposition brief that the DOJ “mischaracterized” the district court’s analysis, that it offered “unsubstantiated concerns” about R&D, and that it essentially asserted that Qualcomm should be immune from antitrust scrutiny.

Given the current political emphasis on a variety of real or perceived controversial competition issues, it is no wonder the FTC and DOJ have prioritized investigatory action over fidelity to the clearance process. As Sen. Amy Klobuchar, ranking member of the Senate Subcommittee on Antitrust, Competition Policy, and Consumer Rights, said in a September hearing, “I’d rather have a split investigation between the DOJ and FTC than no investigation.” The clearance agreement itself says: “Each agency nevertheless retains full responsibility and authority for the discharge of its statutory duties.”

September’s Senate Antitrust Oversight Hearing:

As has been widely reported, Big Tech clearance disputes played a role in a Sept. 17 Senate oversight hearing held by the Senate Subcommittee on Antitrust, Competition Policy, and Consumer Rights, which was attended by Simons and Delrahim. In opening remarks, Sen. Mike Lee chastised the agencies: “In the past, the agencies have avoided too much mischief because they’ve generally played well together. Recently, this appears quite regrettably to have changed. From what I can tell, clearance disputes have become more frequent, more pronounced, and more prolonged.”

Lee asked Delrahim and Simons whether the FTC and DOJ were still operating under the “clearance system to avoid duplicative efforts or have things broken down on this front?” Simons responded, “for the vast majority of matters, we continue to operate under the existing clearance agreement,” but, upon further questioning, agreed with Lee that “things have broken down at least in part.” Delrahim added: “I cannot deny that there are instances where Chairman Simons’ and my time is wasted on those types of squabbles.”

Lee also quizzed the agency heads whether, hypothetically, if they were asked to provide “advice on setting up an antitrust regime in another country … that didn’t already have one, would you under any circumstances recommend that they follow the U.S. model and that they have two separate agencies responsible for civil antitrust enforcement?” Simons responded flatly: “No, I wouldn’t.” Delrahim remarked, “it would be hard to imagine a system being designed at the first instance like we have today.” He conceded: “It’s not the best model of efficiency.”

The Hazards of Clearance Disputes:

Disputes over clearance can have tangible adverse effects on enforcement. First, some have commented that delays caused by clearance disputes can narrow the efficacy of remedial options, particularly with mergers. As Sen. Richard Blumenthal has commented, “The Big Tech companies are not waiting for the agencies to finish their cases. They are structuring their companies so that you can’t unscramble the egg.” Structural remedies are favored by Delrahim, who has commented that alternative, behavioral remedies should be used sparingly: “The division has a strong preference for structural remedies over behavioral ones. … The Antitrust Division is a law enforcer and, even where regulation is appropriate, it is not equipped to be the ongoing regulator.”

Second, disputes over clearance and, more so, duplicative investigations waste agency resources, threaten to blunt their effectiveness, and can lead to inconsistent and confusing governmental positions. In the Sept. 17 oversight hearing, Simons and Delrahim were both criticized for requesting an increase in funding: “As you both acknowledged, both of you could use, and desperately need, more resources. That being the case, it makes no sense to me that we should have duplication of effort, when that has a tendency inevitably to undermine the effectiveness of what you’re doing.” Duplicative investigations dilute the specialization that is a principal goal of the agencies’ clearance agreement and raise the risk that one agency will take legal positions that undercut the other. No doubt the DOJ’s amicus brief in the Qualcomm case influenced the U.S. Court of Appeals for the Ninth Circuit’s decision to issue a stay pending appeal.

#### Turf wars also cause imposed re-structuring - crushing FTC independence.

Birnbaum ‘19

Internally quoting William E. Kovacic - Global Competition Professor of Law and Policy, George Washington University Law School; Non-Executive Director, United Kingdom Competition and Markets Authority. From January 2006 to October 2011, he was a member of the Federal Trade Commission and chaired the agency from March 2008 to March 2009. Emily Birnbaum is a Tech lobbying Reporter at Politico - “Antitrust enforcers in turf war over Big Tech” - The Hill - 09/17/19 - #E&F - https://thehill.com/policy/technology/461829-antitrust-enforcers-in-turf-war-over-big-tech

Typically during investigations, the FTC and DOJ will check in with each other and share resources to ensure there is no duplication. But experts are warning their disagreements could make the process more difficult.

Kovacic cautioned that both agencies had an interest in resolving those tensions.

“These kinds of tensions ... create an environment in which public officials begin to consider a basic restructuring of the U.S. system,” Kovacic said.

He said in that case, “Neither agency can be assured that it would be the survivor.”

#### This *precise* DOJ-FTC distinction is germane to a global model favoring agency independence.

Jenny ‘15

Frederic Jenny is a Professor with The ESSEC Business School and also The Chair of The OECD Competition Committee - “*The Institutional Design of Competition Authorities: Why does it matter ?”* - International Debates and Trends LIDC Congress 2015 - Stockholm, Friday October 2nd 2015 - #E&F – ellipses in original - available via: http://webcache.googleusercontent.com/search?q=cache:FNlccvpfwFMJ:www.europarl.europa.eu/cmsdata/100756/Institutional%2520Design%2520%2520LIDC-1.pptx+&cd=32&hl=en&ct=clnk&gl=us

Independence means that the authority's decisions are free from external influence and based on the application and interpretation of the competition rules relying on legal and economic arguments.

EU contribution to the roundtable on Institutional Changes, OECD Competition Committee, December 2014

Independence

“NCAs have varying degrees of independence when exercising their functions, which can impact on their ability to effectively enforce. Challenges continue to arise, for example, concerning the autonomy of NCAs vis-à-vis their respective governments, appointments and dismissals of NCA management or decision-makers, and ensuring that NCAs have sufficient financial and human resources to enforce the competition rules”

EU contribution, Roundtable on institutional changes, OECD Competition Committee, December 2014

Independence

While the response to issues of accountability and independence varies in different countries, independence is generally considered desirable and is strongly supported by BIAC.

The World Bank suggests that, in order to ensure sufficient independence, members of competition agencies should not be appointed directly by the head of state, and the competition agency should be separate from a government ministry and have its own budget.

Many jurisdictions have adopted measures to ensure the independence of their competition authorities: yet in only 63% of industrial countries, the competition authority is considered independent from government ministries.

BIAC contribution, Roundtable on institutional changes, OECD Competition Committee, December 2014

Statutory independence and de facto independence

The US contribution states that “The President designates the Chair from among the Commissioners; if the President changes the Chair, the previous Chair can continue to serve his or her term as a Commissioner. These arrangements provide accountability by enabling the President to choose the Chair, and by extension the senior leadership of the agency to implement the Chair’s policies. At the same time, it provides for significant continuity in the Commission’s composition and thus its jurisprudence”.

US contribution, Roundtable on institutional changes, OECD Competition Committee, December 2014

In contrast to the FTC, the Antitrust Division of the DOJ is not formally independent from government: it is part of the executive branch and is responsible for representing the U.S. in court proceedings.

