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T Subsets

#### ‘Antitrust law’ is an exclusively general terms---that excludes subsets

Gerber ’20 [David; October; Distinguished Professor of Law at Chicago-Kent College of Law, Illinois Institute of Technology; Oxford Scholarship Online, Competition Law and Antitrust, “What is It? Competition Law’s Veiled Identity,” Ch. 1, p. 14-15]

C. A Core Definition

The Guide uses the terms “competition law” and “antitrust law” to refer to a general domain of law whose object is to deter private restraints on competitive conduct. We look more closely at the terms:

1. “General”—The laws included are those that are applicable throughout an economy and thereby provide a framework for all market operations (there are always some exempted sectors). Laws dealing only with specific markets (e.g., telecommunication) do not play that role.

2. “Domain of Law” here refers to a politically authorized set of norms and the institutional arrangements used to enforce them.

Is it law—or is it policy? The relationship between “competition law” and “competition policy” is not always clear. Often the terms are used interchangeably, but there can be important differences between them. Both can refer to norms used to combat restraints on competition, but they represent two different ways of looking at the relevant laws, and the differences can influence how norms are interpreted and applied. “Law” implies that established methods of interpretation are used to interpret and apply the norms and that established procedures are the sole or primary means of enforcing and changing the norms. In this view, the norms are a relatively stable component of a legal system. Thinking of those same norms as “policy,” on the other hand, implies that they are a tool of whatever government is in power and that it can use and modify them as it wishes.

3. “Restraint” refers to any limitation imposed by one or more private actors that reduces the intensity of competition in a market.

4. “Competition” refers to a process by which firms in a market seek to maximize their profits by exploiting market opportunities more effectively than other firms in the market.

#### Voting Issue---explodes the topic to infinite sectoral and case-specific affs the neg can never meaningfully prepare for

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Capitalism K

#### The 1AC invests in a form of neoliberal governmentality necessary to sustain global capitalism

Lebow ‘19 [David; Lecturer on Social Studies at Harvard University and lawyer; “Trumpism and the Dialectic of Neoliberal Reason,” Perspectives on Politics 18(2):380-398, doi:10.1017/S1537592719000434.]

I. Neoliberal Reason

As Michel Foucault and others have argued, neoliberalism entails far more than an economic doctrine favoring deregulated markets.4 It is a novel form of governmentality—a rationality linked to technologies of power that govern conduct, not just through direct state action but through liberty itself.5 Not isolated to the traditionally demarcated sphere of economics, neoliberal society entails a whole economic-juridical order.

The central program of neoliberal governmentality is the absolute generalization of competition as a universal behavioral norm. Whereas in liberal thought, the root principle of capitalism was exchange of equivalents, for neoliberal reason it is competition entailing inequality. The key result of market processes goes from specialization to selection. The competitive market is the exclusive site of rationality. It processes information, indicated by price, and is the only mechanism of producing knowledge, defined as what is profitably utilizable. Because consumers are free to refuse inferior goods or services, the price mechanism of the market system ensures optimal solutions and maximal satisfaction of preferences.

Liberal capitalism, as Karl Polanyi argued, required the construction of “fictitious” commodities like land and labor.6 These abstract, exchangeable factors of production had to be disembedded from concrete non-market social relations, norms, and values. Instead of merely disembedding commodities, neoliberalism intervenes to make competitive mechanisms regulate every moment and point in society. It strives to build an empire of market choice that invades every domain of life, and deposes all other social, political and solidaristic institutions and values.

Neoliberalism does not allege that markets are natural; competition must be constructed. Rather than endorsing laissez-faire overseen by a night watchman, it stipulates a strong state engaged in permanent vigilance, activity, and intervention to maintain artificial competition. It must not plan outcomes, which would upset the market’s innate rationality, and must be insulated from political disturbances. Economic interventionism leads down the road to serfdom; fascism and unlimited state power are its necessary results. A “minimum of economic interventionism” on the “mechanisms of the market” must be accompanied by “maximum legal interventionism” on the “conditions of the market.”7 Fixed, formal rules make up an economic constitution that inhibits planning, repulses political disruptions, and impartially safeguards competition. The state is the executor of the market and growth is the basis of public legitimacy. Governance depoliticizes public power, promotes ostensibly post-ideological technical problem-solving by experts, and relies on “best-practices” that dissolve the distinction between public and private organization.8

Unlimited generalization of competition yields an enterprise society in which calculations of supply/demand and cost/benefit become the model of all social relations. Neoliberal reason renders homo economicus, based on this model of the enterprise, the exhaustive figuration of human subjectivity. The center of economic thought shifts from labor and processes of production, exchange, and consumption to human capital and rational decision-making under conditions of scarcity. Capital is everything that can generate future income; wages are reconceived as income from capital. Labor is no longer comprehended as a commodity exchanged for a wage, but as a combination of human capital (the worker’s education and abilities) and the income stream it generates. This neoliberal subject is an aggregate of human capital who invests in his own income-generating abilities.

Neoliberalism replaces the invariant identity of the moral person as a rights-bearing citizen with a formally empty receptacle filled up through enterprising choices. It brushes aside models of freedom as self-rule achieved through moral autonomy or popular sovereignty.9 In the neoliberal “democracy of consumers,” individual consumers together constitute the sovereign that monopolizes the issuance of legitimate commands.10 Sovereign will is expressed not through political channels, but by choices in the “plebiscite of prices.”11 Whereas producers have particular interests like protectionism, consumers have a consensual and common interest; all favor the impartial functioning of market processes. In the neoliberal free society, consumers exercise their right to choose in complete independence.

II. From Keynesian State Capitalism to Neoliberal Deregulation

Situating the 2008 crisis in a historical account of American political and economic development clarifies its broader significance. The early twentieth-century Progressives were disdainful of what they took to be the chaos and waste of fin de siècle laissez-faire society. They strove to build a new American state that would replace the structural and rights-based formalisms of the nineteenth century with direct democracy and expert administration. It took the Great Depression and New Deal to bring into full bloom the Progressive commitment to pragmatic rationality. Thereafter, the “policy state” was authorized to pursue designated social goals and develop the means to accomplish them.12 The slew of New Deal innovations included state oversight of labor negotiations, invigorated antitrust, Keynesian countercyclical deficits to stimulate demand and increase purchasing power, an expansive public sector sheltered from the business cycle, aggressive banking regulation, and social insurance. Regulation and redistribution ensured the conditions necessary for an economic system based on capital accumulation, private property, and corporate profit to endure.

To many, the differences between the New Deal and Nazi political economies appeared less significant than their common response to monopoly capitalism. Both erased boundaries between state and society by politicizing the private sphere and authorizing public bureaucracies to rationalize crisis-prone economies. Frankfurt School member Friedrich Pollock suggested that this common “state capitalism” had solved the contradiction between the forces and relations of production, and thus overcome the economy’s crisis tendencies. It seemed to him that management had become merely technical and “nothing essential” had been “left to the laws of the market.”13 Worries abounded that the private law sphere of property and contract was necessary for individual freedom. Despite salient differences between Nazi and New Deal state capitalism, many feared that intervention into society was a waystation to domination. Unease about the specter of American despotism motivated development of mechanisms to ensure that interventionism did not devolve into arbitrary rule.14 Expertise was one justification and limitation of the policy state. Authority could be safely delegated to a new corps of public-spirited administrators because their scientific knowledge would not only make them effective, but also counsel restraint. Enduring misgivings led later to new laws of administrative process. The procedural state was legitimated by its defenders as being a substantively value-neutral and instrumentally rational machine serving goals set by society. Regulatory decision-making was shunted into the abstruse procedures of courtrooms and bureaucracies. Defenders of the state emphasized that its processes of allocating authority were neutral, impartial, and open to all. The balanced accommodation of all interest groups seeking to exercise influence would yield an equilibrium corresponding to the public interest.15

The intermeshing of state and society through interest groups, agencies, and professionalized parties marginalized the public. The sovereign public opinion that Progressives had hoped would rationalize government gave way to the rationality supposedly inherent in processes of public law, public-private negotiation, and regulated markets. The state was endowed with a diffuse legitimacy in exchange for a growing economy, broad distribution, and ongoing household capacity to consume.16 The Keynesian welfare settlement pacified the working class, protecting the market economy from more radical political pressures. Newly available, mass-produced commodities encouraged leveled-down notions of citizenship as welfare clientelism and privatistic consumption. As the state expanded and routinized, the initial politicization of private property relations through public intervention developed into depoliticized economic management by lawyers and social scientists organized by administrative and judicial processes.

The terms of the social contract preserving the coexistence of capitalism and democracy had been set. In exchange for a pacified citizenry and depoliticized regulatory authority, the policy state promised to deploy instrumental reason to sustain both capital accumulation and widely distributed capacity to consume (supported, always, by the exclusion of African Americans). During the decades of postwar growth, these twin responsibilities seemed attainable and compatible. Capitalism functioned smoothly enough and potentially delegitimating inequality was clipped by inflation, tax-based welfare, and collectively negotiated wages. But in the late 1960s and early 1970s, weakening growth, stagflation, trade deficits, and the collapse of Bretton Woods revealed that state capitalism had not solved the problems of economics. As the Great Depression had enabled construction of the instrumentally rational policy state, economic disturbances in the 1970s opened the breach into which neoliberal reason entered to reconfigure the political economy. Rather than shielding rational policy-making from political pressure and assuring broadly distributed welfare, neoliberalism promised growth driven by depoliticized markets freed from regulation and downwards redistribution. Believing in the optimal rationality of competitive markets, neoliberals sought to reinvigorate capital accumulation through deregulation, lowered taxes, financialization, privatization, and market expansion.

Liberating accumulation from the restrictions and obligations incurred under state capitalism might have imperiled capitalism’s peace treaty with democracy. For deregulation to proceed without impairing the system’s legitimacy, the quid pro quo—depoliticization for consumption—had to continue. Over the ensuing decades, as Wolfgang Streeck explains, the state “bought time” by finding new ways to generate illusions of widely distributed prosperity that prolonged the capacity of the lower and middle classes to consume.17 Each successive attempt exhausted itself, leading to new and escalating disturbances. In the 1970s, inflation safeguarded social peace by compensating workers for inadequate growth until stagflation ended this mode of buying time. A subsequent reliance on public debt enabled the government to pacify conflict with borrowed money. Rising debt and balking creditors delimited this phase, which was brought to a definitive close with the Clinton administration’s social spending cuts and balanced budgets. In a final stage that dawned in the 1980s but grew increasingly paramount over time, debt-based support of purchasing power was privatized. Household spending was financed through mortgages, student loans, and credit cards. This “privatized Keynesianism” buoyed consumption up through 2008, despite cuts to social spending, falling wages, and tightening employment markets.18

#### Capitalism structurally necessitates militarism, ecocide and technological dystopia---each causes extinction

Foster ‘19 [John; Sociology Professor @ Oregon; February 1; “Capitalism Has Failed—What Next?” *The Monthly Review*, Volume 70, Issue 9, <https://monthlyreview.org/2019/02/01/capitalism-has-failed-what-next/>]

Less than two decades into the twenty-first century, it is evident that capitalism has failed as a social system. The world is mired in economic stagnation, financialization, and the most extreme inequality in human history, accompanied by mass unemployment and underemployment, precariousness, poverty, hunger, wasted output and lives, and what at this point can only be called a planetary ecological “death spiral.”1 The digital revolution, the greatest technological advance of our time, has rapidly mutated from a promise of free communication and liberated production into new means of surveillance, control, and displacement of the working population. The institutions of liberal democracy are at the point of collapse, while fascism, the rear guard of the capitalist system, is again on the march, along with patriarchy, racism, imperialism, and war.

To say that capitalism is a failed system is not, of course, to suggest that its breakdown and disintegration is imminent.2 It does, however, mean that it has passed from being a historically necessary and creative system at its inception to being a historically unnecessary and destructive one in the present century. Today, more than ever, the world is faced with the epochal choice between “the revolutionary reconstitution of society at large and the common ruin of the contending classes.”3

Indications of this failure of capitalism are everywhere. Stagnation of investment punctuated by bubbles of financial expansion, which then inevitably burst, now characterizes the so-called free market.4 Soaring inequality in income and wealth has its counterpart in the declining material circumstances of a majority of the population. Real wages for most workers in the United States have barely budged in forty years despite steadily rising productivity.5 Work intensity has increased, while work and safety protections on the job have been systematically jettisoned. Unemployment data has become more and more meaningless due to a new institutionalized underemployment in the form of contract labor in the gig economy.6 Unions have been reduced to mere shadows of their former glory as capitalism has asserted totalitarian control over workplaces. With the demise of Soviet-type societies, social democracy in Europe has perished in the new atmosphere of “liberated capitalism.”7

The capture of the surplus value produced by overexploited populations in the poorest regions of the world, via the global labor arbitrage instituted by multinational corporations, is leading to an unprecedented amassing of financial wealth at the center of the world economy and relative poverty in the periphery.8 Around $21 trillion of offshore funds are currently lodged in tax havens on islands mostly in the Caribbean, constituting “the fortified refuge of Big Finance.”9 Technologically driven monopolies resulting from the global-communications revolution, together with the rise to dominance of Wall Street-based financial capital geared to speculative asset creation, have further contributed to the riches of today’s “1 percent.” Forty-two billionaires now enjoy as much wealth as half the world’s population, while the three richest men in the United States—Jeff Bezos, Bill Gates, and Warren Buffett—have more wealth than half the U.S. population.10 In every region of the world, inequality has increased sharply in recent decades.11 The gap in per capita income and wealth between the richest and poorest nations, which has been the dominant trend for centuries, is rapidly widening once again.12 More than 60 percent of the world’s employed population, some two billion people, now work in the impoverished informal sector, forming a massive global proletariat. The global reserve army of labor is some 70 percent larger than the active labor army of formally employed workers.13

Adequate health care, housing, education, and clean water and air are increasingly out of reach for large sections of the population, even in wealthy countries in North America and Europe, while transportation is becoming more difficult in the United States and many other countries due to irrationally high levels of dependency on the automobile and disinvestment in public transportation. Urban structures are more and more characterized by gentrification and segregation, with cities becoming the playthings of the well-to-do while marginalized populations are shunted aside. About half a million people, most of them children, are homeless on any given night in the United States.14 New York City is experiencing a major rat infestation, attributed to warming temperatures, mirroring trends around the world.15

In the United States and other high-income countries, life expectancy is in decline, with a remarkable resurgence of Victorian illnesses related to poverty and exploitation. In Britain, gout, scarlet fever, whooping cough, and even scurvy are now resurgent, along with tuberculosis. With inadequate enforcement of work health and safety regulations, black lung disease has returned with a vengeance in U.S. coal country.16 Overuse of antibiotics, particularly by capitalist agribusiness, is leading to an antibiotic-resistance crisis, with the dangerous growth of superbugs generating increasing numbers of deaths, which by mid–century could surpass annual cancer deaths, prompting the World Health Organization to declare a “global health emergency.”17 These dire conditions, arising from the workings of the system, are consistent with what Frederick Engels, in the Condition of the Working Class in England, called “social murder.”18

At the instigation of giant corporations, philanthrocapitalist foundations, and neoliberal governments, public education has been restructured around corporate-designed testing based on the implementation of robotic common-core standards. This is generating massive databases on the student population, much of which are now being surreptitiously marketed and sold.19 The corporatization and privatization of education is feeding the progressive subordination of children’s needs to the cash nexus of the commodity market. We are thus seeing a dramatic return of Thomas Gradgrind’s and Mr. M’Choakumchild’s crass utilitarian philosophy dramatized in Charles Dickens’s Hard Times: “Facts are alone wanted in life” and “You are never to fancy.”20 Having been reduced to intellectual dungeons, many of the poorest, most racially segregated schools in the United States are mere pipelines for prisons or the military.21

More than two million people in the United States are behind bars, a higher rate of incarceration than any other country in the world, constituting a new Jim Crow. The total population in prison is nearly equal to the number of people in Houston, Texas, the fourth largest U.S. city. African Americans and Latinos make up 56 percent of those incarcerated, while constituting only about 32 percent of the U.S. population. Nearly 50 percent of American adults, and a much higher percentage among African Americans and Native Americans, have an immediate family member who has spent or is currently spending time behind bars. Both black men and Native American men in the United States are nearly three times, Hispanic men nearly two times, more likely to die of police shootings than white men.22 Racial divides are now widening across the entire planet.