(…) Further, both the head of the DOJ and its specific Antitrust Division are appointed by the President.

(Note: “NCAs” = “National Competition Authorities”)

### vs. “Perm Do both” – SG disad

#### Perm *doesn’t solve independence* – our *SG disad*:

#### A – plan includes DOJ enforcement

#### B – A DOJ/FTC track *theoretically* permits the SG to err against FTC investigations OR legal strategy. That possibility *alone* hurts perception of FTC unilateral decision-making.

Karr ‘9

Elliott - J.D., 2009, The George Washington University Law School. “Independent Litigation Authority and Calls for the Views of the Solicitor General” - The George Washington Law Review - June 2009 Vol. 77 No. 4 - #E&F – modified for language that may offend - http://www.gwlr.org/wp-content/uploads/2012/08/77-4-Karr.pdf

While in the vast majority of Supreme Court cases the Solicitor General can expect a large degree of independence from the President, the location the Office of the Solicitor General within the DOJ, and the supervision of the Attorney General can also undermine ~~his~~ (their) independence. Frequently, the Solicitor General must resolve competing claims made by different agencies of the government when deciding what position to take before the Supreme Court.39 This process is generally not considered problematic because there is thought to be some benefit in having the interests of the government, in most instances, represented before the Supreme Court by a single voice. Also, the Solicitor General is usually capable of being a neutral arbiter of opposing agencies’ views, either adopting the position of one of the agencies before the Court, or taking his own position somewhere between the views espoused by the agencies.40 As long as the Solicitor General is able to maintain this impartiality, he can effectively represent the agencies as components of the Federal Government.

It is not clear, however, that the Solicitor General is able to satisfactorily fill the role of the impartial arbiter under all circumstances, given ~~his~~ (their) position within the DOJ. “When one of the competing interests . . . is one enforced by the [DOJ] itself, it is somewhat more difficult for the Solicitor General to be completely neutral . . . .”41 This may be simply a matter of similar jurisprudential and policy preferences of the Solicitor General and the Attorney General (given that they are both appointed by the President), as opposed to the Attorney General putting pressure on the Solicitor General to (address) ~~handle~~ a case in a particular way. It also may merely be that, because the Office of the Solicitor General is located within the same building as other DOJ attorneys, the Solicitor General is influenced by proximity, both physically and institutionally. Whatever the reason, it is still troubling that the two agencies that are charged by Congress with enforcing particular statutes are not accorded equal deference by the Solicitor General in preparing positions before the Supreme Court.

With respect to the FTC in particular, the preference for DOJ ~~views~~ (perspectives) may be more significant. The FTC and the DOJ, through its Antitrust Division, both enforce the nation’s antitrust laws. The FTC’s position as a traditionally independent agency allows it to develop legal positions that are different from those of the DOJ. When the FTC endorses a position that differs from the views of the Antitrust Division, the Solicitor General may be more likely to value the ~~views~~ (perspectives)of the DOJ’s antitrust lawyers more strongly, in terms of whether or not to take a case, or what arguments should be made. “It has been said that the administrative agencies fare badly when opposed to the antitrust policies of the Department of Justice itself . . . . [T]his occurs most often when the agency . . . has authority to appear separately [before the Court] on its own behalf.”42

Because the Solicitor General is ultimately subject to removal at will, the President is in a better position to control the positions the Solicitor General, as opposed to some independent agency, takes before the Supreme Court. Independent agencies have the power to make legal policy that runs counter to the will of the President, but allowing the Solicitor General to control litigation before the Supreme Court can help the President ensure independent agencies do not deviate from presidential priorities.43 By deciding not to pursue cases where the agency would prefer a reversal, and vice versa, the Solicitor General is able to significantly impact the amount of legal policymaking that the independent agencies are able to undertake.

#### C – CPlan *alone* solves – FTC can bring independent cases. Perm and plan involve the SG’s - eroding FTC independence.

Karr ‘9

Elliott - J.D., 2009, The George Washington University Law School. “Independent Litigation Authority and Calls for the Views of the Solicitor General” - The George Washington Law Review - June 2009 Vol. 77 No. 4 - #E&F - http://www.gwlr.org/wp-content/uploads/2012/08/77-4-Karr.pdf

In certain situations, however, Congress has provided these independent agencies with the ability to petition the Supreme Court. The ability to petition ensures the agency’s views on particular areas of law are heard by the Court. This Essay examines the involvement of the Solicitor General when an agency attempts to petition the Court. In particular, this Essay argues that the Supreme Court encourages, through its rules and by “Calling for the Views of the Solicitor General,”3 increased involvement on the part of the Solicitor General, and that this involvement effectively limits the authority of independent agencies.

To illustrate the separation of power concerns at play, this Essay considers in turn the actions of the executive, legislative, and judicial branches concerning the litigating authority of one such “independent” agency, the Federal Trade Commission (“FTC”). Part I of the Essay provides background information on the history of the independent agencies, as well as how government litigation is controlled. Part II discusses methods the executive branch has taken to attempt to increase the centralization of the control over agency litigation. Part III describes the situation that led Congress to grant independent litigating authority to the FTC. Part IV considers some of the responses by the Supreme Court toward independent litigating authority. Finally, Part V addresses the impact of the Court’s responses on the agencies.

I. Independent Agencies, Unitary Executive, and Litigation Authority

Within the context of governmental agencies, the term “independent” can take on several different meanings. In general, an entity is independent if it is “[n]ot *subject to* the control or influence of another.”4 For federal agencies, independent usually refers to independence from the President.5 What it takes to be free from presidential control, however, is not as clearly delineated. Under the most common definition, an agency will be recognized as independent if the head of the agency cannot be removed at the will of the President. This type of independence was at issue in Humphrey’s Executor v. United States. 6

### CPlan solves independence, perm does not

#### CPlan boosts independence, perm and Plan do not.

* Perm/Plan involve non-FTC entities
* These external political actors erode independence.

Kovacic ‘15

et al; William E. Kovacic - Global Competition Professor of Law and Policy, George Washington University Law School; Non-Executive Director, United Kingdom Competition and Markets Authority. From January 2006 to October 2011, he was a member of the Federal Trade Commission and chaired the agency from March 2008 to March 2009. - “The Federal Trade Commission as an Independent Agency: Autonomy, Legitimacy, and Effectiveness” - 100 Iowa L. Rev. 2085 (2015) - #E&F - https://ilr.law.uiowa.edu/print/volume-100-issue-5/the-federal-trade-commission-as-an-independent-agency-autonomy-legitimacy-and-effectiveness/

A more suitable definition of independence focuses on the agency’s exercising its power to prosecute cases or to enact secondary legislation, such as rules that set binding standards of conduct. Safeguards should discourage political branches of government from intervening to guide or force the disposition of investigations, cases, or rulemakings and, preferably, the initiation of cases as well. Such safeguards should not, however, prevent political institutions from offering guidance or recommendations about larger issues of policy. By this standard, it would be inappropriate for political authorities to have the capacity to prevent, by direct mandate or by persuasion, an agency from blocking a specific merger. It would be appropriate for political authorities to offer their views more generally—for example, in a legislative hearing—about whether an agency’s approach to merger review is too tolerant or too strict.