Violence against women and the expropriation of their unpaid labor, as well as the higher level of exploitation of their paid labor, are integral to the way in which power is organized in capitalist society—and how it seeks to divide rather than unify the population. More than a third of women worldwide have experienced physical/sexual violence. Women’s bodies, in particular, are objectified, reified, and commodified as part of the normal workings of monopoly-capitalist marketing.23

The mass media-propaganda system, part of the larger corporate matrix, is now merging into a social media-based propaganda system that is more porous and seemingly anarchic, but more universal and more than ever favoring money and power. Utilizing modern marketing and surveillance techniques, which now dominate all digital interactions, vested interests are able to tailor their messages, largely unchecked, to individuals and their social networks, creating concerns about “fake news” on all sides.24 Numerous business entities promising technological manipulation of voters in countries across the world have now surfaced, auctioning off their services to the highest bidders.25 The elimination of net neutrality in the United States means further concentration, centralization, and control over the entire Internet by monopolistic service providers.

Elections are increasingly prey to unregulated “dark money” emanating from the coffers of corporations and the billionaire class. Although presenting itself as the world’s leading democracy, the United States, as Paul Baran and Paul Sweezy stated in Monopoly Capital in 1966, “is democratic in form and plutocratic in content.”26 In the Trump administration, following a long-established tradition, 72 percent of those appointed to the cabinet have come from the higher corporate echelons, while others have been drawn from the military.27

War, engineered by the United States and other major powers at the apex of the system, has become perpetual in strategic oil regions such as the Middle East, and threatens to escalate into a global thermonuclear exchange. During the Obama administration, the United States was engaged in wars/bombings in seven different countries—Afghanistan, Iraq, Syria, Libya, Yemen, Somalia, and Pakistan.28 Torture and assassinations have been reinstituted by Washington as acceptable instruments of war against those now innumerable individuals, group networks, and whole societies that are branded as terrorist. A new Cold War and nuclear arms race is in the making between the United States and Russia, while Washington is seeking to place road blocks to the continued rise of China. The Trump administration has created a new space force as a separate branch of the military in an attempt to ensure U.S. dominance in the militarization of space. Sounding the alarm on the increasing dangers of a nuclear war and of climate destabilization, the distinguished Bulletin of Atomic Scientists moved its doomsday clock in 2018 to two minutes to midnight, the closest since 1953, when it marked the advent of thermonuclear weapons.29

Increasingly severe economic sanctions are being imposed by the United States on countries like Venezuela and Nicaragua, despite their democratic elections—or because of them. Trade and currency wars are being actively promoted by core states, while racist barriers against immigration continue to be erected in Europe and the United States as some 60 million refugees and internally displaced peoples flee devastated environments. Migrant populations worldwide have risen to 250 million, with those residing in high-income countries constituting more than 14 percent of the populations of those countries, up from less than 10 percent in 2000. Meanwhile, ruling circles and wealthy countries seek to wall off islands of power and privilege from the mass of humanity, who are to be left to their fate.30

More than three-quarters of a billion people, over 10 percent of the world population, are chronically malnourished.31 Food stress in the United States keeps climbing, leading to the rapid growth of cheap dollar stores selling poor quality and toxic food. Around forty million Americans, representing one out of eight households, including nearly thirteen million children, are food insecure.32 Subsistence farmers are being pushed off their lands by agribusiness, private capital, and sovereign wealth funds in a global depeasantization process that constitutes the greatest movement of people in history.33 Urban overcrowding and poverty across much of the globe is so severe that one can now reasonably refer to a “planet of slums.”34 Meanwhile, the world housing market is estimated to be worth up to $163 trillion (as compared to the value of gold mined over all recorded history, estimated at $7.5 trillion).35

The Anthropocene epoch, first ushered in by the Great Acceleration of the world economy immediately after the Second World War, has generated enormous rifts in planetary boundaries, extending from climate change to ocean acidification, to the sixth extinction, to disruption of the global nitrogen and phosphorus cycles, to the loss of freshwater, to the disappearance of forests, to widespread toxic-chemical and radioactive pollution.36 It is now estimated that 60 percent of the world’s wildlife vertebrate population (including mammals, reptiles, amphibians, birds, and fish) have been wiped out since 1970, while the worldwide abundance of invertebrates has declined by 45 percent in recent decades.37 What climatologist James Hansen calls the “species exterminations” resulting from accelerating climate change and rapidly shifting climate zones are only compounding this general process of biodiversity loss. Biologists expect that half of all species will be facing extinction by the end of the century.38

If present climate-change trends continue, the “global carbon budget” associated with a 2°C increase in average global temperature will be broken in sixteen years (while a 1.5°C increase in global average temperature—staying beneath which is the key to long-term stabilization of the climate—will be reached in a decade). Earth System scientists warn that the world is now perilously close to a Hothouse Earth, in which catastrophic climate change will be locked in and irreversible.39 The ecological, social, and economic costs to humanity of continuing to increase carbon emissions by 2.0 percent a year as in recent decades (rising in 2018 by 2.7 percent—3.4 percent in the United States), and failing to meet the minimal 3.0 percent annual reductions in emissions currently needed to avoid a catastrophic destabilization of the earth’s energy balance, are simply incalculable.40

Nevertheless, major energy corporations continue to lie about climate change, promoting and bankrolling climate denialism—while admitting the truth in their internal documents. These corporations are working to accelerate the extraction and production of fossil fuels, including the dirtiest, most greenhouse gas-generating varieties, reaping enormous profits in the process. The melting of the Arctic ice from global warming is seen by capital as a new El Dorado, opening up massive additional oil and gas reserves to be exploited without regard to the consequences for the earth’s climate. In response to scientific reports on climate change, Exxon Mobil declared that it intends to extract and sell all of the fossil-fuel reserves at its disposal.41 Energy corporations continue to intervene in climate negotiations to ensure that any agreements to limit carbon emissions are defanged. Capitalist countries across the board are putting the accumulation of wealth for a few above combatting climate destabilization, threatening the very future of humanity.

#### The alternative is radical democratic organizing around the collective goal of the abolition of capitalism---that necessitates rejecting neoliberal rhetoric in pedagogical spaces like debate

Giroux ’20 [Henry; McMaster University Professor for Scholarship in the Public Interest and The Paulo Freire Distinguished Scholar in Critical Pedagogy; June 9; “Racist Violence Can’t Be Separated from the Violence of Neoliberal Capitalism,” <https://truthout.org/articles/racist-violence-cant-be-separated-from-the-violence-of-neoliberal-capitalism/>]

As educators, it is crucial for us to examine how we talk, teach, and write about inequality as an object of critique in an age of precarity, uncertainty and the current pandemic crisis. This is especially true at a time when a growing number of authoritarian regimes around the globe substitute replace thoughtful dialogue and critical engagement with the suppression of dissent and a culture of forgetting r. How do we situate our analysis of education as part of a broader discourse and mode of analysis that interrogates the promises, ideals, and claims of a substantive democracy? How do we fight against iniquitous relations of power and wealth that empty power of its emancipatory possibilities, and as Hannah Arendt has argued, “makes most people superfluous as human beings”? How might we understand how neoliberal ideology, with its appropriation of market-based values, regressive notions of freedom and agency, uses language to infiltrate daily life? How does a pandemic pedagogy in the service of neoliberalism produce identities defined by market values, and normalize a notion of responsibility and individuality that convinces people that whatever problem they face they have no one to blame but themselves? Repeated endlessly on right-wing media platforms, the underlying conditions that disproportionately produce chronic illness among poor people of color disappear among a public distracted, if not persuaded, by a pandemic pedagogy that celebrates unchecked self-interest, disdains social responsibility, and turns away from the reality of a society with deep-seated institutional rot and unravelling of social connections and the social contract.

Pandemic pedagogy thrives on inequality and becomes a militarized and heartless normalizing tool to convince the broader public that the lives of the elderly, sick, and vulnerable should be valued according to how much they contribute to the economy. And if they are willing to die in order not to be a drain on the economy, all well and good. Nothing escapes the cruel logic of neoliberalism with its arrogance and hubris on full display as it bathes in the glow of right-wing populism, ultra-nationalism, and neofascism. Its accoutrements of dictatorship are everywhere and can be seen in the swagger of militia that storm state capitals, in police who punch and pepper spray protesters and push elderly men to the ground, and in military forces on the streets without badges reinforcing a climate of fear, repression, and unaccountability. There is more at work here than a lack of humanity on the part of the Trump administration. As the Irish journalist Fintan O’Toole observes, there is also the deepening grip of a culture of cruelty and dehumanization. He writes:

“As a society the American people are being habituated into accepting cruelty on a wide scale. Americans are being taught by Trump and his administration not to see other people as human beings whose lives are as important as their own. Once that line has been crossed – and it is not just Trump and the people around him, but many of Trump’s supporters as well – then we know where that all leads, what the ultimate destination is. There is no mystery about it. We know what happens when a government and its leaders dehumanize large numbers of people.”

Depoliticization and the Authoritarian Turn

Neoliberalism is not only an economic system, it is also an ideological apparatus that relentlessly attempts to structure consciousness, values, desires, and modes of identification in ways that align individuals with its governing structures. Central to this pedagogical project is the attempt to prevent individuals from translating private issues and troubles into broader systemic considerations. By doing this, it becomes difficult for individuals to grasp the historical, social, economic, and political forces at work in shaping a social order as a human activity deeply immersed in specific relations of power. Neoliberalism’s attempt to erase or rewrite historical and social forces makes it difficult for individuals to imagine alternative notions of society, with themselves as collective actors, or view their problems as more than the limitations of faulty character, moral failure, or a problem of personal responsibility. Reducing individuals to isolated, discrete, hermetically-sealed human beings whose lives are shaped only by notions of self-reliance and self-sufficiency is a pedagogical strategy that utterly depoliticizes people, leading them to believe that however a society is shaped, it is part of a natural order. President Trump echoed this “no alternative” narrative when asked about celebrities and rich people having special access to being tested for the coronavirus while few others had access. He replied, “Perhaps that’s been the story of life.”

This individualization of the social with its mounting privatization, gated communities, and social atomization undermines collective action, any viable notion of solidarity, and weakens the notion of global connectivity. The philosopher Byung-Chul Han has rightly argued that contemporary neoliberal society is shaped by a dysfunctional notion of solitude and hermitically-sealed notions of agency, all of which undermine the values and social connections vital to a democracy. He writes:

“Those subject to the neoliberal economy do not constitute a we that is capable of collective action. The mounting egoization and atomization of society is making the space for collective action shrink… The general collapse of the collective and the communal has engulfed it. Solidarity is vanishing. Privatization now reaches into the depths of the soul itself. The erosion of the communal is making all collective efforts more and more unlikely.”

This panoptical nature of hyper-individualism is more aligned with shared fears than shared responsibilities. Under such circumstances, trust and the notion that all life is related become difficult to grasp as the myopic language of private self-interest inures individuals to wider social problems such as extreme inequality. There is no understanding in this discourse of the damage fanatical entrepreneurialism does to our embodied collectivity. Nor is there any value attributed to the important responsibilities, social values, and notion of the common good that exceeds who we are as individuals, or how we have been shaped by diverse social forces in particular ways.

It should be clear that questions of economic and social justice cannot be addressed by a neoliberal pedagogy that enshrines self-interest and privatization while converting every social problem into individualized market solutions or regressive matters of personal responsibility. Under neoliberalism’s disimagination machine, individual responsibility is coupled with an ethos of greed, avarice, and personal gain. One consequence is the tearing up of social solidarities, public values, and an almost pathological disdain for democracy. This radical form of privatization is also a powerful force for the rise of fascist politics because it depoliticizes individuals, immerses them in the logic of social Darwinism, and makes them susceptible to the dehumanization of those considered a threat or disposable.

Just as the spread of the pandemic virus in the United States was not an innocent act of nature, neither is the rise and pervasive grip of inequality. What is clear is that neoliberal support for unbridled individualism has weakened democratic pressures and eroded democracy and equality as governing principles. Moreover, as a mode of public pedagogy, it has undercut social provisions, the social contract, and support for public goods such as education, public health, essential infrastructure, public transportation, and the most basic elements of the welfare state. As a form of pedagogical practice, neoliberalism has morphed into a form of pandemic pedagogy that sacrifices social needs and human life in the name of an economic rationality that values reviving economic growth over human rights. As a lived system of meaning and values, self-reliance and rugged individualism are the only categories available for shaping how individuals view themselves, and their relationship to others and to the planet. The individualization of everyone and the reduction of social problems to private troubles is paralleled by sanctioning a world marked by borders, walls, racism, hate, and a rejection of government intervention in the interest of the common good. Most importantly, neoliberal individualization personalizes power, creating a depoliticized subject whose only obligation as a citizen is defined by consuming and living in a world free from ethical and social responsibilities. In many ways, it does not just empty politics of any substance, it destroys its emancipatory prospects.

The neoliberal strategists use education not only to mask their abuses and the effects of their criminogenic policies, they also – in a time of crisis, when dissatisfaction of the masses might lead to chaos, revolts, and dangerous levels of resistance – move dangerously close to creating the conditions for a fascist politics. The noted theologian Frei Betto is right in stating that under such conditions, “…they cover up the causes of social ills and cover up their effects with ideologies that, by obscuring causes, fuel mood in the face of the effects. That’s why neoliberalism is now showing its authoritarian face – building walls that divide countries and ethnic groups, executive power over legislature and judiciary, disinformation about digital networks, the cult of the homeland, the brazen offensive against human rights.”