### CP avoids politics

#### CP avoids politics

#### *Even if* the political branches would otherwise hate the Cplan, Agency Guidance docs *won’t face retaliation*.

Raso ‘10

CONNOR N. RASO – J.D., Yale Law School expected 2oo; Ph.D., Stanford University Department of Political Science expected 2010 - “Strategic or Sincere? Analyzing Agency Use of Guidance Documents” – Yale Law Journal – v. 119:782 - #E&F - https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=5196&context=ylj

Guidance documents generally attract less attention from Congress and the President, giving agency leaders greater latitude to impose their preferred policy choices. Guidance is not subject to the many procedural requirements devised to alert the political branches to agency rulemaking activity. 92 In addition, guidance documents arouse less attention and opposition. Agencies can generally issue a guidance document without attracting advance publicity. The agency therefore has the opportunity to set a new status quo before opponents mobilize. This status quo may generate self-reinforcing feedbacks that strengthen the agency's position. By contrast, agencies must solicit comments on legislative rules. This process generates political activity that may be noticed by Capitol Hill and the White House; some important legislative rulemakings gain political salience as interest group conflict escalates during the notice and comment process. 93 This comparison is not intended to suggest that interest groups are unaware of guidance documents. Rather, at the margin, legislative rules arouse more interest group attention and opposition, which results in greater congressional interest. Guidance documents, therefore, are relatively more attractive in cases where Congress and the President are likely to intervene against the agency.

#### This is uber empirically false

Our 1NC Khan ev is from the FTC Chair – who EXPLICITLY SAID she intends to be more aggressive with Section 5. There’s been no agency stripping or political retal.

## States CP

#### We’ll concede to the perm do both for the states CP but this does not create severance with the Politics DA- the politics DA is not a net benefit to the States CP, test of competition for the aff, kick the arg

# 1NR

### Case

No Magnitude- no specific large impacts of their structural violence, they don’t know their own case arms/ have no magnitude – no timeframe bc they have no urgency, they r just saying stuff, cross ex binding

“Question of philosophy”… so no timeframe/magnitude, they said this in cross ex don’t allow them to back down

During cross ex they couldn’t define how adv 3 links to neoliberalism… what is “neoliberalization of the university”… they don’t even know… why does their plan counter neoliberalism when they said in cross ex “we aren’t against neoliberalism rit large”

Extend our Bowman 17 ev- Neolib solves global poverty and structural violence---prefer long-run, macro-level trends over short term disruptions to individual communities. Their aff artificially amplifies the minor downsides of the system—they aren’t making much change with they don’t have any urgency, timeframe, magnitude

Extend Della Faille ’15, Neolib discourse creates realities which re-frame the social violence cited by the Aff. That link turns case … it’s also external offense via neolib’s perpetuation of sexualized, racialized, and socio-economic repression.

### Sructural Violence

#### Inequality is decreasing at unprecedented rates by every metric.

McAfee, 19—cofounder and codirector of the MIT Initiative on the Digital Economy at the MIT Sloan School of Management, former professor at Harvard Business School and fellow at Harvard’s Berkman Center for Internet and Society (Andrew, “The Global Gallop of the Four Horsemen,” *More from Less: The Surprising Story of How We Learned to Prosper Using Fewer Resources—and What Happens Next*, Chapter 10, pg 235-240, Kindle, dml)

In 2016 the economist and columnist Noah Smith reviewed the evidence on poverty around the world, and his conclusion was notably exuberant: "This is incredible—nothing short of a miracle. Nothing like this has ever happened before in recorded history." A graph created by Max Roser clearly reveals the "miracle" Smith was talking about, and how right he was that the improvement is without precedent. The graph doesn't show the percentage of people living in poverty, but instead something even more important: the total number of extremely poor people on earth.

### Neoliberalism

#### No root cause

Larrivee 10— PF ECONOMICS AT MOUNT ST MARY’S UNIVERSITY – MASTERS FROM THE HARVARD KENNEDY SCHOOL AND PHD IN ECONOMICS FROM WISCONSIN, 10 [JOHN, A FRAMEWORK FOR THE MORAL ANALYSIS OF MARKETS, 10/1, <http://www.teacheconomicfreedom.org/files/larrivee-paper-1.pdf>]

The Second Focal Point: Moral, Social, and Cultural Issues of Capitalism Logical errors abound in critical commentary on capitalism. Some critics observe a problem and conclude: “I see X in our society. We have a capitalist economy. Therefore capitalism causes X.” They draw their conclusion by looking at a phenomenon as it appears only in one system. Others merely follow a host of popular theories according to which capitalism is particularly bad. 6 The solution to such flawed reasoning is to be comprehensive, to look at the good and bad, in market and non-market systems. Thus the following section considers a number of issues—greed, selfishness and human relationships, honesty and truth, alienation and work satisfaction, moral decay, and religious participation—that have often been associated with capitalism, but have also been problematic in other systems and usually in more extreme form. I conclude with some evidence for the view that markets foster (at least some) virtues rather than undermining them. My purpose is not to smear communism or to make the simplistic argument that “capitalism isn’t so bad because other systems have problems too.” The critical point is that certain people thought various social ills resulted from capitalism, and on this basis they took action to establish alternative economic systems to solve the problems they had identified. That they failed to solve the problems, and in fact exacerbated them while also creating new problems, implies that capitalism itself wasn’t the cause of the problems in the first place, at least not to the degree theorized.

#### Neolib isn’t the root cause of violence

Jeffrey Goldfarb 17, Professor of Sociology at the New School for Media Research, 4/7/2017, What Do You Mean When You Use the Term Neoliberalism?, http://www.publicseminar.org/2017/04/what-do-you-mean-when-you-use-the-term-neoliberalism/#.WbWtjrJ96-o