Neoliberalism and its regressive notion of individualism and individual responsibility has undermined the belief that human beings both make the world and can change it. The pandemic has ushered in a crisis that undermines that belief and opens the door for rethinking what kind of society and notion of politics will be faithful to the creation of a socialist democracy that speaks to the core values of justice, equality and solidarity. Under such circumstances, private resistance must give way to collective resistance, and personal and political rights must include economic rights. If inequality is to be defeated, the social state must replace the corporate state and social rights must be guaranteed for all. There can be no adequate struggle for economic justice and social equality unless economic inequality on a global level is addressed along with a movement for climate justice, the elimination of systemic racism and a halt to the spiraling militarism that has resulted in endless wars. This can only take place if the anti-democratic ideology of neoliberalism, with its collapse of the public into the private and its institutional structures of domination, are fully addressed and discredited. Étienne Balibar is right in stating that the triumph of neoliberalism has resulted in the “death zones of humanity.” Following Balibar, what must be made clear is that neoliberal capitalism is itself a pandemic and a dangerous harbinger of an updated fascist politics.

Overcoming Pandemic Pedagogy

The kind of societies that will emerge after the pandemic is up for grabs. In some cases, the crisis will give way to authoritarian regimes such as Chile, Hungary and Turkey, all of which have used the urgency of COVID-19 as an excuse to impose more state control and surveillance, squelch dissent, eliminate civil liberties and concentrate power in the hands of an authoritarian political class. As is well documented, history in a time of crisis also has the potential to change dominant ideologies, rethink the meaning of governance, and enlarge the sphere of justice and equality through a vision that fights for a more generous and inclusive politics. It is crucial to rethink the project of politics in order to imagine forms of resistance that are collective, inclusive and global, capable of producing new democratic arrangements for social life, more radical values and a “global economy which will no longer be at the mercy of market mechanisms.” This is a politics that must move beyond siloed identities and fractured political factions in order to build transnational solidarities in the service of an alternative radically democratic society. Making the pedagogical more political means challenging those forms of pandemic pedagogy that turn politics into theater, a favorite tactic of Trump. In this case, the performance works to suspend disbelief, hold power accountable and unravel one’s sense of critical agency. Pandemic pedagogy does more than undermine critical thinking and informed judgments, it dissolves the line between the truth and lies, fantasy and reality, and in doing so, destroys the foundation for understanding, engaging and promoting that social and economic justice. The endgame under the rubric of a pandemic pedagogy is not simply the destruction of the truth, but the elimination of democracy itself.

Central to developing an alternative democratic vision is development of a language that refuses to look away and be commodified. Such a language should be able to break through the continuity and consensus of common sense and appeals to the natural order of things. At stake here is the need to reclaim both critical and redemptive elements of a radical democracy in order to address the full spectrum of violence that structures institutions and everyday life in the United States. This is a language connected to the acquisition of civic literacy, and it demands a different regime of desires and identifications to enable us to move from “shock and stunned silence toward a coherent visceral speech, one as strong as the force that is charging at us.”

Of course, there is more at stake here than a struggle over meaning; there is also the struggle over power, over the need to create a formative culture that will produce informed critical agents who will fight for and contribute to a broad social movement that will translate meaning into a fierce struggle for economic, political and social justice. Agency in this sense must be connected to a notion of possibility and education in the service of radical change. Reimagining the future only becomes meaningful when it is rooted in a fierce struggle against the horrors and totalitarian practices of a pandemic pedagogy that falsely claims that it exists outside of history.

Václav Havel, the late Czech political dissident-turned-politician, once argued that politics follows culture, by which he meant that changing consciousness is the first step toward building mass movements of resistance. What is crucial here in the age of multiple crises is a thorough grasp of the notion that critical and engaged forms of agency are a product of emancipatory education. Moreover, at the heart of any viable notion of politics is the recognition that politics begins with attempts to change the way people think, act and feel with respect to both how they view themselves and their relations to others. There is more to agency than the neoliberal emphasis on the “empire of the self,” with its unchecked belief in the virtues of a form of self-interest that despises the bonds of sociality, solidarity and community.

The U.S. is in the midst of a political and pedagogical crisis. This is a crisis defined not only by a brutalizing racism and massive inequality, but also a constitutional crisis produced by a growing authoritarianism that has been in the making for some time. The recent attacks by the police on journalists, peaceful protesters and even elderly people marching for racial justice echoes the violence of the Brownshirts in the 1930s. Let’s stop the futile debate about whether or not the U.S. is in the midst of a fascist state and shift the register to the more serious question of how to resist it and restore a semblance of real democracy.

Under such circumstances, education should be viewed as central to politics, and it plays a crucial role in producing informed judgments, actions, morality and social responsibility at the forefront not only of agency, but politics itself. In this scenario, truth and politics mutually inform each other to erupt in a pedagogical awakening at the moment when the rules are broken. Taking risks becomes a necessity, self-reflection narrates its capacity for critically engaged agency and thinking the impossible is not an option, but a necessity. Without an informed and educated citizenry, democracy can lead to tyranny, even fascism.

Trump represents the malignant presence of a fascism that never dies and is ready to remerge at different times in different context in sometimes not-so-recognizable forms. The COVID-19 crisis and the pandemic of inequality and racism have revealed elements of a fascist politics that are more than abstractions. The struggle against a fascist politics is now visible in the rebellions taking place across the United States. While there are no political guarantees for a victory, there is a new sense that the future can be changed in the image of a just and sustainable society. There is a new energy for reform taking place in the aftermath of the killing of George Floyd. Massive protests for racial, economic and social justice are emerging all over the globe. As I have argued in The Terror of the Unforeseen, at stake here is the need for these protests to transition from a pedagogical moment and collective outburst of moral anger to a progressive international movement that is well organized and unified. Such a movement must build solidarity among different groups, imagine new forms of social life, make the impossible possible, and produce a revolutionary project in defense of equality, social justice and popular sovereignty. The racial, class, ecological and public health crisis facing the globe can only be understood as part of a comprehensive crisis of the totality. Immediate solutions such as defunding the police and improving community services are important, but they do not deal with the larger issue of eliminating a neoliberal system structured in massive racial and economic inequalities. David Harvey is right in arguing that the “immediate task is nothing more nor less than the self-conscious construction of a new political framework for approaching the question of inequality, through a deep and profound critique of our economic and social system.” This is a crisis in which different threads of oppression must be understood as part of the general crisis of capitalism. The various protests now evolving internationally at the popular level offer the promise of new global anti-fascist and anti-capitalist movements. In the current moment, democracy may be under a severe threat and appear frighteningly vulnerable, but with young people and others rising up across the globe — inspired, energized and marching in the streets — the future of a radical democracy is waiting to breathe again.

### 1NC---OFF

T Prohibit

#### ‘Prohibiting’ a practice requires per se illegality.

Lee Mendelsohn 6, Director at Edward Nathan, “KIPA Conduct Amounts to Price Fixing”, Business Day (South Africa), 6/12/2006, Lexis

The first step in any competition law analysis is to define the relevant market. There are two components to an analysis of the relevant market, namely the relevant product market and the geographic market.

The relevant product market consists of those products and services that operate as a competitive constraint on the behaviour of the suppliers of those products and/or services.

The relevant product market is determined by ascertaining whether a small but significant non-transient increase in pricing of the product in question would cause buyers to substitute the product with another product or would cause suppliers of other products to begin producing the product in question.

The relevant geographic market is determined by ascertaining whether a small but significant non-transient increase in pricing of the product in question would cause buyers to purchase the product from other geographic areas, alternatively suppliers of the product in other geographic areas to supply those products into the area in question.

For the purposes of this case study, we are instructed to accept that each medical speciality constitutes a relevant product market and that the relevant geographic market for each of them is Kleindorpie.

The Competition Act provides that "an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if … it involves … directly or indirectly fixing a purchase or selling price or any other trading condition".

An "agreement" is defined as including a contract, arrangement or understanding, whether or not legally enforceable. The term agreement is very widely defined. A "horizontal relationship" is defined as a "relationship between competitors".

The prohibition on the fixing of a purchase or selling price or any other trading condition is one of the so-called "per se" prohibitions which are included in our Competition Act. The prohibition is automatic and absolute and the fixing of prices or other trading condition cannot be justified on the basis of any technological, efficiency or other procompetitive gains that could outweigh the potential anticompetitive effect of the fixing of the price or trading condition. If the capitation plan of KIPA falls within the restrictive horizontal practice prohibiting price fixing and the fixing of other trading conditions, such practice will be a contravention of the act.

#### Voting issue---key to link uniqueness and preventing bidirectionality on an otherwise virtually unlimited topic

### 1NC---OFF

Taxes CP

#### The United States federal government should expand the scope of its core antitrust laws to anticompetitive business practices exempted by the Filed Rate Doctrine, enforced by applying a substantial progressive tax on rents from those practices.

#### The CP solves the case by expanding antitrust but, rather than enforcing it with a prohibition, it levies a progressive tax on anticompetitive rents---that’s an instantly effective deterrent AND creates traditional enforcement as follow-on.

Yonah ’21 [Reuven Avi; July 29; Irwin I. Cohn Professor of Law and Director of the International Tax LLM Program at the University of Michigan Law School, PhD in History from Harvard University, AM in History from Harvard University, JD from Harvard Law School; Tax Notes Federal, “A New Corporate Tax,” https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3743202]

If we can regulate our corporations simply through the medium of taxation, we can destroy every trust in a fortnight. It would be a great deal better for the Finance Committee to turn its attention to the imposition of such a tax upon corporations and the persons who actually need regulation, who are exercising powers that are injurious to the American people, destroying competition and invading our prosperity, than to attempt to levy a revenue tax upon all the little shareholders of all the little corporations throughout the length and breadth of the United States.1

I. Introduction: Why Tax Corporations?

Should the U.S. tax corporations? For many academic and political observers, the answer is no.2 The corporate tax is a strange tax because by definition it is not borne by the corporate taxpayer, because corporations are legal entities and cannot economically bear the burden of taxation. Moreover, unlike other indirect taxes (for example, consumption taxes that are passed on to consumers or the employer’s portion of the payroll tax that is passed on to employees), economists after over 50 years of debate are not sure who bears the burden of the corporate tax: shareholders, all capital providers, corporate employees, or consumers. The most likely answer is that all of the above do in varying ratios depending on the current elasticities of capital, labor, and demand in the global economy, and on the degree to which the U.S. economy is open.3

The general public, on the other hand, is convinced that the corporate tax is borne by large corporations, and politicians respond by maintaining the corporate tax as a tax paid by someone other than the voters. But this fiscal illusion, the opponents of the tax pronounce, is hardly a valid reason to maintain a very complicated tax that is the cause of significant deadweight loss (changes in behavior caused by the tax) and transaction costs (tax compliance and avoidance costs).4

This article will argue that we do need a corporate tax, but not for the traditional reason, which is that if we do not tax corporations, rich shareholders will be able to defer tax on their income. Instead, the article will argue that we should tax corporations for the same reason we originally adopted the corporate tax in 1909: to limit the power and regulate the behavior of our largest corporations, which are monopolies or quasi-monopolies that dominate their respective fields and drive their competitors out of business (the best example being Big Tech — that is, Amazon, Apple, Facebook, Google, and Microsoft). But if that is the reason to have a corporate tax, it should have a different structure from the current flat corporate tax of 21 percent. Instead, the tax should be set at zero for normal returns by allowing the expensing of physical capital, but at a sharply progressive rate for supernormal returns (rents), culminating at a rate of 80 percent for income above $10 billion a year.5 After this introduction, Section II of the article discusses and rejects the traditional reason given for taxing corporations. Section III argues that the only reason to maintain a corporate tax is as a tax on monopolistic rents. Section IV develops this proposal in some detail and Section V provides a conclusion.

II. A Tax on Shareholders?

The traditional reason for taxing corporations is that if we did not, rich shareholders would be able to earn their income through corporations and defer the tax until there is a dividend distribution or they sell the shares, or even avoid the tax altogether by holding their shares until death and having their heirs sell at a stepped-up basis.

That is not a valid reason for keeping alive a tax as complicated and costly as the corporate tax, which is why many academic observers have called for its abolition. Given that the corporate tax rate has been sharply cut to 21 percent and that the revenue from the corporate tax is at $230 billion (in 2019) and only a small fraction (below 7 percent) of total federal revenues of $3.4 trillion, it does not appear impossible that some future president could successfully argue for abolishing the corporate tax, despite its public popularity.

There are three reasons why the corporate tax is not a valid way of taxing shareholders. First, despite over 50 years of economic research, economists are still unsure of who bears the burden of the corporate tax.6 Plausible candidates are (a) the shareholders, if the corporate tax reduces corporate profits available to them as dividends or is reflected in the price of their shares (although even that assumes that the tax was not priced in when they bought the shares, in which case only the original shareholders in an initial public offering bear the burden); (b) all capital providers, if the tax causes capital to flow from the corporate to the noncorporate sector, which is influenced by the ever-changing relative tax rates on corporate versus passthrough businesses; (c) employees, if the corporations can effectively reduce wages in response to the tax by, for example, threatening to move production overseas; or (d) consumers, if corporations enjoy a monopolistic or quasimonopolistic position and therefore can raise prices to include the tax without fear of being undercut by competition. The true answer is probably that all of the above bear the burden in different ratios over time depending on the elasticities (response to the tax) of capital, labor, and demand.

Second, as economists have recently emphasized, many shareholders are tax exempt. In fact, a recent study has shown that 70 percent of U.S. equities are held by tax-exempt institutions or individuals (for example, through retirement accounts).7 The authors of the study argue that this is a reason to tax corporations because otherwise capital would not be taxed at all, but it seems to me that if we believe in the reason that we exempt these individuals and institutions from tax, there is no reason to tax them indirectly through a corporate tax (assuming that they do in fact bear the tax burden).

Third, even for taxable shareholders, there are better ways of taxing the shareholders directly, thereby eliminating the incidence issue. For closely held corporations, the answer is to tax the shareholders on their income earned through the corporation — that is, to make passthrough treatment mandatory — because there are no administrability issues for those corporations and most of them are passthroughs in any case. For publicly traded corporations and partnerships, passthrough taxation is not administratively feasible. Instead, the shareholders should be taxed on the changing value of their shares, because liquidity and valuation are not issues for publicly traded shares, and the same tax can be collected on a withholding basis on foreign shareholders and if necessary on tax-exempt domestic shareholders (the government can impose a lien on some of the shares and sell them if the tax is not paid by foreign shareholders).8 Pre-enactment unrealized appreciation can be reached by applying the tax in the year of enactment to the difference between the end-ofyear share value and original basis.

For these reasons, if the only rationale for having a corporate tax is to indirectly tax shareholders, it is not clear that it is worth fighting for against the many voices calling for its abolition. But that is in fact not the only rationale, as the next section explains.