The term “neoliberalism” drives me crazy, specifically when used in the U.S.. It explains too much with too little, concealing crucial distinctions, as it frustrates crucial coalitions against the clear and present danger of the new authoritarianism of Trump, Le Pen, Orban, Kaczynski, et al.. Further, it’s meaningless for much of the American citizenry beyond academic and leftist circles. It’s “elite — speak,” confusing at best, destructive, at worst.¶ I, of course, know, that many of my friends, colleagues, students and comrades, whom I respect, use the term. While I understand and often appreciate what they are getting at, I worry about the consequences, intended and unintended, of using the term.¶ I have to this point expressed my reservations only in informal conversations and in discussions in the classroom. I suspect my students think I am a little odd when I insist that I don’t know what neoliberalism means. The ramblings of their cranky professor? Indeed, I am now writing here at the insistence of students in my Media and Publics seminar, but I am sure students in my other recent classes will also appreciate my coming out on this.¶ The center of my bewilderment is with the “liberalism” that the “neo” is intended to specify. Is it the liberalism of the United States or liberalism as the term is used in much of the rest of the world? If it is the global definition of liberalism, “neoliberalism” refers to the radical application of market logic and practices to broader and broader previously nonmarket activities: from family life, to the arts and sciences, and education, and even to geopolitics (Trump’s transactional approach to foreign policy). It further, centrally, refers to the radical commitment to let the market run wild without political interference. If the referent is to the distinctively American approach to liberalism, “neoliberalism” is manifested in the political innovations in the tradition of The New Deal to work on the relationship between state and market mechanism to accomplish what the rest of the world understands as social democratic ends. These two definitions clearly are not the same.¶ Without recognizing the distinction between these meanings, you cannot tell the difference between a realistic project of the left and a destructive utopian project of the right. Without recognizing the distinction between the meanings, in the U.S., you cannot tell the difference between the positions of the Democratic and Republican parties, while differences among progressives are exaggerated.¶ Then there is the problem that the term neoliberalism is next to meaningless beyond academic circles. For most Americans, the term liberalism refers to a set of policies that involve government in their lives in the pursuit of public goods: Social Security, Medicare, Medicaid, the Environmental Protection Agency, public education, Amtrak, food stamps, gun controls, and the like. Following this commonsense, Obamacare is judged as an extension of liberal policies, (neoliberal?) as it involves the government more actively in healthcare. Also following this logic, Obamacare could be judged, then, wanting on new (neo?) liberal grounds, because it does not go far enough, i.e. toward a single payer plan, or “Medicare for all.” The rejection of these policies, because they involve state encroachment into the lives of individual citizens, because they compromise their liberty, is the conservative position in the United States.¶ Naming what is understood by Americans as conservative, as neoliberal, is only meaningful for people who have their heads in different times or different places, who know something about the history of 19th century liberalism and who know quite a lot about political discourse around the world. I am tempted to call people who do this rootless cosmopolitans (with my tongue embed in my cheek). Intellectuals is my less sarcastic name for them, as I defined the term in my book Civility and Subversion: The Intellectual in Democratic Society. But to be a democratic intellectual, you must not only draw upon your experience and knowledge from other times and places, but also connect with your compatriots.¶ In the U.S., when you use the term neoliberalism as a name for the prevailing order of things, and as the source of just about every major problem, you create a chasm between yourself and other Americans. This fundamentally undermines the democratic task, to engage in mutually meaningful public debate and action that moves people to support progressive policies, foreign and domestic, to address the problems of social injustice, concerning economic inequalities, issues of race, gender and sexuality. Your criticism of neoliberalism may work, despite its imprecision, in the lecture halls of universities, as you present brilliant speeches carefully de-constructing the limits of liberal feminism and the like, and on Facebook, as you exchange smart critical observations on your page to the approval of all your “friends.” But you’re preaching to the already convinced, and making sure that those who are not convinced stay away.¶ With these concerns in mind, I wrote this piece to ask the question in the title, wanting an answer or set of answers, which might convince me that I am mistaken. Just to be clear, I use my preferred term “market fundamentalism” as a sensible alternative for neoliberalism. I too am worried by those who think that the free market is the answer to all problems, those who believe in market magic. I ask my critical readers: am I missing something? Where am I going wrong in my understanding? This is an honest question, I would happy to be convinced.¶ But as you are trying to convince me, keep in mind my political concerns. I think that using the term neoliberalism to identify both those who would utilize the market to extend the New Deal tradition and those who turn to the market as the answer to all social, political and cultural problems, in the American context, the Clintons and Obama, on the one hand, with Reagan, the Bushes and Ryan-Trump, on the other, is a major problem. This identification covers up the major political conflicts of our times, as it divides the left so that it can be conquered.

#### Root cause explanations are too reductive

Goldfarb 17 – Jeffrey Goldfarb, Professor of Sociology at the New School for Media Research, 4/7/2017, What Do You Mean When You Use the Term Neoliberalism?, http://www.publicseminar.org/2017/04/what-do-you-mean-when-you-use-the-term-neoliberalism/#.WbWtjrJ96-o

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The center of my bewilderment is with the “liberalism” that the “neo” is intended to specify. Is it the liberalism of the United States or liberalism as the term is used in much of the rest of the world? If it is the global definition of liberalism, “neoliberalism” refers to the radical application of market logic and practices to broader and broader previously nonmarket activities: from family life, to the arts and sciences, and education, and even to geopolitics (Trump’s transactional approach to foreign policy). It further, centrally, refers to the radical commitment to let the market run wild without political interference. If the referent is to the distinctively American approach to liberalism, “neoliberalism” is manifested in the political innovations in the tradition of [and] The New Deal to work on the relationship between state and market mechanism to accomplish what the rest of the world understands as social democratic ends. These two definitions clearly are not the same.

Without recognizing the distinction between these meanings, you cannot tell the difference between a realistic project of the left and a destructive utopian project of the right. Without recognizing the distinction between the meanings, in the U.S., you cannot tell the difference between the positions of the Democratic and Republican parties, while differences among progressives are exaggerated.

Then there is the problem that the term neoliberalism is next to meaningless beyond academic circles. For most Americans, the term liberalism refers to a set of policies that involve government in their lives in the pursuit of public goods: Social Security, Medicare, Medicaid, the Environmental Protection Agency, public education, Amtrak, food stamps, gun controls, and the like. Following this commonsense, Obamacare is judged as an extension of liberal policies, (neoliberal?) as it involves the government more actively in healthcare. Also following this logic, Obamacare could be judged, then, wanting on new (neo?) liberal grounds, because it does not go far enough, i.e. toward a single payer plan, or “Medicare for all.” The rejection of these policies, because they involve state encroachment into the lives of individual citizens, because they compromise their liberty, is the conservative position in the United States.

Naming what is understood by Americans as conservative, as neoliberal, is only meaningful for people who have their heads in different times or different places, who know something about the history of 19th century liberalism and who know quite a lot about political discourse around the world. I am tempted to call people who do this rootless cosmopolitans (with my tongue embed in my cheek). Intellectuals is my less sarcastic name for them, as I defined the term in my book Civility and Subversion: The Intellectual in Democratic Society. But to be a democratic intellectual, you must not only draw upon your experience and knowledge from other times and places, but also connect with your compatriots.

In the U.S., when you use the term neoliberalism as a name for the prevailing order of things, and as the source of just about every major problem, you create a chasm between yourself and other Americans. This fundamentally undermines the democratic task, to engage in mutually meaningful public debate and action that moves people to support progressive policies, foreign and domestic, to address the problems of social injustice, concerning economic inequalities, issues of race, gender and sexuality. Your criticism of neoliberalism may work, despite its imprecision, in the lecture halls of universities, as you present brilliant speeches carefully de-constructing the limits of liberal feminism and the like, and on Facebook, as you exchange smart critical observations on your page to the approval of all your “friends.” But you’re preaching to the already convinced, and making sure that those who are not convinced stay away.

With these concerns in mind, I wrote this piece to ask the question in the title, wanting an answer or set of answers, which might convince me that I am mistaken. Just to be clear, I use my preferred term “market fundamentalism” as a sensible alternative for neoliberalism. I too am worried by those who think that the free market is the answer to all problems, those who believe in market magic. I ask my critical readers: am I missing something? Where am I going wrong in my understanding? This is an honest question, I would happy to be convinced.