III. A Tax on Monopolistic Rents

When the corporate tax was enacted in 1909, taxing shareholders was not the reason. In fact, taxing shareholders would in 1909 have been unconstitutional under the Supreme Court’s 1895 Pollock decision9 which both President Taft and then-Senate Majority Leader Nelson Aldrich believed precluded a tax on shareholders, although to placate the Progressives they also introduced a constitutional amendment to allow Congress to tax individual income, which neither expected to pass. Instead, the corporate tax was designated as an excise tax on the privilege of conducting business through the corporate form, since the Supreme Court had held such excise taxes on corporations to be constitutional in 1898; but neither Taft nor Aldrich thought that was a good reason to impose a federal tax on corporations, because the privileges of the corporate form derived from state, not federal, law.

Instead, as I have shown elsewhere by examining the legislative history, the corporate tax of 1909 was primarily seen as a vehicle for limiting the power of and regulating the great trusts such as John D. Rockefeller’s Standard Oil Co. or J.P. Morgan’s U.S. Steel Corp.10 The Taft administration was at the same time litigating against Standard Oil and American Tobacco (among many other trusts) to break them up under the Sherman Act of 1890, but the prospects of the litigation were uncertain (the government had lost the E.C. Knight case in the Supreme Court in 1895 and only narrowly won the Northern Securities case in 1904). Thus, as Taft said in his message to Congress, we should have a corporate tax to curb the trusts:

Another merit of this tax is the federal supervision which must be exercised in order to make the law effective over the annual accounts and business transactions of all corporations. While the faculty of assuming a corporate form has been of the utmost utility in the business world, it is also true that substantially all of the abuses and all of the evils which have aroused the public to the necessity of reform were made possible by the use of this very faculty. If now, by a perfectly legitimate and effective system of taxation, we are incidentally able to possess the Government and the stockholders and the public of the knowledge of the real business transactions and the gains and profits of every corporation in the country, we have made a long step toward that supervisory control of corporations which may prevent a further abuse of power.11

The corporate tax of 1909 had several features that were considered potentially effective as antitrust measures. First, even though the tax rate was only 1 percent, both supporters and opponents knew the rate could be increased (as it ultimately was, reaching 52.8 percent in 1968) and the threat of those changes might deter the trusts. Second, the tax returns were to be made public, thus alerting the press and the voters to which corporations were the most profitable and therefore the likeliest targets for antitrust enforcement actions. Third, while intercorporate dividends were exempt (a controversial feature, because the trusts were holding corporations), there were no tax-free reorganizations and no consolidated returns.

Unfortunately, all these antitrust features of the corporate tax were eliminated by 1928. The publicity feature was eliminated in 1910, taxexempt reorganizations were adopted in 1919, and consolidated returns were made elective in 1928. Also, various pro-corporate provisions like accelerated depreciation, percentage depletion, and the foreign tax credit were adopted in the same period. While the Franklin D. Roosevelt administration limited the dividends received deduction and tax-exempt reorganizations in the 1930s, it never eliminated them, and subsequent enactments like investment tax credits reduced the corporate tax even further. As for the rate, it never exceeded 52.8 percent (as opposed to the individual rate, which reached 94 percent during World War II and was still as high as 70 percent when Ronald Reagan was elected president). The effective corporate tax rate was much lower because of interest and depreciation deductions and investment tax credits. In 1986 the corporate rate was reduced from 46 percent to 34 percent (later raised to 35 percent), and despite various base-broadening measures, the effective corporate rate remained low. Corporate tax revenues consequently declined from 25 percent of total federal revenues in the 1960s to less than 10 percent in the 2000s. Finally, in 2017 the corporate tax rate was reduced to 21 percent, and it was a flat rate — all the previous progressivity, which applied only to small corporations with revenues below $15 million, was eliminated.

Other than the rates, we are unlikely to reverse these pro-trust features of the corporate tax, because they are old, well established, and benefit small as well as large corporations, which are not the proper subject of a corporate tax designated to limit the power of monopolies and quasi-monopolies.

Recent research by Edward Fox has shown, however, that most of the existing corporate tax falls on supernormal returns.12 Fox shows this by demonstrating from corporate tax returns for 1995-2013 that if expensing of capital expenditures were allowed before 2017, corporate tax revenues would have been almost identical to actual revenues. Because (as discussed later) expensing is equivalent to exempting the normal return, that means that the corporate tax has historically fallen primarily on supernormal returns, or rents. This finding is consistent with Laura Power and Austin Frerick’s evidence from 2016 that excess returns to corporations have been increasing over time.13 In the current environment, because expensing is in fact allowed until 2022, that finding is even more likely to be true.

In that case, and if the main reason to have a corporate tax is to tax rents and limit monopolies, then the tax should have a different rate structure than we have now. I would suggest that the effective tax rate on normal corporate profits be zero. On supernormal returns, because the main concern is monopolies and quasi-monopolies, the tax should be progressive, with a very high tax rate (for example, 80 percent) for profits above a very high threshold (for example, $10 billion). In between, there should be a series of graduated tax rates, similar to the individual rate schedule before 1980.

#### Using taxes as a new, independent regulatory tool mainstreams them as an instrument to broadly cushion societal responses to inevitable ecological, demographic, and political crises---extinction.

Bachus ’18 [Kris and Frederic Vanswijgenhoven; 2018; Research Manager Climate and Sustainability at the Research Institute for Work and Society, University of Leuven, PhD in Social Science from KU Lueven, MA in Applied Economic Science from KU Leuven, European Master’s in Labor Science from the University College, London; Research Institute for Work and Society, University of Leuven, Master’s Degree in Comparative and International Politics from KU Leuven, Master’s Degree in Applied Economic Sciences from Universiteit Hasselt; Journal of Environmental Planning and Management, “The Use of Regulatory Taxation as a Policy Instrument for Sustainability Transitions: Old Wine in New Bottles or Unexplored Potential?” vol. 61]

1. Introduction

Environmental problems are of all times. Yet, over the past two decades, climate change, air pollution, natural resource depletion and biodiversity loss have reached the status of worldwide persistent threats (Foxon, Reed, and Stringer 2009). There is increasing consensus in the literature that common policy responses, which are in the main incremental, will not provide structural solutions to those problems (Elzen and Wieczorek 2005). Transition theory links those challenges to socio-technical systems, which fulfil a societal function using technical components, infrastructure, regulations and networks of organisations (Geels and Kemp 2000). A transition is a radical and structural change with economic, cultural, ecological and institutional developments taking place at different levels of the socio-technical system (Rotmans and Loorbach 2009).

An important discussion in transition literature concerns the question of whether transitions, niches and regimes can be governed, or even steered, in a (sustainable) direction. Most transition scholars see an active role for government, but not in the classical way as the top-down commander who can steer at will using its toolbox of instruments (Paredis 2013). Rather, government is seen as just one group of actors (Geels, Elzen, and Green 2004), who are part of the regime but simultaneously shape its adaptive capacity (Smith, Stirling, and Berkhout 2005). Government actors exert a substantial influence on the functioning of the socio-technical system as they often maintain and reproduce regime functions in an intensive manner (Smith, Stirling, and Berkhout 2005).

To address the complexity and long-term focus (one to two generations) of transitions, “existing policy instruments need to be combined with new approaches” (Elzen and Wieczorek 2005, 657). In addition to command-and-control (CAC) instruments and communicative instruments, economic instruments are used in environmental policy (Howlett and Ramesh 2003; Perman et al. 2003). Geels (2012) indicates, in the context of transport systems, that economic instruments can be used to enhance pressure on an unsustainable regime. Chappin (2011) applies simulation models to study the influence of carbon taxes on energy transitions. Although these studies point at the potential of taxation, the theoretical dynamics behind the impact of a tax on the transition process are not yet well understood, and available studies on the topic are scarce. This paper aims to contribute to the growing literature of transition governance by means of an exploratory analysis of the potential of taxation as an instrument to support sustainability transitions. We will do so by combining the literature on environmental taxation with the literature on sustainability transitions, and by identifying the conditions for a tax to have that potential. In our theoretical exploration, we will combine two heuristic frameworks from transition thinking, the multi-level perspective (MLP) and the multi-phase perspective (MPP), with the neoclassical theory of Pigouvian taxation, which is the basis of environmental taxation theory.

This paper is organised as follows. The MLP and MPP are explained in Section 2, along with other transition concepts. In Section 3, an overview is provided of the theoretical foundations of regulatory taxation. Section 4 shows the results of the combination of the theoretical strands of transitions and environmental taxation. Section 5 is dedicated to the limitations and barriers to the potential of environmental taxation, and in Section 6, we draw conclusions and provide suggestions for future research.

2. Transition theory: the MLP and the MPP

The MLP on sustainability transitions distinguishes between three levels (Geels 2004; Verbong and Geels 2007). At the macro level, the landscape represents the external environment of the system. Changes at the landscape level influence the socio-technical system (Markard and Truffer 2008). Examples of such developments are global warming, global economic growth, political crises or demographic evolutions (Geels 2002). At the meso level, the regime is the dominant form of functioning in the socio-technical system (Avelino and Rotmans 2009). The regime can be a dominant technology, institution, policy, practice or culture. At the micro level, niches present alternative (sustainable) technologies, institutions, policies, practices or cultures that cause disruptions in the functioning of the socio-technical system. By experimenting and growing stronger, niches can eventually overtake the role of the regime and install a new dynamic balance in the socio-technical system (Kemp and Loorbach 2006; Loorbach and Wijsman 2013). For example, learning effects from experiments with niche technologies such as photovoltaic energy and wind power in the energy system may make those technologies increasingly successful. After the growing phase, they may also become cheaper than regime technologies such as nuclear and fossil fuel power generation. Those niches exert pressure on the regime, which could, in combination with other pressures from the landscape, policies, market developments and cultures, lead to a replacement of nuclear and fossil fuel-based power by renewables, ending up in a new equilibrium that will be more sustainable than the previous one.

A transition presents a radical and fundamental change in the dominant structure, culture and practices of a socio-technical system (Loorbach and Rotmans 2006). The structure of the system consists of institutional, infrastructure, legal and economic provisions that are inherent to the functioning of the socio-technical system (de Haan 2010). Culture is regarded as the shared values, norms and perspectives, which may be cognitive, normative or ideological in nature, and which underlie the socio-technical system (de Haan and Rotmans 2011). Practices are the routines, habits and procedures operated by the actors in the system, which interact with the structure and the culture of the system.

The change that is required for a transition will not come about in a linear way. Rather, periods of rapid and slow (or no) change can alternate (de Haan and Rotmans 2011). This implies that there are multiple phases in a transition process. Loorbach (2007) describes four phases that together depict an ideal–typical transition process, the MPP. In the first phase, the pre-development phase, actors are engaged in experiments (Kemp and Loorbach 2006). During the take-off phase, the second phase, the regime will show signs of destabilisation and niches will get an opportunity to position themselves as a viable alternative (van der Brugge and Rotmans 2007). Rapid structural and cultural changes in the socio-technical system become visible in the acceleration phase (van der Brugge 2009). In the last phase, the stabilisation phase, a new sustainable regime is established (Avelino and Rotmans 2009).

Transitions are driven by various endogenous and exogenous developments. Exogenous developments are changes at the landscape level. Endogenous developments, on the other hand, are events occurring at the meso level (regimes) and micro level (niches). According to de Haan and Rotmans (2011), there are three groups of conditions for change: tensions, stress and pressure. Tensions are changes occurring at the landscape level threatening the position of the unsustainable regime. A regime that functions inadequately or inconsistently will experience stress, which can nurture the downfall of the regime. Regime pressure or selection pressure, finally, will appear when niches impose themselves on the regime's position by becoming viable alternatives or by making the regime's functioning obsolete. Regime pressure, along with the reactions of regime and niche actors, will create patterns of change (Frantzeskaki and de Haan 2009). When tensions dominate, a reconstellation pattern will appear. Stress and pressure will result in the patterns of, respectively, adaptation and empowerment. When certain patterns chain together, they create transition paths (de Haan 2010). Choices made in the past will affect the path along which transitions will move. Actors are confronted with path dependencies, which may turn into lock-ins. For example, the choice of the authorities of some countries to invest in nuclear power plants has created path dependencies in the energy systems of these countries, which function as lock-ins that prevent a breakthrough to an energy system based on renewable energy.

Two governance approaches within transition science indicate that belief in classical policy solutions is limited. The two most well-known governance models in transition literature are transition management (Loorbach 2007; Kemp and Loorbach 2006; Loorbach and Rotmans 2010) and strategic niche management (Hoogma 2000). Both these governance approaches emphasise the difficulties in steering socio-technical change. Strategic niche management sees the main role of government in process management, creating room for niche experimentation, making sure that the process is not dominated by certain actors, and in learning and facilitating other actors’ learning possibilities (Kemp, Schot, and Hoogma 1998). The other governance approach, transition management, departs from the same view, but presents a process management method for policy-makers wishing to influence burgeoning transition processes (Loorbach and Rotmans 2006). Transition management has been criticised, mainly because the term ‘management’ seems to suggest that it is possible to steer transitions by “deliberate intervention in pursuit of specific goals” in a top-down way (Shove and Walker 2007, 764). Although transition management scholars such as Loorbach and Rotmans develop a more nuanced perspective on the ‘steerability’ of a transition than the name ‘management’ suggests, they do assert that ‘goal-oriented transitions’, in which the policy goals guide the process, exist. This view is not shared by all transition scholars. For example, Dewulf et al. (2009) think that a multiplicity of theories is needed for addressing such complex issues as sustainability. Shove and Walker (2007) question the very starting point of transition management that it is possible to deliberately steer socio-technical system change in any direction.

Both strategic niche management and transition management focus on policies that are aimed at the level of the niches. However, they largely ignore that the destabilisation of incumbent regimes can equally be a valuable strategy, because this could speed up the upscaling of niche technologies (Kivimaa and Kern 2016). Policies discouraging certain niche technologies or practices can play a role here (Turnheim and Geels 2012). Taxation will be further examined as a regime destabilisation instrument, as the main subject of this paper. In addition, ‘policy mixes for creative destruction’ will be explored in Section 4.2.