But as you are trying to convince me, keep in mind my political concerns. I think that using the term neoliberalism to identify both those who would utilize the market to extend the New Deal tradition and those who turn to the market as the answer to all social, political and cultural problems, in the American context, the Clintons and Obama, on the one hand, with Reagan, the Bushes and Ryan-Trump, on the other, is a major problem. This identification covers up the major political conflicts of our times, as it divides the left so that it can be conquered.

#### The aff won’t change anything

Levi Bryant 12, Prof. of Philosophy @ Collins College and Chair of Critical Philosophy Program @ the New Centre for Research and Practice, “War Machines and Military Logistics: Some Cards on the Table,” 9/15, https://larvalsubjects.wordpress.com/2012/09/15/war-machines-and-military-logistics-some-cards-on-the-table/

We need answers to these questions to intervene effectively. We can call them questions of “military logistics”. We are, after all, constructing war machines to combat these intolerable conditions. Military logistics asks two questions: first, it asks what things the opposing force, the opposing war machine captured by the state apparatus, relies on in order to deploy its war machine: supply lines, communications networks, people willing to fight, propaganda or ideology, people believing in the cause, etc. Military logistics maps all of these things. Second, military logistics asks how to best deploy its own resources in fighting that state war machine. In what way should we deploy our war machine to defeat war machines like racism, sexism, capitalism, neoliberalism, etc? What are the things upon which these state based war machines are based, what are the privileged nodes within these state based war machines that allows them to function? These nodes are the things upon which we want our nomadic war machines to intervene. If we are to be effective in producing change we better know what the supply lines are so that we might make them our target.

What I’ve heard in these discussions is a complete indifference to military logistics. It’s as if people like to wave their hands and say “this is horrible and unjust!” and believe that hand waving is a politically efficacious act. Yeah, you’re right, it is horrible but saying so doesn’t go very far and changing it. It’s also as if people are horrified when anyone discusses anything besides how horribly unjust everything is. Confronted with an analysis why the social functions in the horrible way, the next response is to say “you’re justifying that system and saying it’s a-okay!” This misses the point that the entire point is to map the “supply lines” of the opposing war machine so you can strategically intervene in them to destroy them and create alternative forms of life. You see, we already took for granted your analysis of how horrible things are. You’re preaching to the choir. We wanted to get to work determining how to change that and believed for that we needed good maps of the opposing state based war machine so we can decide how to intervene.

We then look at your actual practices and see that your sole strategy seems to be ideological critique or debunking. Your idea seems to be that if you just prove that other people’s beliefs are incoherent, they’ll change and things will be different. But we’ve noticed a couple things about your strategy: 1) there have been a number of bang-on critiques of state based war machines, without things changing too much, and 2) we’ve noticed that we might even persuade others that labor under these ideologies that their position is incoherent, yet they still adhere to it as if the grounds of their ideology didn’t matter much. This leads us to suspect that there are other causal factors that undergird these social assemblages and cause them to endure is they do. We thought to ourselves, there are two reasons that an ideological critique can be successful and still fail to produce change: a) the problem can be one of “distribution”. The critique is right but fails to reach the people who need to hear it and even if they did receive the message they couldn’t receive it because it’s expressed in the foreign language of “academese” which they’ve never been substantially exposed to (academics seem to enjoy only speaking to other academics even as they say their aim is to change the world). Or b) there are other causal factors involved in why social worlds take the form they do that are not of the discursive, propositional, or semiotic order. My view is that it is a combination of both.

I don’t deny that ideology is one component of why societies take the form they do and why people tolerate intolerable conditions. I merely deny that this is the only causal factor. I don’t reject your political aims, but merely wonder how to get there. Meanwhile, you ~~guys~~ behave like a war machine that believes it’s sufficient to drop pamphlets out of an airplane debunking the ideological reasons that persuade the opposing force’s soldiers to fight this war on behalf of the state apparatus, forgetting supply lines, that there are other soldiers behind them with guns to their back, that they have obligations to their fellows, that they have families to feed or debt to pay off, etc. When I point out these other things it’s not to reject your political aims, but to say that perhaps these are also good things to intervene in if we wish to change the world. In other words, I’m objecting to your tendency to use a hammer to solve all problems and to see all things as a nail (discursive problems), ignoring the role that material nonhuman entities play in the form that social assemblages take.

This is the basic idea behind what I’ve called “terraism”. Terraism has three components: 1) “Cartography” or the mapping of assemblages to understand why they take the form they take and why they endure. This includes the mapping of both semiotic and material components of social assemblages. 2) “Deconstruction” Deconstruction is a practice. It includes both traditional modes of discursive deconstruction (Derridean deconstruction, post-structuralist feminist critique, Foucaultian genealogy, Cultural Marxist critique, etc), but also far more literal deconstruction in the sense of intervening in material or thingly orders upon which social assemblages are reliant. It is not simply beliefs, signs, and ideologies that cause oppressive social orders to endure or persist, but also material arrangements upon which people depend to live as they do. Part of changing a social order thus necessarily involves intervening in those material networks to undermine their ability to maintain their relations or feedback mechanisms that allow them to perpetuate certain dependencies for people. Finally, 3) there is “Terraformation”. Terraformation is the hardest thing of all, as it requires the activist to be something more than a critic, something more than someone who simply denounces how bad things are, someone more than someone who simply sneers, producing instead other material and semiotic arrangements rendering new forms of life and social relation possible. Terraformation consists in building alternative forms of life. None of this, however, is possible without good mapping of the terrain so as to know what to deconstruct and what resources are available for building new worlds. Sure, I care about ontology for political reasons because I believe this world sucks and is profoundly unjust. But rather than waving my hands and cursing because of how unjust and horrible it is so as to feel superior to all those about me who don’t agree, rather than playing the part of the beautiful soul who refuses to get his hands dirty, I think

we need good maps so we can blow up the right bridges, power lines, and communications networks, and so we can engage in effective terraformation.

### Militarism

#### The aff fails and doesn’t affect policy

Graham ‘10

STEPHEN GRAHAM is Professor of Cities and Society at Newcastle University and previously taught at Durham and MIT, among other universities. Cities Under Siege: the New Military Urbanism – p. 383-84

To be meaningful for our own time, new concepts of 'security' must forcefully reject traditional notions of 'national security:•• Those who are dependent on the dictates of an acquisitive, colonial and violent neoliberalism, forged within the contemporary national and supranational state system, must be at the centre of critique and intellectual reconstruction.95 The language of 'security' and 'humanitarianism' has all too often cloaked killing, plunder and dispossession, while complexes of m ilitary, corporate, agribusiness, technological, academic, and/or petrochemical capital have generated massive insecurity at home and abroad. Indeed, by feeding at the trough of the fears and anxieties felt by the powerful when surrounded by the marginalized masses, 'security' industries sell anything but. As the debacle in New Orleans in 2005 demonstrates, hypermilitarized discourses about the need to launch 'war' against the existential security threats of 'terrorism' swiftly lead to radical denial of the ultimately far more pressing threats and risks surrounding global climate change, environmental degradation, racialized hyperinequality, and state urbicidal violence.96 A cautionary note, however. Though they illustrate the breadth of emergent possibilities, the countergeographic initiatives discussed above have very real limitations. Many are, of necessity, highly ephemeral. Many reach relatively small audiences of already-committed activists and artists. With some notable exceptions,97 most have a tendency to speak on behalf of those who bear the brunt, at the receiving end, of the new military urbanism , rather than collaborating with these receivers and their own resistances. In addition, virtually all the initiatives explored here confine themselves to the circuits of artists and activists, and do not cohere into the kind of broader political coalitions necessary to the forging of concerted political challenges.