3. Regulatory and environmental taxation

A basic idea in economics is that markets allocate resources in an efficient way. However, this thesis is only valid under the condition of the presence of well-defined and enforceable private property rights (Perman et al. 2003). If that condition is not met, the market is not capable of creating or maintaining a socially optimal or desirable situation, and market failures appear (Bator 1958). One example of a market failure is the existence of external costs or environmental externalities (Perman et al. 2003). Externalities are “benefits or costs generated as an unintended by-product of an economic1 activity that do not accrue to the parties involved in the activity and where no compensation takes place” (Owen 2004, 129). Pollution resulting from production activities is a typical example of a negative externality imposed on citizens, because the victims of the pollution have no legal rights to claim any compensation for the damage suffered. To resolve this market failure, governments can create property rights for ‘an unpolluted environment’ and give them to the victims, or even to the polluter. In the latter case, the polluter receives a ‘license to pollute’ a certain amount. Following the Coase theorem (Coase 1960), depending on the specific circumstances, this situation will lead to an equally efficient outcome as compared to victim property rights. However, from an equity point of view, the two solutions generate entirely different outcomes, as in the one case it is the polluter who pays, and in the other it is the victim (Perman et al. 2003). In theory, the polluter and the victims could bargain and agree on compensation for the damage based on the victim's or polluter's property rights, in which case government intervention becomes redundant (Coase 1960). In practice, however, the large number of victims and polluters and the costs of bargaining often prevent an optimal outcome of private bargaining. In that case, government regulation, through the use of CAC instruments, economic instruments or suasion, is needed (Perman et al. 2003). In this paper, we focus on the use of taxation as a regulatory2 policy instrument in response to existing market failures. Regulatory taxes aimed at environmental improvement are called environmental taxes.3 An alternative name is Pigouvian taxation, after the twentieth-century economist Arthur C. Pigou, who developed the idea to use taxation to tackle externalities (Pigou 1920). According to Pigou, an environmental tax equal to the marginal damage at the efficient pollution level maximises allocative efficiency and welfare. The theory of Pigouvian taxation belongs to the neoclassical economic perspective, which assumes that economic agents act in a rational way according to their individual preferences in such a way that their utility (or profit for companies) is maximised (rational choice theory). Moreover, neoclassical economics assumes that preferences are fixed, as an exogenous factor, which was the dominant assumption until the 1990s (Arnsperger and Varoufakis 2006). Later, some economists regarded preferences as fixed in the short run, but subject to change in the long run (Doyle 2004). Others completely dismissed the notion of fixed preferences stating that individual preferences change as a result of past outcomes, and sometimes even rapidly and systematically (Van Boven, Loewenstein, and Dunning 2003).

In a first-best world with no uncertainty, regulatory taxes are statically efficient because the emission reductions are achieved while using a minimum amount of resources (Sandmo 2000). They are dynamically efficient because taxpayers will be inclined to seek further reduction methods due to the fact that the undesirable behaviour remains taxed (Faure and Weishaar 2012). In this theoretically ideal situation, a tax always leads to a more efficient solution than a licence or other CAC type of instrument. However, if complexity or uncertainty is introduced, many authors criticise Pigou's theory on the optimal level of an externality tax. Although a complete review of this literature exceeds the scope of this paper, we present three of the most important critiques. First, Coase (1960) dismissed the idea that a tax equal to the marginal damage cost increases total welfare in all situations. When there is uncertainty about the marginal abatement cost curves of polluting firms, the comparison changes. Taxes keep the edge over CAC instruments when the (absolute value of the) slope of the marginal abatement cost curve is greater than the slope of the marginal damage curve. Conversely, when the marginal abatement cost curve is less steep than the marginal damage curve, CAC instruments are to be preferred to taxes (Perman et al. 2003; Baumol and Oates 1988). Second, Baumol and Oates (1988) add that it is often hard to calculate the monetary value of the marginal damage of the polluting activity, in which case a standard may also be the recommended instrument choice. And third, in case of monopoly or oligopoly, the optimal tax rate may vary from lower to higher than the marginal damage (Ebert and von dem Hagen 1998).

An important element in the discussion on the optimal tax rate is the price elasticity of demand, which is not static. The absolute value of demand elasticities tends to increase over time (Lipsey and Chrystal 2007; Pindyck and Rubinfeld 2009). The reason is that demand elasticity is, in fact, mainly determined by the availability of substitutes. Investment decisions are made with a long-term perspective, and in the long run, more options are available for developing new (clean) technologies than in the short run (OECD 2000). For example, Sterner (2007) estimated that the demand elasticity of petrol and diesel in the long run is about three times higher than in the short run.

In addition to determining the correct tax rate, other tax design elements need to be decided. First, the tax base, which is the object that is taxed (Sandmo 2000), needs to be chosen. This can be input products, output products, production factors (energy), production (processes, activities or techniques), consumption or emissions (Vollebergh 2008; Weber 2011). The most effective way of eliminating externalities is by choosing the externality itself (e.g. CO2 emissions) as the tax base (OECD 2010). In practice, emission-measuring problems often hinder direct taxation of emissions. Proxies, such as petrol sold as a transport fuel, then form alternative tax bases (Dias Soares 2011). Second, tax rates can be differentiated (Määttä 2006), in which case certain products, processes or groups of taxpayers are granted a lower tax rate or are exempt from the tax. Third, a tax can be implemented at one specific moment in time or in multiple phases whereby the tax rate is raised or reduced in each phase.

4.1. (In)compatibility arguments

The transition school sees public authorities as just one group of actors in a socio-technical system. They are an important actor, but they cannot steer a transition in a top-down way (Kemp, Rotmans, and Loorbach 2007). Traditional decision-making models, including neoclassical economics, are mostly rejected based on the following four arguments. First, traditional policy-making is deemed unfit for dealing with high-complexity, long-term, wicked societal problems, because the knowledge on ecological cause–effect relations is often limited and political compromises inevitably lead to incrementalism as opposed to structural system change (Rotmans, Loorbach, and Van derBrugge 2005; Kemp, Rotmans, and Loorbach 2007; Mathijs 2008). Second, the existing policies are the result of outdated legislation, routines and institutional relations and are characterised by path dependency and technological lock-in (Rotmans, Loorbach, and Van der Brugge 2005). Third, the view of neoclassical economics on the preferences of individuals is too static, while instead a transition would require changing preferences (Kemp, Rotmans, and Loorbach 2007). Finally, steering a transition towards sustainability involves a subjective interpretation of sustainability, which “should arise from a multi-actor process, involving a balanced diversity of stakeholders” (van der Brugge, Rotmans, and Loorbach 2005, 167). Geels (2012) describes transitions as co-evolutionary processes, which require the involvement of many social groups. Network management in decision-making would be a step forward, but even those policy networks are not necessarily concerned with the long term (Kemp, Rotmans, and Loorbach 2007).

Transition management is a governance approach based on transition theory, which proposes a bottom-up approach to steer a transition, based on multi-actor involvement. However, it does not offer a full-fledged alternative to traditional policy-making, as it is “not directly solution-oriented, but explorative and design-oriented” (Rotmans, Loorbach, and Van der Brugge 2005, 6). Therefore, some transition scholars revert to other academic fields, such as evolutionary economics to analyse sustainability transitions and related policy strategies. Inspired by the field of biology, this field focuses on three central concepts: diversity, selection and innovation. Models from evolutionary economics can cope with complexity; they deviate from neoclassical economic theories by acknowledging that economic agent behaviour is explained by bounded rationality (van den Bergh, Hofkes, and Oosterhuis 2006). People's rationality is bounded because of a lack of appropriate and reliable information, limited cognitive capacities and limited decision-making time (Kahneman 2003; Simon 1955). Evolutionary economics leaves more room for environmental taxation than most transition studies, although it emphasises the need for a combination of policy instruments or policy mixes (van den Bergh et al. 2006). The role of policy mixes for sustainability transitions is further treated in Section 4.2.

So, if the neoclassical policy instrument of environmental taxation is so hard to reconcile with the bottom-up governance principles of transition theory, is it still worthwhile to study the combination? Four arguments support an affirmative answer. First, as we demonstrated in Section 3, the impact of environmental taxation is much higher in the long run than in the short run, which gives this instrument an interesting appeal considering the fundamental long-term change transition theory describes. Second, when the economy is (threatening to get) stuck in a technology that is not serving the long-run transition goal, a regulatory tax on that technology may unlock (further) lock-in, thus avoiding an important obstacle for a sustainability transition (den Butter and Hofkes 2006). Third, policy attention tends to go to supporting niches but much less to destabilising the dominant regime, which is politically more difficult. However, according to Kivimaa and Kern (2016), niche support policies will need to go hand-in-hand with regime destabilisation policies aimed at internalising externalities. A tax on the dominant regime technology is particularly suitable for that purpose (Geels and Schot 2007). Fourth, the bounded rationality concept embraced by transition theory still incorporates a level of rationality, implying that a price signal may still have an effect.

We conclude that there is no consensus on the use of regulatory taxes to enhance sustainability transitions. Some scholars see a role for taxation, but rather as one part of a more comprehensive policy mix (Geels 2006; Kemp, Schot, and Hoogma 1998; Markard and Truffer 2008).

### 1NC---OFF

T Courts

#### ‘Law’ requires legislative action

Dr. Mohammed Saif-Alden Wattad 8, Post-Doctoral Minerva Fellow at the Max-Planck Institute for Foreign and International Criminal Law Studies in Freiburg, “The Torturing Debate on Torture”, Northern Illinois University Law Review, 29 N. Ill. U. L. Rev. 1, Fall 2008, Lexis

6 See MOHAMMED SAIF-ALDEN WATTAD, THE MEANING OF CRIMINAL LAW: THREE TENETS ON AMERICAN & COMPARATIVE CONSTITUTIONAL ASPECTS OF SUBSTANTIVE CRIMINAL LAW 44 (2008) (explaining that the term "law" refers to the laws enacted by legislative bodies [i.e. statutes, constitutions, and treaties] and is to be distinguished from the term "Law," which refers to the higher concept of the "good and just law" binding on all human beings [i.e. the moral or religious law]; if the "law" contradicts the "Law," the latter must prevail).

#### The plan is non-legislative

#### Voting issue---removes mechanistic tether from the topic and nukes courts and agency CP as a functional limits

### 1NC---OFF

Oil DA

#### Oil is back – steady recovery revives export-economies but it’s fueled by high speculative demand

Hewson 12/31/21 [Michael Hewson CHIEF MARKET ANALYST. "Oil price recovery buys BP and Shell time on renewables transition" https://www.cmcmarkets.com/en/news-and-analysis/oil-price-recovery-buys-bp-and-shell-time-on-renewables-transition]

If 2020 was the year the oil and gas industry almost imploded, then 2021 has been the year that has seen an almost Lazarus like comeback, although the big oil companies still face the same problems they had heading into the pandemic.

The collapse in prices that we saw in 2020 may well have been pandemic related, but it certainly wasn’t helped by the price war between Saudi Arabia and Russia that broke out just prior to the lockdowns. This additional factor helped exacerbated the sell-off in prices that saw US futures prices go briefly negative, as well as prompting the collapse in a whole host of US shale businesses, and the cancellation of a number of new pipelines.

In a belated effort to contain the meltdown in prices, as well as protect their own balance sheets OPEC scrambled to support prices by slashing oil production output to as low as 22.5m barrels a day in June 2020, and well below the levels of 32.9m barrels a day that were being pumped out in October 2018, as brent crude prices bottomed at about $15 a barrel during April 2020

Since that day, Russia also saw its output decline in 2020 from a peak of just over 11.3m barrels a day, to a low of just below 9m, before undergoing a steady recovery to levels just above 10m now, according to the EIA.

Having been horribly burned in the early part of 2020 it would appear that neither OPEC or Russia wants to repeat the mistake that saw the oversupply and price collapse that we saw 20 months ago, as refinery and oil storage capacity almost ran out.

With oil prices now back above $80 a barrel they now appear to be compensating for that mistake in the opposite direction, with a reluctance to overly relax their hands on the tiller when it comes to restoring the output that was cut back in response to last year’s sudden demand stop.

Currently OPEC is increasing output by 400k barrels a day on an incremental basis, month on month, with daily output now back close to 30m barrels a day, with amidst concerns that they are going too slowly as inventory levels run low.

US crude oil production also underwent a sharp slowdown slipping from 12.8m barrels a day to a low of 9.7m in May 2020. Output is now back at around 11.1m barrels a day according to the EIA.

While the price and demand collapse dented the balance sheets of the oil producing countries it also did immense damage to the balance sheets of the big oil major companies, losing as they did a combined $76bn between them. Around $70bn of that amount was as a result of write-downs and impairments on unviable or stranded assets, however the challenge for the likes of Exxon Mobil, BP and Royal Dutch Shell remains in how they transition towards a renewable future without hammering their margins.

Since those dark days in 2020 when we saw the share prices of the big major companies lose over 40% of their market cap, we’ve seen a fairly decent recovery, although most of the same questions remain.

As we can see from the above graphic, we’ve seen a decent rebound in the share price of the oil majors although it is notable that both BP and Royal Dutch Shell have lagged despite the surge in not only the oil price, but also in natural gas prices as well, which have hit record highs in Europe, and 7-year highs in the US.

This is disappointing especially when you consider that we’ve rebounded from share price levels last seen in the 1990’s, and that we’ve seen both BP and Royal Dutch Shell restart their dividends as well as share buybacks.

The oil and gas sector has been one of the FTSE100 outperformers this year as can be seen from the chart below:

So how have BP and Shell managed their recovery process this year? It is certainly welcome that the rebound in oil and gas prices has helped boost the balance sheets of both businesses.

In 2020 BP was eventually forced to bow to the inevitable and cut its dividend to 5.25c a share, as well as announcing swingeing job cuts

Now as we look back on the last 12 months one has to assess whether BP and Shell are doing enough to help with the transition towards renewables without hammering the very margins that allow them to return loads of cash to their shareholders.

Both companies are already coming under pressure from an increasingly boisterous green lobby, as well as ESG investors to be more environmentally friendly, and become carbon neutral by the end of the decade.

If we look at how BP has done this year, there has been progress on the balance sheet, as well as the debt levels, with debt now down to $31.97bn, in the latest Q3 numbers, down from $32.7bn in H1, and well below the target of $35bn set at the start of this year.

Even so, the business still has some way to go before it gets to a place where its reliance on crude oil and natural gas becomes less important, with capex still low relative to its peers at $9.2bn year to date.

The company also increased its dividend to 5.46c a share, as well as announcing a $1.4bn share buyback from its H1 surplus cash flow, while also saying that with oil prices at $60 there was scope to deliver buybacks of $1bn a quarter, and to have capacity to increase the dividend by 4%.

While this is all good news for shareholders in the short term, and the rest of this year likely to be a decent one when it comes to the current level of oil and natural gas prices, a fact acknowledged in BP’s Q4 outlook, with the gas regions expected to contribute strongly on higher demand, the jury remains out on how long the business can enjoy the levels of cashflow fossil fuels afford them.

Demand is likely to hold up into the winter months, however management needs to have a plan other than returning cash to shareholders, especially with the green lobby breathing down its neck to cut emissions faster.