Chart

Description automatically generated

The World's War on Poverty

The total number of poor people in the world peaked right at the time of the first Earth Day in 1970, then started to slowly decrease. But the real miracle came when this happy decline accelerated during the twenty- first century. In 1999, 1.76 billion people were living in extreme poverty. Just sixteen years later, this number had declined by 60 percent, to 705 million. Hundreds of millions fewer people are living in poverty now than in 1820, when the world's total population was seven times smaller than it is today.

Much of this decline is reflective of what occurred in China, which, as we saw in the previous chapter, threw off economic socialism beginning in 1978 and let capitalism work its poverty-reducing miracles. But the story of global poverty reduction isn't a purely Chinese one. As the graph below shows, every region around the world has seen large poverty reductions in recent years. The speed of the recent decline indicates that it's no longer ridiculous to talk about completely eliminating extreme poverty from the planet. The World Bank thinks this might be possible by 2030.

It's not just incomes that have improved. As I consult Our World in Data and other comprehensive sources of evidence, I struggle to find even a single important measure of human material well-being that's not getting better in most regions around the world.

Here are recent trends in a few key areas.

Daily Bread

Chart, diagram

Description automatically generated with medium confidence

As recently as 1980, the global average number of available daily calories wasn't enough to permit an active adult male to maintain his body weight. Less than thirty-five years later, however, every region in the world met this standard of twenty-five hundred daily calories.

Clean Living

Chart, line chart

Description automatically generated

More than 90 percent of the world's people now have access to improved water;VII in 1990 only a bit more than 75 percent did. The situation is similar for sanitation: in 1990 only a bit more than half of the world's people had it; now, more than two-thirds do.

Young Minds

Chart, line chart

Description automatically generated

The trend in secondary education enrollment around the world is similar to the one for sanitation, but even sharper: in 1986 fewer than half of the world's teenagers were in school; at present, more than 75 percent are.

One Thing We Say to Death: Not Today

By now the pattern should be familiar: life expectancy at birth has gone up around the world in recent decades:

Diagram

Description automatically generated

As we saw in chapter 1, global life expectancy was about 28.5 years in 1800. Over the next 150 years, that number increased by 20 years. Then, in the years between 1950 and 2015, it increased by 25 more. These gains are now universal; Southern Africa has regained the 10 years of expected life lost during its terrifying AIDS crisis.

One of the reasons life expectancy has gone up so quickly is the collapse in both child and maternal mortality around the world:

Chart, line chart

Description automatically generated

I find these mortality declines especially fast, large, and broad. Today, we still have desperately poor regions, failed states, and the decimations of war. But in no region today is the child mortality rate higher than the world's average rate was in 1998.

Convergent

Trends in maternal and child mortality highlight a critical fact that's often overlooked: around the world, inequality in most important measures of human material well-being is decreasing. Poor countries are catching up to rich ones, and gaps that were once large are shrinking. Inequalities in income and wealth dominate the news, and in many places these gaps are large and growing. They re also important, so well look at economic inequality in the next two chapters.

But it's true, too, that there are other kinds of inequality that we should care about as we examine the human condition: inequalities in health, education, diet, sanitation, and other things that matter deeply for the quality of a person's life. Here the news is profoundly good; these inequalities are collapsing. As the four horsemen have galloped around the world in recent decades, they've made life better not only for those people and countries that were already rich but for just about everyone else. Everywhere, fewer mothers and babies are dying, more kids are getting an education, more people have adequate nutrition and sanitation.

It's essential to acknowledge these global victories because they show us that what we're doing is working. Tech progress, capitalism, public awareness, and responsive government are spreading around the world and improving it. It's often said that insanity is doing the same thing over and over but expecting different results. The corollary might be that ignorance is not examining the results of what's being done. Over and over, when we look at the evidence, we see that the four horsemen are improving our world.

### Politics DA

Biden’s PC is key to pass debt ceiling through reconciliation, see our Hartmann 9-30-21… this links to the aff because their Plan (which their plan text says “USFG”, no don’t have an agent… they don’t mention it so I have to assume that…. DRAINS political capital aka a partisan battle.. their plan is therefore impossible to happen … that will then collapse global finance, a large impact – see Hanlon.. and it also Cascades to multiple intersecting existential risks – including nuclear wars,environmental destruction, and critical infrastructure – AND turns case –including implementation and enforcement capacity, alliances andauthoritarianism --VUCA = volatility, uncertainty, complexity, and ambiguity--JIT = just in time – see Maavak 21

#### Disad outweighs and turns case:

#### First, timeframe – is just a week and a half before perceptual harm triggers irreversible impact cascades – whether by accidental default or market overreaction

#### Second – scope – financial crisis encompasses all of their internal links and impacts, but on an economy-wide scale – AND externally triggers nuclear conflicts in every hotspot, environmental disasters both bigger and faster than warming, AND accelerates warming – causes cascading critical infrastructure failures – collapses global and regional alliances – and spurs democratic backsliding and global authoritarian crackdowns – all existential

#### Link alone turns case – guts fiscal capacity AND gridlocks political and law enforcement institutions, making plan’s implementation and enforcement impossible – despite durable fiat

#### McConnell and the Senate GOP will NOT cave – they actively want to risk default to make Biden look incompetent – and hope forcing them to use reconciliation ends up wrecking the Omnibus spending bill – BOTH of which they see as more important to their midterm chances than the risk of default, which they mistakenly think is overblown – that’s Hartmann

#### There’s NO negotiation – they’re out

Risen 9-30-21 (Clay Risen, reporter and editor at The New York Times, graduate of the Georgetown School of Foreign Service and the University of Chicago, “How the Debt Ceiling Came to Be a Political Cudgel,” New York Times, 9-28-2021, updated 9-30-2021, https://www.nytimes.com/2021/09/28/us/politics/debt-ceiling-democrats-republicans-history.html)

As my colleague Jim Tankersley has noted, this time there’s no demand from the Republicans, no attempt to win concessions from the Democrats. They simply refuse to engage with the issue. And the Democrats, who see the mounting debt as at least partly the result of Donald Trump’s 2017 tax cuts, but who could also act unilaterally to raise the limit, are holding out, in hope of forcing the Republicans to vote for the debt increase and therefore own a piece of it.

The whole situation has a darkly comic, Strangelovian aura about it, if “Dr. Strangelove” were about fiscal policy instead of nuclear Armageddon. Consider a comment by Mitch McConnell, the Senate minority leader, at a news conference last week.