#### Scaling up renewables shreds oil prices

Manley et al. 17 David Manley - National Resource Governance Institute, James Cust - The World Bank, and Giorgia Cecchinato – London School of Economics, “Stranded Nations? The Climate Policy Implications for Fossil Fuel-Rich Developing Countries,” Oxford Centre for the Analysis of Resource Rich Economies (<https://www.economics.ox.ac.uk/images/Documents/OxCarre_Policy_Papers/OxCarrePP201634.pdf>)

\*FFRDCs = fossil fuel rich developing countries

THE WORLD’S CARBON BUDGET AND STRANDED RESERVES Fossil fuels may be plentiful from a geological point of view, but if the world burns all available fossil fuels the impact on the climate will be severe. Emerging research suggests that the world should aim to restrict the accumulated carbon and other greenhouse gases emitted between 2011 and 2050 to 1,100 Gigatonnes of carbon dioxide equivalent (McGlade and Ekins, 2014; Allen et al. 2009; Allen et al. 2015, Meinhausen et al. 2009). This limit is referred to as the world’s ‘carbon budget’. Breaking this budget significantly risks deteriorating global environmental and social conditions and ‘runaway’ climate change—in which natural positive feedback loops contribute to ever greater climate change effects. In comparison, the estimated combustible carbon dioxide content of the world’s reserves3 of oil, gas, and coal in 2014 was 2,900 gigatonnes (McGlade and Ekins 2014). Therefore, to avoid using up the world’s carbon budget and causing extreme climate change, two thirds of existing fossil fuel reserves must remain undeveloped. Keeping two thirds of reserves in the ground necessitates a significant reduction in the world’s use of fossil fuels. This, in turn, necessitates a long-term decline in the demand for fossil fuels, which could occur if governments impose carbon taxes or similar policies4 ; if there is a broad transition to alternative energy supplies, such as nuclear or renewables; or if economic activity becomes significantly more efficient in using energy. Reserves may also remain undeveloped if governments impose policies to limit the market supply of fossil fuel resources. 5 A fall in fossil fuel demand, other things equal, will lead to a fall in fossil fuel prices. This might lead to existing reserves remaining undeveloped or ’stranded‘. Meanwhile projects that remain commercially viable will be less valuable. This in turn may diminish the rents and therefore tax revenues fossil fuel extraction can generate for producing countries. To understand this, consider an example from the global oil market. The price received for a barrel of oil is roughly the same for all projects after accounting for relatively small differences in the quality of oil (such as viscosity) and transport costs. However, costs will differ considerably across location and geology. Figure 2 shows a representative global supply curve that ranks all oil projects from least to most expensive in terms of unit costs of production. For any given market price, lower cost projects, on the left part of the supply curve, will have a higher asset value per barrel than high cost projects. If the producer price falls, say in response to a climate policy, some projects with costs higher than the prevailing price will become stranded, while some value of all remaining operating projects will be foregone. Asset stranding and significant falls in values in the fossil fuel industry are not new, the recent commodity price slump has stranded many projects already and fossil fuel companies have seen the value of their assets reduced by many millions of dollars. However, the scale of such an outcome under, for example, an effective global climate policy would be entirely new. It would also imply a permanence not normally considered during commodity price slumps. For example, figure 3 shows estimates of the proportion of reserves already discovered that could become permanently stranded if the world keeps to its carbon budget. THE LIKELIHOOD OF CARBON MARKET RISK Whether governments can implement effective climate policies to reduce global fossil fuel consumption or whether alternative energy sources gain sufficient market share is highly uncertain. This paper does not directly address this uncertainty but assumes that the probability is greater than zero. Further, even if the probability is low, the impact on fossil-fuel rich countries may be very large for the reasons discussed. This has some corollary to the so-called ‘fat-tailed risk’ or the ‘precautionary principle’ of climate damages—where the probability of an impact is low, but the impact itself is high, necessitating precautionary actions (Weitzman 2011). Given these conditions fossil-fuel rich countries should carefully consider how their policy choices might be modified by carbon market risk and what type of, and how urgent, such precautionary actions should be. We will address these policies in the final part of this paper. The likelihood of a permanent fall in fossil fuel demand, or ‘carbon market risk’ rest on four factors. First, governments of carbon emitting countries could impose policies that keep emissions within the global carbon budget. This could take the form of demand-side policies, such as consumer taxes, or supply-side measures such as producer taxes or quantity restrictions, or some mix of these policies. The Paris COP21 made some advance towards countries imposing climate policies but it is unclear how the result of these negotiations will influence policy. Second, the market share of renewables, nuclear and other alternatives to fossil fuels could increase substantially. Solar and wind power capacity has increased exponentially during the last decade, although starting from a small base in comparison to fossil fuel-derived energy. Currently 13 percent of global primary energy supply is from renewables. Projected shares of renewable energy to total energy in 2030 in this share range from 14 percent—by Exxon—to 43 percent—by Geotechnical and Environment Associates (Meister Consultants Group 2015). The International Energy Agency, an often quoted authority on the subject, forecasts that renewables will still account for only 15 percent of global energy supply by 2040 (IEA 2015). However, the IEA has consistently underestimated renewables growth in the past, and so can be considered relatively pessimistic (Metayer et al. 2015). Third, energy efficiency measures could improve to reduce future energy demand. There are signs that this will happen. The world economy is gradually ‘decarbonising’—greenhouse gas emissions per dollar of GDP are falling. From 2000 to 2014, the carbon intensity of economic activity has fallen by 1.3 percent each year on average, although total greenhouse gas emissions are still rising as the global economy grew 3.7 percent a year on average over the same period (PWC 2015). This decarbonisation trend is set to continue. The carbon intensity of the Chinese economy, already the largest greenhouse gas emitter in the world, fell by two percent in this period, and 6.7 percent in 2013 to 2014. In addition, Green and Stern (2015) forecast that Chinese carbon emissions will peak by 2025. A fourth factor is the success or failure of carbon capture and storage (CCS) methods—including both initiatives to expand ‘carbon sinks’ such as forests, and technologies that directly prevent carbon emission from entering the atmosphere. If these develop, there is less need to restrict fossil fuel production for climate change purposes: the carbon and other greenhouse gases can be removed from the atmosphere and stored. However, CCS faces three problems: first, aside from forests, man-made CCS methods are not currently commercially viable; second, retrofitting CCS technologies to transport, power stations and other carbon emitters appears prohibitively expensive; and third, there is currently few viable methods to safely store carbon without sufficiently reducing the risks of carbon leaking into the atmosphere after being ‘captured (Helm 2015). FROM STRANDED ASSETS TO STRANDED NATIONS: THREE CHALLENGES The risk of stranded assets for fossil fuel investors is receiving increasing attention and concern from researchers and analysts, in particular the work by Carbon Tracker (see Leaton 2013). If stranded assets are a concern for investors, we argue they should be an even bigger concern for many fossil fuel-rich developing countries. We focus on fossil fuel-rich developing countries (FFRDCs), which we define as those countries: 1) whose value of known fossil fuel reserves is at least 25 percent of their total wealth (Produced, Intangible, Foreign and Natural assets)6 OR the value of fossil fuel production is at least 10 percent of GDP; AND 2) whose GNI per capita is less than USD 12,736 (Middle, Low middle or Low income country definition according to World Bank classification). Figure 4 maps these FFRDCs; the appendix describes how we calculated fossil fuel values. For these FFRDCs, the realisation of carbon market risk—the widespread adoption of carbon policies, rise in alternative energy use or the decarbonisation of the world economy—resulting in a permanent fall in the producer price of fossil fuels presents three challenges. CHALLENGE 1: FFRDCS ARE HIGHLY EXPOSED TO CARBON MARKET RISK According to one estimate, of the USD 25 trillion of fossil fuel value at risk, fossil fuel-rich governments face 80 percent of the risk (Nelson 2014). A fall in fossil fuel prices for producers significantly reduces the rents available from fossil fuel extraction on existing investments, and makes further development of reserves less profitable, potentially stranding much of their fossil fuel reserves and related assets. This reduces government revenues collected from fossil fuel extraction and non-fiscal benefits to the domestic economy. A decline in government revenues in particular restricts the ability of governments to support economic development—although strong public financial management practices can help governments, in the short term, to shield their budgets to abrupt changes to government revenues. Fossil fuel-rich developing countries (FFRDCs) currently hold a significantly proportion of their national wealth in the form of fossil fuel reserves and related assets (figure 5) and their fossil fuel wealth is more at risk of a permanent decline in prices than non-FFRDCs (figure 7). The possibility of a permanent fall in fossil fuel use exposes these countries to the risk of losing this portion of national wealth.7 Figure 5 shows that FFRDCs ranked according to the value of fossil fuel reserves to GDP. Their median ratio of fossil fuel reserves to GDP is 3.66, compared with a median for non-FFRCs of 0.58. Note that prospective countries that are potentially rich in fossil fuels but with few developed projects and currently low production rates—Tanzania, Uganda, Guatemala, among others—do not fall within our definition of ‘fossil fuel-rich developing countries’. However, the analysis and policy implications in this paper are highly relevant for these countries as they create policies that will govern their sectors over the next few decades. Important factors in valuing FFRDCs’ reserves are the assumptions on fossil fuel prices, costs and the social discount rate. We have chosen to use prices realised in 2015 which are low by historical standards, and so produce a relatively optimistic -for FFRDCs- estimate of the value at risk. We analyse the value of production from reserves, rather than rent, so ignore costs of exploration, development and production. In addition, we have chosen a social discount rate of four percent, as used by the World Bank to estimate wealth values in World Bank (2011). Figure 7 shows the effect of a simulated decline in prices for the whole set of fossil fuel-rich developing countries, comparing the value of reserves given constant prices and the value of reserves given a steady decline in prices of two percent year-on-year. This price decline is assumed purely to illustrate the effect of a declining price path. In practice, the price decline may be higher or lower than this, and is unlikely to be a smooth decline.8 The assumption of a smooth decline in prices abstracts away from the likely path of prices. The combination of climate change policies and the rising market share of alternative energy sources may result in an abrupt and permanent fall in prices at some point in the future. For further discussion of our modelling of a price decline, please refer to the Appendix. The value-at-risk column in figure 7 shows the difference in the value of reserves assuming current prices are maintained, and the value of reserves assuming a year-on-year decline of two percent. The difference is largely determined by the rate at which countries can deplete their reserves, which we assume to be equal to the current production rate in each country. Countries with lower reserveto-production ratios are likely able to extract their resources faster than those with high reserve-toproduction ratios and avoid more of the effect of a fall in future values. Venezuela, for example, has large reserves and low production rates, so could see a fifth of the value of its reserves cut under the assumed fall in prices. CHALLENGE 2: FFRDCS COULD BE LESS ABLE TO DIVERSIFY THEIR CARBON MARKET RISK Not only are FFRDCs exposed to a possible permanent fall in fossil fuel use, but—compared with fossil fuel companies—FFRDCs are less able to diversify their exposure (Mitchell et al. 2015). This suggests that the arguments made of the dangers of stranded assets for fossil fuel companies are even more relevant for fossil fuel-rich developing countries. The ability to diversify or reduce their exposure to carbon market risk depends on two factors. First, the time and cost of converting their fossil fuel related assets into other non-related assets, such as cash—known in the financial sense as the asset’s liquidity. Second, the ability to hold a diversified portfolio of assets. In terms of market liquidity, companies can relatively easily divest from fossil fuel related assets into assets less exposed to carbon market risk. While it is likely that as more companies seek to divest liquidity will fall, but with sufficient time, an orderly transition can occur. Companies own the extraction rights to relatively few booked reserves, with relatively high production rates. For example, in 2013, the reserve-to-production ratios for all oil and gas companies were 12.8 years and 13.9 years respectively (EY 2013). Therefore, companies can, in principle, stop replacing their reserves and run down their existing reserves over the next 13 to 14 years. Although, given that most oil companies currently seek to maintain or increase their reserves, this is unlikely to happen immediately. In comparison to companies, FFRDCs hold fossil fuel assets that are less financially liquid. For FFRDCs, fossil fuel assets can typically only be converted at the rate based on the time taken to develop and produce from an extraction project. Using past reserve-to-production ratios as an indicator of the speed at which countries can convert their subsoil assets into cash, figure 8 shows that most countries must wait many decades (a median of 45 years) to liquidate their fossil fuel wealth, unless they can find ways to increase their rates of production. For those countries that enter development agreements with private sector companies, the depletion of reserves will be equal between countries and companies—the same reserve is being depleted. What accounts for difference in reserve-to-production ratios is the national ownership and production of reserves led by state-owned enterprises in many FFRDCs. For instance, 18 of the 23 countries in figure 8 have national oil companies. 9 In addition to being able to liquidate their fossil fuel assets quicker than FFRDCs, companies also own or manage a more diversified portfolio of fossil fuel assets, for example across a variety of different countries and with different cost profiles; in contrast to countries whose fossil fuel reserves are geographically bound. Further, few resource rich countries have successfully diversified their economies and holding foreign assets has been limited by the rate of depletion and ability to hold revenues as savings (Venables 2016). Sovereign wealth funds (SWFs), in which funds are invested in foreign assets, are one way for a government to hold a wider range of non-fossil fuel linked assets. However, making funds available for this purpose can be difficult given government expenditure needs within the country, and can increase the risk of inappropriate use of these funds (Bauer 2014). Further, the assets of sovereign wealth funds owned by FFRDC governments represent only three percent of their fossil fuel reserves on average (see figure 9). CHALLENGE 3: FFRDCS MAY PURSUE POLICIES THAT INCREASE EXPOSURE TO CARBON MARKET RISK In addition to being exposed and limited in their ability to diversify from carbon market risk, some of the economic policies common to fossil fuel-rich countries may increase FFRDCs’ exposure. First, National Oil Companies (NOCs), common in oil-rich countries, involve the investment of state capital into fossil fuel assets. If the expected life of these assets is long enough that declining oil, gas or coal prices will impact returns, or a government cannot liquidate these assets at a reasonable value, then governments, by investing in an NOC, may be increasing the exposure of national wealth and public assets to carbon market risk. This exposure increases for NOCs that operate reserves abroad in the same manner as other oil companies are exposed to carbon market risk (see above). Figure 10 shows the significant values of state ownership in NOCs in FFRDCs [fossil fuel rich developing countries] (for which there is data). Second, some governments seek to capture value by encouraging the domestic private sector to participate in oil, gas, and coal supply chains, often known as promoting ‘local content’. This aims to increase the share of the proceeds from extraction retained by the domestic economy. In addition, some local content policies aim to develop skills of local workers and advance business practices that spread to other sectors in the economy not directly related to extraction. However, whatever the objectives, such policies to promote local content may increase a country’s exposure to the carbon market risk by increasing the total share of a country’s assets (either foregone public revenues, or a share of the nation’s human or physical capital) that would be exposed to a fall in fossil fuel demand. If the public, physical and human capital investment in local content delivers high returns—both in the financial and social sense—in the earlier rather than later years, or if the skills and business developed to supply fossil industries can be applied to other sectors, the carbon market risk is reduced. However, if local content takes many years to develop, foregoes significant tax revenues, or has limited value outside the fossil fuel sector, these policies may increase countries’ exposure. Third, fossil fuel rich countries have tended to develop economies that are relatively carbonintensive. Figure 11 shows that petroleum and coal producers (highlighted in red and blue respectively) emit a larger amount of carbon per dollar of GDP than non-fossil fuel producers). A chief policy that has led to this carbon intensive development is the tendency for fossil fuel producers to subsidise fuel consumption (Friedrichs and Inderwildi 2013). This is a concern for countries wishing to reduce global carbon emissions, but also a concern for fossil fuel-rich countries seeking to reduce exposure to the carbon market risk. These countries could suffer in two ways. First, if their trading partners (such as the European Union) impose a carbon consumption tax: a policy in which the consumers of products are taxed according to the carbon content of the product, rather than a tax imposed on carbon emitters (Helm 2015). Second, they would suffer if climate finance initiatives reward those countries that do reduce fossil fuel consumption or emissions.

#### Sustained low oil prices decimates Russian economy

Dettmer 20, citing Julien Barnes-Dacey, European Council on Foreign Relations and David Jalilvand, managing director of Berlin-based Orient Matters (Jamie, “Plunge in Oil Prices Could Shake Up Middle East, Russia ,” *VoA*, <https://www.voanews.com/economy-business/plunge-oil-prices-could-shake-middle-east-russia>)

The collapse in oil prices has created a bleak outlook for a number of companies and also could lead to dire political consequences for governments in the Middle East and Russia, whose budgets are already strained and who depend on fossil fuel revenue, say Western diplomats and political analysts. If oil prices do not recover soon, analysts warn, even strong central powers risk destabilization. The drop in prices comes at a difficult time for many governments in the Middle East. According to Julien Barnes-Dacey of the European Council on Foreign Relations, the coronavirus is “just one crisis on top of multiple crises — economic, political, conflict — and it raises the question: ‘Is this just one other element that pushes the region over the edge,’ particularly if you put it beside the collapse in oil prices, which has gutted the finances of Saudi Arabia and Iraq.” Their one hope is that economic recovery is swift after the pandemic ends and demand for oil mounts quickly, outstripping supply and sending prices soaring. But working through the stockpiles will take time, and demand will likely be subdued as the world works through a global recession. “Demand will remain subdued for an extended period,” the independent Rystad Energy said. “The price plunge will result in a huge loss of revenue for oil and gas producers,” said David Jalilvand, managing director of Berlin-based Orient Matters. “Most of them have already been accumulating fiscal deficits, which are now set to widen substantially,” he noted in an online commentary before oil prices turned negative. The collapse will add to “a significant economic deterioration right across the Middle East and may well aggravate already mounting geopolitical tensions in the Gulf,” Jalilvand warned. Saudi Arabia and the United Arab Emirates may be able to tap into cash reserves and borrow from international capital markets to cushion the blow in the short term, but others, like Iran, already squeezed by U.S. sanctions, and Iraq, won’t have that option, he added. Iraq and Iran Oil revenue generated around 95% of the Iraqi government’s budget last year. A budgetary crisis will make it difficult for it to pay the salaries of public servants and the army, as well as Shi’ite militias. It will also compound the difficulties Iraq was having in providing basic public services such as power and health care, analysts say. Even before the coronavirus appeared, the country was immersed in political crisis. Cuts in social spending will only aggravate political stability. Iran’s gross domestic product contracted last year by around 9.5%, and runaway inflation of 35% has eroded the purchasing power of ordinary Iranians. While only 30% of the government’s budget comes from oil revenue, Tehran has little financial room to maneuver and will also have difficulty paying for social spending — risking further unrest in a country that has experienced rising public anger. Saudi Arabia Other Middle East countries could see major political ramifications, including Saudi Arabia, where Crown Prince Mohammed bin Salman is looking to consolidate his hold on power. The preeminent Gulf kingdom has a widening fiscal deficit and shrinking reserves, and Salman’s plans for economic transformation risk being upended by budget cuts, as government revenue falls because of the pandemic and plummeting energy prices. In recent months, there has been mounting behind-the-scenes criticism of Salman from members of the royal family who have been marginalized in his rise to power. Last month, there were unconfirmed reports that Salman thwarted an attempted palace coup. Russia Russia also faces high political risks. The price plunge is “sapping the lifeblood of the Russian economy practically overnight,” said Eugene Rumer, a former U.S. national intelligence officer who is now a senior fellow at the Carnegie Endowment for International Peace. Russian newspaper Vedomosti reported Tuesday that a barrel of Russia’s Urals oil was trading at $8.48 a barrel, the lowest price since 1998. Two-thirds of Russia’s export earnings and 40% of its budget revenue is generated by oil sales. The Ministry of Finance announced earlier this year that Russia’s finances can withstand prices as low as $25 a barrel for up to 10 years by drawing on a $150 billion National Wealth Fund to compensate for shortfalls in the government’s budget. Some observers suspect this is an over-optimistic assessment and doesn’t consider the promises Putin made earlier this year in his annual State of the Union address to raise living standards, which have stagnated for the past half-decade. “The current budget is calculated at an oil price of $42 per barrel, and that, combined with foreign currency reserves of $570 billion, could indeed provide a cushion — but only in the short term,” said Margarita Assenova of the Jamestown Foundation. In the past few months before the coronavirus appeared, discontent appeared to be mounting across the country, with an increase in protests over living conditions. “It is becoming increasingly clear that if oil prices do not recover, President Vladimir Putin is unlikely to deliver on his promise to increase social spending,” Assenova said. And that will not help the Russian leader “secure his position as de facto president for life” after starting changes to the Russian constitution.

#### Russian economic decline causes conflicts globally that escalate to nuclear war

Dr. Benjamin Ståhl 15, CEO of the Blue Institute, PhD in Business Studies and Economics from Uppsala University, MA in International Relations from the University of Kent, and Johan Wiktorin, Founder and CEO of the Intelligence Company Brqthrough, Licensed Master of Competitive Intelligence and Former Member of the Swedish Armed Forces, “What’s At Stake?: A Geopolitical Perspective on the Swedish Economic Exposure in Northeast Europe”, Swedish Growth Barometer, 7/1/2015, https://blueinst.com/wp-content/uploads/2019/07/whats-at-stake\_geopolitical-perspective.pdf

Scenario 1: Disintegration

If the Russian economy continues to deteriorate and the regime continue to distance themselves from the West, the centre may not be capable to maintain legitimacy and keep the periphery together. Already, some regions and counties are highly indebted. In other parts, ethnic Russians are a minority. Regions in eastern Russia, rich in raw materials, may look to China for funding. It is, however, probable that Beijing will not want to undermine the stability in Russia.

Closer to the region in focus in this report, Kaliningrad is an area that could distance itself from the Kremlin. Economic problems and security concerns form a background that could lead to a political uprising. A “Kaliningrad-Maidan” development is at the heart of this scenario. Triggers could also come from outside Kaliningrad, in or in the immediate surrounding of the Russian Federation, or from other factors such as severe pollution.

The other countries in the region would in all probability remain cool in this situation, considering the county’s military importance for the Russian government. However, a mutiny like the ones in Kroonstad in June 1917, March 1921 or on the frigate Storozjevoj in November 1975 cannot be excluded.

Economic and political tensions in Europe could weaken the EU and worsen the development at the same time. A Greek withdrawal from the EU, triggered by its exit from the Eurozone, could set such a movement in motion. A Podemos-led government in Spain could undermine confidence for the single market, at a time when Europe also faces the consequences of a highly unstable North Africa, with a large flow of migrants.

Attempts by Russia to influence certain members in the EU, such as Hungary and Cyprus, could sow further discord in the EU. At the most severe levels of disintegration, France could adopt policies effectively blocking EU and NATO response in a time of increased tensions. Britain may opt out of the union altogether, or be forced out if their demands for special status is rejected by the other member states.

In all varieties of disintegration, uncertainty concerning the control over the nuclear arsenals will increase. The US will become involved both diplomatically and financially in order to bring clarity and establish control over the arsenals. Should Russia, in that situation, ask for military support for this, it is highly probable that the US would acquiesce: such operations in other parts of the world were the object of joint US-Russian exercises just a few years ago.

Scenario 2: Ultra-nationalism

If Russian domestic and international policy continues to become more radicalised, it might take ever more drastic forms. As the economy deteriorates, wages fall and shortages become common, a focus on nostalgic nationalism, using belligerent rhetoric and demonstrations of military power, could be used to deflect growing discontentment.

A logical target would be to “protect” zones which are perceived as Russian, e.g. where there are Russian ethnic minorities or even just Russian-speaking areas. Such rhetoric was and is used in the Ukraine.

The coming years will tell what the Russian ambitions are in the Ukraine. Offensives to secure and expand their supply lines, and weakening those of the Ukraine, are probable, and more ambitious plans, such as the opening of new directions in Kharkiv or Odessa, are possible. As a distraction, conflicts in Moldavia can be fuelled.

If the West, primarily the US, UK and Poland, support Ukraine with military means, the risk increases for further escalation of the conflict. Remaining passive, on the other hand, runs the risk that Russia perceives that it could act against other targets.

A second country that could be the target of Russian nationalism is Belarus. Judging by president Putin’s justification of the annexation of Crimea, Belarus would similarly be a legitimate candidate for “re-inclusion” in Russia.

There are indications that the regime in Belarus are worried about such a development and acting to thwart it. In late 2014, Lukashenko appointed a new government, and has increased the emphasis on “Belorussian”. The fragmented (and thoroughly infiltrated) opposition has declared that it will not field candidates in elections this autumn, since they deem the threat of president Putin to be greater than of Lukashenko himself.

Belarus has also passed laws permitting prosecution of non-regular armed troops, as a consequence of the Russian method employed in the annexation of Crimea. In the economic sphere, Russia has complained that Belarus is profiting from sanctions against Russia.

Any attempts from Russia to enter Belarus’ with military means would probably not be met by any effective resistance from the Belorussian security apparatus. The opportunities for Russia are in some ways more favourable here than in Ukraine, due to the close cooperation between the countries’ armies and intelligence services. Passive resistance cannot be ruled out but would not mean much in a short-term.

However, tensions with other former Soviet Union republics, with the EU and with NATO would surely increase. Polish and Lithuanian forces would probably mobilize to counteract spillover effects. EU policy would be substantially revised. Belorussian citizens would attempt to flee, primarily to neighbouring Poland, Lithuania and Latvia.

The Russian government would also threaten the Baltic states, in order to undermine their economies and try to influence policy in these countries. Estonia, Latvia and Lithuania would be in a precarious situation. While they need to strengthen their civil and military defence, they must retain credibility with their allies and not be perceived as to exaggerate the Russian threat. The higher the tensions, the more sensitive the world is to psychological influence.

Russia would, in this scenario, also fan nationalism in other parts of Europe through political and financial support. West Balkan is particularly vulnerable, as the EU and the US have invested considerable political capital in the region with only mixed success. Bosnia, Kosovo and Macedonia have stagnated in their political and economic development with high levels of unemployment, political polarisation and even the establishing of Islamic fundamentalist cells: a fertile ground for nationalist movements.

Finally, Russian ultra-nationalism would also be directed inwards, with an escalated persecution of the domestic political opposition, independent media, and nationalisation of foreign assets. This will be combined with attacks on minority groups, especially on Jews.

This scenario could happen separately or as a precursor to the final, and most dangerous, scenario.

Scenario 3: Test of strength

In this scenario, Russia would attempt to break NATO through challenging of one or more of the Baltic states. The objective would be to demonstrate to alliance members that NATO’s response is too late and too weak.

A precondition for success is a distraction through a crisis by an intermediator, which would tie down especially American attention and resources. The distraction could come in many forms, e.g. by partnering with North Korea, fanning war in the Middle East, or even hidden support for terrorists.

If the current polarisation in US domestic politics continues, any reaction will be obstructed and delayed. An especially vulnerable window of opportunity is in the period between the presidential elections in November 2016 and the installation of the new president in January 2017, which could create a legitimacy problem for the American political system when it comes to the possibilities of directly confronting Russia quickly.

An attack on any Baltic state would directly affect Swedish territory and air space. In the worst-case scenario, it will happen immediately before open conflict with NATO.

The Baltic states each offer different opportunities for Russia, but they all have in common that they lack any strategic depth, which means that an open invasion would be accomplished in a few days, unless support from other alliance members is forthcoming.

Estonia, which is the most powerful of the three, both economically and military, poses as a potential threat to the trade over St Petersburg. To control the maritime traffic through the Gulf of Finland is an important motive for Russia to influence Estonian politics. The population of Estonia, with 25 percent ethnic Russians, could be used to legimize action and as grounds for destabilisation, especially around the border town Narva where more than 90% of the population is ethnic Russian.

Latvia is the most vulnerable of the three states. The economy is weaker; the Russian minority is about the same as in Estonia; and Russian organised crime has a strong hold. Especially the eastern parts of the country are vulnerable to Russian influence.

Lithuania only have about six percent ethnic Russians and a stronger military tradition. On the other hand, Lithuania offers access to Kaliningrad. Lithuania’s attempts to decrease their dependence on energy from Russia has annoyed the Russian regime, as is evident in the harassments by the Russian navy of the cabling operation which will connect the Lithuanian grid to Sweden. There are also some tensions surrounding the Polish minorities in the country which Russia could exploit.

How fast Sweden will become involved depends on the extent of open, armed actions against one or all of the Baltic States.

If a confrontation occurs with non-regular or paramilitary means, maintaining dominance over Swedish territory and territorial waters will be in focus. The same will be the case for Finland, but Finnish action could be influenced by Russian fabrication of tensions in Karelia, that Helsinki could be blamed for.

NATO would try to respond in a controlled manner, i.e. prioritizing transports by air and sea. This would mean greatly increased traffic in and over the Baltic Sea. Tensions will rise drastically, with increased risks of miscalculations on both sides. Sweden and Finland are expected to act together with the rest of the EU and the US. If no direct military threat emerges against Sweden, then Sweden cannot count on any enforcements from the rest of the world apart from mutual information exchange.

The instance that the citizens in the Baltic states perceive a risk of a Russian incursion, the probability is high that a flow of refugees will commence. From Lithuania, the biggest flow will be to Poland while Latvian will flee to Sweden, mainly Gotland. Refugees from Estonia can be expected to flee towards Finland or Sweden depending on where in the country they live and where they have relations or connections.

In the worst-case scenario, Swedish and Finnish territory will become an arena for hostilities. As Russian readiness exercises have shown, airborne and marine infantry could rapidly and with surprise occupy parts of Gotland and Åland. A possible option is also to mine the Danish Straits in connection with this.

By supplies of surface-to-air and anti-ship missiles, Russian forces can temporarily extend their air and coastal defence in the Baltic Sea, protecting an incursion by land into the Baltic states. NATO would be faced with a fait accompli. The invasion does not need to happen in all three states nor include the entire territory of a country. The only thing that is needed is a demonstration of NATO’s inability to defend alliance members. This would establish a new security order.

Depending on the level of conflict that Russia would be willing to risk, air and navy bases in Sweden and Finland could be struck with missiles from the ground, air and sea. It is, however, likely that the governments would be issued an ultimatum to remain neutral, with only a few hours to comply.

Public announcement of the ultimatum would put immense pressure on the political system and weaken resistance. Such diplomatic tactics could be reinforced by forced cyber attacks on the electricity and telecommunication networks. During the coldest months of the year, the vulnerability would be the highest.