“America must never default — we never have, and we never will,” he said. “The debt ceiling will be raised, as it always should be. But it will be raised by the Democrats.”

In other words, the Republicans are openly abdicating their responsibility to govern in order to win political points. (A recent Morning Consult/Politico poll found that in the case of a default, 33 percent of voters would blame Democrats, 42 percent would blame both parties and only 16 percent would blame Republicans.) Unlike in the past, there’s no real principle involved, not even a fig leaf about fighting the deficit or pulling in rampant spending. It’s pure politics, with both parties eyeing the midterms and trying to maneuver the other side into taking a hit.

The Democrats’ latest attempt to draw in the Republicans came Monday, when the Senate took up a bill to continue funding the government — an absolute necessity by Sept. 30 — with a temporary increase in the debt ceiling, along with disaster-relief assistance and funding for refugee resettlement. But since it’s a conventional piece of legislation, the Republicans blocked it with the threat of a filibuster.

That leaves the Democrats with few options but to use the budget reconciliation process to lift the ceiling, adding to the party’s long to-do list in the coming days. It’s time consuming, but absent a colossal mistake by congressional leaders, it will happen, just as Mr. McConnell promised.

If that’s the case, what’s the big deal? Republicans say they’ll use the vote to attack Democrats during the midterms, but it’s hard to imagine making it stick, especially since the vote is about paying existing obligations, not creating new ones with more spending. There’s a good chance that a year from now, no one will be talking about it.

#### BOTH Schumer AND Pelosi will pivot to reconciliation in the next couple days – they know they’re running out of time and that reconciliation’s the only option left – that’s Myers

#### They’ve admitted it privately – even if not yet publicly

Everett 9-28-21 (John Burgess Everett, co-congressional bureau chief for POLITICO, specializing in the Senate, BA journalism, University of Maryland College Park; and Heather Caygle, Congress reporter for POLITICO, former congressional reporter for Bloomberg BNA, MA American University in Washington, BA University of Alabama at Birmingham; “Democrats agonize over debt limit options amid GOP blockade,” POLITICO, 9-28-2021, https://www.politico.com/news/2021/09/28/biden-debt-ceiling-strategy-514469)

Democratic leaders keep ruling out what may be the only way to avoid a debt default, leaving lawmakers and financial markets uncertain of how a dramatic clash with Republicans over raising the debt ceiling will play out.

Senate Majority Leader Chuck Schumer seemed to shut the door on using budget reconciliation to raise the debt ceiling. Instead, he is leaning on Republicans to stop blocking a debt limit increase as the country creeps closer and closer to cataclysmic debt limit breach in three weeks.

Schumer concluded on Tuesday afternoon that “going through reconciliation is risky to the country and is a non-starter.” Speaker Nancy Pelosi said Schumer’s position is “shared by many members” but declined to say if she supports the idea or aligns herself directly with Schumer: “We’ll see what our options are."

There’s mass confusion among congressional Democrats about how the majority party and its slim majorities will avoid a potential default just three weeks away. Senate Republicans on Monday sank Democrats' plan to fund the government into December and kick the debt limit through the 2022 midterms, then they blocked an effort from Schumer to lift the debt ceiling by a majority vote on Tuesday.

Consternation over the debt limit is reaching the highest levels of Democratic leadership as uncertainty hangs over Congress. President Joe Biden discussed the possibility of raising the debt ceiling via budget reconciliation on Monday evening on a telephone call with Pelosi and Schumer, the latest sign that Democrats are searching for a way around entrenched GOP opposition.

No final decision was made on the call, according to two Democrats familiar with the conversation. But the GOP’s stubborn opposition to raising the debt ceiling has Democrats fuming as they search for a way to avoid a shutdown on Friday and a default in October.

“We may have to use reconciliation. I think that would be a sad statement of Republican responsibility,” conceded House Majority Leader Steny Hoyer. He later walked that back and said it was “not the option we’re pursuing.” Privately, however, Democrats say congressional leaders are not ruling it out as it may be the only way around the Senate GOP.

Reconciliation allows Democrats to avoid a GOP filibuster, but requires close coordination between the House and Senate and could take weeks. Schumer has been walking his caucus through how cumbersome it could be to use the arcane budget process to raise the debt ceiling and the many pitfalls ahead if leaders choose to follow that route.

Democrats are likely to pass a government funding bill without the debt ceiling attached to head off a shutdown this week. But that doesn’t mean they are committed to using reconciliation to lift the debt ceiling. Instead, Schumer has warned his caucus that the gambit would be “burdensome and untenable,” according to one of the Democrats.

“Using reconciliation is a non-starter. We have gone through it twice, I’ve listened, and it takes him about 15 minutes for Chuck Schumer to explain how that works, what it involves. Three or four weeks of activity in the House and Senate,” said Senate Majority Whip Dick Durbin (D-Ill.).

There's little time to waste. Treasury Secretary Janet Yellen warned Congress on Tuesday that lawmakers must raise the debt ceiling by around Oct. 18 to avoid a debt default. That means Democrats would need to start moving on the time-consuming reconciliation process in the coming days to avoid a default, should they choose that path over continuing confrontation with Republicans.

On Tuesday, Schumer asked Senate Republicans to allow a standalone vote on the debt limit at a majority threshold rather than the typically needed 60 votes, though Senate Minority Leader Mitch McConnell rejected that ask. Though he has pushed Democrats to raise the debt limit on their own, McConnell prefers they use budget reconciliation, a more excruciating maneuver.

“Leader Schumer wants Democrats to be able to do it alone if Republicans refuse to help. So that's really what is being pursued at this point in time,” said White House press secretary Jen Psaki. She pleaded for McConnell to “get out of the way and let Democrats do it alone.”

Sen. Ted Cruz (R-Texas) made clear that Republicans are intent on making it as difficult as possible for Democrats to raise the debt ceiling — even as they insist Democrats do it all on their own .

“When this fails I fully expect Schumer will surrender and do what he could have done weeks or months ago, which is raise the debt ceiling with Democratic votes,” Cruz said.

When asked why not just allow Schumer to do exactly that on Tuesday rather than force Democrats to pursue reconciliation, he responded: “He wants consent because all 50 Republicans would have to consent. It’s the same game and he knows the outcome.”

#### NO thumpers – infrastructure and everything else is dead – at least for now – focusing PC on debt ceiling

ZB 9-30-21 (ZubuBrothers, market knowledge service that publishes staff-written pieces as well as aggregating news, commentary & opinions from external sources, “Senate Strikes Deal To Avert Shutdown, But Remains Deadlocked On Debt-Ceiling, Domestic Agenda,” 9-30-2021, https://zububrothers.com/2021/09/30/senate-strikes-deal-to-avert-shutdown-but-remains-deadlocked-on-debt-ceiling-domestic-agenda/?amp=1)

Now that Sen. Joe Manchin has denounced his own party’s multi-trillion plan to expand the social safety net as “the definition of fiscal insanity,” we can be virtually assured that the entire Democratic domestic agenda has essentially been left dead in the water, since the progressive Left won’t agree to back the Dems’ “bipartisan” infrastructure plan via reconciliation without first passing the larger spending package through both chambers.

Whatever the outcome, Manchin’s statement suggests it will likely take weeks and months – not days – for President Biden and the leadership to negotiate the votes – if indeed they can ever resolve the intractable divide within their own party, which has largely taken the form of aggressive leftists in the House (exemplified by the AOC-led “squad”) vs. a pair of moderates (Manchin and Arizona’s Kyrsten Sinema) in the Senate.

That’s fortunate, in a sense, since it means Chuck Schumer and Nancy Pelosi will have no choice but to focus on the arguably more pressing priorities: keeping the government funded while raising the debt ceiling, ideally before Treasury Secretary Janet Yellen’s “drop-dead” date of Oct. 18.

(And, of course, placing some hedging trades during last night’s Congressional baseball game).

**[TWEET OMITTED]**

With the Democrats heading for an iceberg of a vote on the infrastructure package Thursday that the left has already promised to sink, Schumer announced late Wednesday night that, at the very least, the leadership had secured a deal to extend funding for the federal government until Dec. 3, crossing off arguably the easiest thing on their “to do” list.

The deadline for the shutdown is midnight tonight (because the new fiscal year starts tomorrow).

“We have an agreement on the the continuing resolution to prevent a government shutdown, and we should be voting on that tomorrow [Thursday] morning,” Schumer said.

The House passed a government funding bill last week on a party-line vote of 220-211.

Now that the spending package has been stripped of Republican-opposed language suspending the debt-ceiling (which analysts fear will only be resolved much, much closer to Yellen’s deadline, which is really the start of a countdown before the money actually runs out) the leadership believes it has the votes to pass a “clean” continuing resolution to fund the government in a series of Thursday-morning votes.

Asked about the progressives’ plans to sink the infrastructure package, Manchin told reporters “I didn’t know I was on their timetable”, referring to the progressive leftists, whose rebellion has threatened to irreparably damage the Biden presidency.

Progressives, led by Washington’s Pramila Jayapal, say they have enough votes in the House to sink the infrastructure package, which has already passed the Senate, but Pelosi appears undeterred. “The plan is to bring the bill to the floor,” she told reporters after returning from a White House meeting with Biden and Schumer yesterday afternoon.

As for the larger spending bill, a few compromise numbers have been thrown around. One reporter said during yesterday’s WH press conference that the heard $2.5 trillion might be a workable number. Manchin has meanwhile hinted he could back $1.5 trillion while Sinema has been more circumspect. The debt ceiling has already passed the House, but remains stuck in the Senate, where Minority Leader Mitch McConnell has managed to get his entire caucus to vote against it, while Dems have said they are unwilling to use the same “reconciliation” short-cut to get the debt-ceiling deal done (which would use up valuable political capital).

As Thursday begins, get ready for another day of non-stop headlines on every marginal development on the Dems’ negotiations, as talks grind on.

#### They’re all priced in regardless – PC may be stretched to the breaking point, BUT only plan’s fiat overcomes selectivity and opens a new partisan battlefront

MIN News 9-16-21 (MIN News, up-to-the-minute news with a focus on global news with an impartial perspective, “The eve of the U.S. Riot,” 9-16-2021, https://min.news/en/world/fdc7c0db566ff0f75dadb19e71f8212b.html)

According to the latest media report on Wednesday (September 8), as US President Biden has no new measures to express the renewal, on September 6 this year, the government's fixed weekly aid payment of 300 US dollars has expired and the disbursement has been terminated. .

However, this Tuesday (September 7), the White House of the United States said that each state can consider whether to extend the grant period according to their own circumstances. If some states want to provide welfare payments to those in need, the White House will continue to support it.

In fact, the United States has also tried before the relief fund expires, but either the relief fund has a smaller scope of impact, or the new bill will be extended soon after it expires. The suspension of unemployment assistance has affected more than 11 million people in the country, including 4.2 million casual workers and 3.3 million long-term unemployed.

So why did the United States not introduce a new bill to extend the bailout when it expired? That's because the US government is working hard to promote the passage of the $1 trillion infrastructure bill and the $3.5 trillion budget to further boost the country's economy. In addition, the country is burdened with 28.7 trillion U.S. dollars in debt and is facing the risk of debt default. There is really no extra energy and money to solve the problem of unemployment assistance.

We must know that the current labor participation rate in the United States is sluggish. As of the end of June this year, there were 10.1 million employment gaps in the country. If relief payments continue, it will only further hinder the release of the country's labor force. It is reported that among the 50 states in the United States, 24 states have stopped distributing benefits.

However, this is not a good solution to the employment problem. If the more than 10 million employment gap can be filled by someone, it would have been filled long ago. Those in need of government relief do not have many labor skills. There are a large number of idlers, drug addicts and anti-social workers in the United States. These people are unwilling to go to work. They just ask for money from the government. Once this group of people cannot get relief from the government, they will naturally go to society to rob them. These poor Americans will have their lives left, and they will become Americans. Serious instability factors.

This is in sharp contrast to the Biden administration's attitude towards the “suspended deportation order” in early August. American housing tenants face the risk of being evicted from their housing if they default on rent. Since the outbreak of the coronavirus pandemic, a large number of tenants have struggled to pay rent on time. The Centers for Disease Control and Prevention (CDC) issued a "suspended eviction order" last September, saving millions of tenants from going out.

At the end of July this year, the "suspended deportation order" expired, and the progressives in the Democratic Party unanimously asked Biden to postpone. The Biden administration also made active efforts for the postponement and successfully extended it for two months. Although the Supreme Court ended the “suspended deportation order” with a 6-3 ruling at the end of August, the then Biden administration did at least make it as long as possible.

Since major states suspended relief payments, many U.S. citizens have expressed dissatisfaction, because there is a long transition period from looking for a job to getting a salary, and rushing to stop the relief payments is detrimental to the normal life of American citizens. Influence. Moreover, some American citizens, because of the sequelae of pneumonia, are unable to perform high-intensity work on their own and stop distributing relief funds. These citizens can only find unsafe jobs with salaries far below the cost of living.

In order to help American citizens through the embarrassing period, the major states have also given 30 days of transition time, but many people say that 30 days are not sufficient at all. Sometimes it may take two months to find a suitable job. During this period, the unemployed people who have no economic income will inevitably lose their income, which will have a serious impact on their lives. And they have to pay a lot of expenses in the past two months, not only for living expenses, but also for some mortgage payments. This government decision will destroy the lives of many people.

And now, the Biden administration must promote the smooth passage of the bipartisan cooperation infrastructure bill and the US$3.5 trillion budget before the end of September to boost Biden's repeated low support rates after the epidemic rebounded and Afghanistan's defeat. At the same time, the Democrats must negotiate with the Republicans in Congress to raise the debt ceiling and avoid government shutdowns. The tight timetable and severely shrinking political capital have made the Biden administration unable to open up a new battlefield on the issue of unemployment benefits.