At the same time, Sweden would be expected to support their Western partners’ need for transports into the theatre of action. If Russia would close the Danish Straits, any military support to the Baltic states would need to move over Swedish territory; such as air support Norwegian air bases or aircraft carriers in the Norwegian Sea. There would also be demands to clear of mines in Oresund, and possibly for allowing equipment and troop transports to harbours on the east coast for further transport across the Baltic Sea. The Swedish to such demands would have consequences for generations to come.

If Gotland would not be occupied by Russian forces, NATO would demand to set up bases on the island. The smallest indication of acquiescing to such demands would have the Russians racing to the island.

Furthermore, Russia would coordinate activities in the far north, with submarines of all kinds and possibly even direct action in northern Finland and even in northern Sweden, in order to expand Russian air defence.

Faced with the risk of direct confrontations between Russian and American forces, Russia could mount land-based as well as amphibian operations in the north of Norway and on Svalbard, to improve the defence of Murmansk. Following a similar strategy, occupying parts of Bornholm would make it more difficult for NATO to support their members. This is probably not necessary, but it is a possible option.

In most people’s minds, there is a sharp line between the Baltic states’ eastern borders and Russia, the crossing of which is unconceivable. By first gaining the control over Gotland and Åland, the Russian General Army Staff could circumvent a mental Maginot line, in the same way as Germany attacked France through Benelux in May 1940.

Russian success in this scenario hinges on speed and the ability to contain the conflict. The first message to Washington will entail the understanding that this is not a direct conflict between the US. For Russia, the uncertainty is therefore how US interests are perceived from an American perspective.

For the US, it is not just the credibility of NATO that is at stake but also the unity of the EU. This has global connotations since allies (and enemies) in the Middle East and Asia will also form assumptions regarding the willingness and ability of the US to act in order to protect their allies. The risk is obviously that Russia miscalculates and underestimates the difference between, for instance, the departing presidential administration perceptions of US security interests on the one hand with the wider US security establishment’s perception of these on the other.

During the whole process, the threat of nuclear strikes would hover over all decision makers, which increases the degree of uncertainty. Nuclear tests in the period before a test of strength cannot be ruled out, especially since Russian emphasis on nuclear deterrence could lose credibility over time. Direct threats of using the nuclear weapons is, however, completely excluded in this scenario.

### 1NC---OFF

Antitrust PIC

#### The United States federal government should:

#### regulate anticompetitive business practices by the private sector that are currently exempted by the filed rate doctrine; and

#### incentivize renewable energy deployment and grid integration.

#### Regulation solves without ‘antitrust’ or FTC involvement

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A. Antitrust and Regulation as Policy Alternatives

A variety of institutions can govern economic competition. Decentralized, capitalist economies generally rely on markets themselves to provide the incentives and discipline necessary to keep prices low, output high, and innovation moving forward. 8 But sometimes market forces alone cannot ensure efficiency and economic welfare--for example, when the market structure has changed due to mergers or the rise of a dominant firm, or when the market is an oligopoly susceptible to parallel conduct or collusion. In such cases, governance of competition by a nonmarket institution might be warranted. Because concentrated markets or even monopolies can arise for good reasons related to efficiency, innovation, and consumer preference, the governance of competition more often involves vigilance than liability or injunctions. Then-Judge Stephen Breyer, long [\*1926] a leading scholar of antitrust and regulation, described the best situation as being an unregulated, competitive market in which "antitrust may help maintain competition." 9

Antitrust law aims to prevent the improper creation and exploitation of market power on a case-by-case basis while avoiding the punishment of commercial success justly earned through "skill, foresight and industry." 10 Thus, competition authorities like the FTC and the DOJ's Antitrust Division review mergers, investigate single-firm conduct, and prosecute collusion. 11 Private plaintiffs can pursue civil antitrust liability through suits in the federal courts. 12 To win their claims, enforcement agencies and private plaintiffs bear the burden of showing that the effect of a firm's activity is "substantially to lessen competition, or to tend to create a monopoly," 13 or to constitute a "contract, combination, . . . or conspiracy" in restraint of trade, 14 or to "monopolize, or attempt to monopolize" any line of business. 15

Antitrust is not, however, the only institution through which government addresses competition concerns and market failures. Congress can give regulatory agencies authority to intervene where they see the need to address competition and market structure--and Congress has often done so. With such statutory authority, "[i]n effect, the agency becomes a limited-jurisdiction enforcer of antitrust principles." 16 For example, the Department of Transportation (DOT) has jurisdiction to approve transfers of routes between airlines carriers, giving it a role in reviewing airline mergers. 17 The 1992 Cable Act gave the FCC authority [\*1927] to limit the share of the national cable market that a single operator could serve, thereby giving the agency some control over the industry's market structure. 18 The FCC has long regulated market entry and, through its control over license transfers, reviewed mergers and acquisitions in several sectors of the telecommunications industry. More recently, the FCC issued, 19 and then repealed, 20 "network neutrality" regulations intended to preserve ease of entry and a level playing field for digital services. The Food and Drug Administration (FDA), Securities and Exchange Commission (SEC), Department of Energy, and numerous other federal agencies have various powers that directly affect competition. 21 State regulation can be important as well in governing competition, particularly in the insurance and healthcare industries. 22

In contrast to the case-by-case approach of antitrust, regulation typically imposes ex ante prohibitions or requirements on business conduct. The Telecommunications Act of 1996, for example, required incumbent local telephone companies to grant new competitors access to parts of their networks and prohibited incumbents from refusing to interconnect calls from their customers to customers of competing networks. 23 With the rule in place, the FCC bore no burden of proving that a specific instance of network access was necessary for competition, or that a specific denial of interconnection would harm competition. In contrast [\*1928] to antitrust, where the burden of proving liability is on the agency, under a regulatory regime the burden of seeking a waiver from regulation or challenging an agency's enforcement decision is usually on the regulated party.

Antitrust and regulation therefore present alternative approaches to governing competition and addressing market failures. 24 The government can review individual mergers under the antitrust laws, as it does in most markets, or it can set rules that impose clear, ex ante limits on the extent of concentration, as the FCC did for media ownership under the Communications Act. 25 Government can investigate under the antitrust laws whether a firm has monopoly power that it has "willful[ly]" acquired or maintained other than "as a consequence of a superior product, business acumen, or historic accident." 26 Alternatively, with authority from Congress an agency can regulate how much of a market a single firm can serve, as the FCC tried to do with cable companies, 27 or require firms to dispose of key assets in order to promote competition in a relevant market, as the DOT has done with airline slots. 28

#### Financial support solves renewables and the grid

Hunt ’21 [Sarah; November 24; CEO of the Joseph Rainey Center for Public Policy; Bloomberg Law, “U.S. Energy Markets Can Slash Emissions with Support,” https://news.bloomberglaw.com/environment-and-energy/u-s-energy-markets-can-slash-emissions-with-support]

Expanding competitive power markets in the U.S. would have climate benefits, says Sarah E. Hunt, CEO of the Joseph Rainey Center for Public Policy. Embracing a competitive model and its environmental benefits would help improve the world’s ability to protect the environment while balancing efficiency, sustainability, and energy costs, she contends.

The UN Climate Change Conference (COP 26) in Glasgow drew the world’s attention to climate change, highlighted clean energy alternatives to fossil fuels, and further clarified the need for the U.S. to maintain its leadership position in clean energy technology.

One of the strategies the parties to the United Nations Framework Convention on Climate Change ought to give more consideration in the future is the benefits of increased adoption of competitive wholesale energy markets.

This approach to emissions reduction has the broad political appeal required to tackle the global problem of climate change. Glasgow, for example, was host to the first-ever Global Conservative Climate Summit, where over 160 free-market leaders from 60 countries signed the pro-markets International Declaration on Market Environmentalism.

U.S. Energy Innovators Can Set an Example

The U.S. is a world leader in carbon emissions reductions thanks to the ingenuity of American energy innovators. American renewables are now inexpensive and efficient. Power generation using fossil fuels, like natural gas, has become cleaner by incorporating techniques and technologies that produce fewer emissions.

The U.S. must continue to set an example for other countries by encouraging renewable development, innovating new and better technologies, and striving to achieve an optimal balance between emissions reductions, affordability, and efficiency.

### 1NC---OFF

FTC DA

#### FTC is ramping up enforcement of dark patterns.

Bryan ’11-2 [Kristin L.; November 2; Attorney at Squire Patton Boggs LLP; Mondaq, “BREAKING: FTC Announces It Will Ramp Up Enforcement Against "Dark Patterns" Directed At Consumers,” https://www.mondaq.com/unitedstates/data-protection/1126702/breaking-ftc-announces-it-will-ramp-up-enforcement-against-dark-patterns-directed-at-consumers]

This month, CPW's Kyle Fath, Kristin Bryan, Christina Lamoureux & Elizabeth Helpling explained how data privacy and cybersecurity were Federal Trade Commission ("FTC") priorities. As they wrote, there were "three key areas of interest to consumer privacy that are now in the FTC's spotlight, as well as their relation to state privacy legislation and their anticipated impact to civil litigation." One area of interest they identified was deceptive and manipulative conduct on the Internet (including so-called "dark patterns"). Today, the FTC announced that it was going to ramp up enforcement against illegal dark patterns that trick consumers into subscriptions. Read on to learn more and what it means going forward.

First, some background. The term "dark patterns" collectively applies manipulative techniques that can impair consumer autonomy and create traps for online shoppers (for instance, think of multi-click unsubscription options). As CPW previously explained, "[e]arlier this year, the FTC hosted a workshop called "Bringing Dark Patterns to Light," and sought comments from experts and the public to evaluate how dark patterns impact customers." The genesis for this workshop was the FTC's concern with harms caused by dark patterns, and how dark patterns may take advantage of certain groups of vulnerable consumers.

Notably, the FTC is not alone in its attention to this issue as California's Attorney General previously announced regulations that banned dark patterns and required disclosure to consumers of the right to opt-out of the sale of personal information collected through online cookies. Dark patterns has also been targeted in civil litigation. This year, the weight-loss app Noom faced a class action alleging deceptive acts through Noom's cancellation policy, automatic renewal schemes, and marketing to consumers.

Building off these prior developments, today, the FTC announced a new enforcement policy statement "warning companies against deploying illegal dark patterns that trick or trap consumers into subscription services." As the FTC cautioned, "[t]he agency is ramping up its enforcement in response to a rising number of complaints about the financial harms caused by deceptive sign up tactics, including unauthorized charges or ongoing billing that is impossible cancel."

As summarized in the FTC's press release announcing this development, businesses going forward must follow three key requirements in this area or run the risk of an enforcement action (including potential civil penalties):

#### The plan trades off.

Nylen ’20 [Leah; December 10; Antitrust journalist; Politico, “FTC suffering a cash crunch as it prepares to battle Facebook,” <https://www.politico.com/news/2020/12/10/ftc-cash-facebook-lawsuit-444468>]

The agency that just launched a landmark antitrust suit to break up Facebook is so strapped for cash that its leaders have discussed shrinking their staff and warned against taking on more cases.

In a series of emails to all Federal Trade Commission staff, obtained by POLITICO, Executive Director David Robbins said the agency would face a period of “belt tightening” to cut costs — and that filing fewer cases and trimming litigation expenses must be on the table.

“[W]e will either need to bring fewer expert intensive cases or significantly decrease our litigation costs (e.g. experts, transcripts, litigation support contractors, etc.),” Robbins said in an Oct. 29 email.

The emails offer an increasingly dire portrait of the money woes facing the FTC, which has launched a record amount of litigation in the past year even as the pandemic has caused a sharp reduction in the corporate merger filing fees that normally supply about half its budget. The crunch also raises the possibility that the FTC may not have the cash it needs to win its case against Facebook, which is gearing up for an expensive fight, or to take on additional companies like Amazon.

#### Dark patterns undermine health informatics.

Capurro and Velloso ’21 [Daniel and Eduardo; 2021; Senior Lecturer in Digital Health, Computing and Information Systems, University of Melbourne AND Senior Lecturer in Human-Computer Interaction and DECRA Fellow at the University of Melbourne; Arxiv, “Dark Patterns, Electronic Medical Records, and the Opioid Epidemic,” <https://arxiv.org/pdf/2105.08870.pdf>]

The amount of information required to make sound clinical decisions is enormous and continuously growing [1, 2]. The combination of patient attributes, laboratory results, imaging—along with patient values and preferences—makes this process very complex [3]. Further, the availability of novel genetic and molecular assays that test for hundreds or thousands of genes or proteins and the emergence of previously unknown diseases make the task impossible without the support of external systems to aid clinicians and patients in sound decision making. The complexity of such decisions is one of the reasons explaining why patients only receive around half of the recommended health interventions [4, 5]—a situation with disastrous consequences for their health and well-being.

Electronic Medical Records (EMRs) have emerged in the past twenty years as comprehensive information systems used to collect and synthesize patient data, and to provide decision support for health professionals. The category of devices and artifacts used to facilitate clinical decision making are collectively known as clinical decision support systems (CDSSs). CDSSs can facilitate the documentation of relevant clinical information, alert clinicians about abnormal laboratory results, suggest relevant clinical pathways, summarize patient variables, and many other forms of decision support. Although CDSSs can be implemented through non-digital methods, such as paper reminders [6], most CDSSs are embedded in Electronic Medical Records. Given the diversity of clinical problems, interventions, and possible outcomes, evidence supporting the use of CDSSs is heterogeneous, but there is a growing number of patient and process outcomes that have been shown to be improved through the use of CDSSs. As an example, a recent overview of systematic reviews on the use of CDSS to improve outcomes in patients with diabetes found that 83% of all included studies showed positive impacts on processes of care and 1/3 of them demonstrated benefits in managing blood pressure, blood glucose, and even a reduction in mortality [7]. The accumulating evidence has made CDSSs an attractive method to influence clinical decision making and to change clinician’s behaviour.

However, at the same time that the digitisation of CDSSs has enhanced the speed, accuracy, and scalability of clinical decision making, it has also increased the risk of making the decision process more opaque and of reducing the agency of clinicians. This risk is amplified by recent advances in artificial intelligence and machine learning, which despite offering promising improvements in decision making performance, might not allow for inspection of how the recommendations were reached. This context, combined with competing interests from pharmaceutical companies and medical device manufacturers, creates fertile grounds for the proliferation of dark interface design patterns in CDSSs. We consider dark patterns to be common interface design solutions leveraging cognitive biases and heuristics to trick users into making decisions that are more aligned to third party interests than to their own. In this paper we discuss a case of dark patterns influencing patient treatment through the modification of a CDSS embedded in a commercial electronic health record.

#### Extinction.

Su ’21 [Zhaohui; 2021; Center on Smart and Connected Health Technologies, Mays Cancer Center, School of Nursing, UT Health San Antonio; The Hong Kong Polytechnic University, “Addressing Biodisaster X Threats with Artificial Intelligence and 6G Technologies: Literature Review and Critical Insights,” <https://arxiv.org/pdf/2105.08870.pdf>]

A disaster can be defined as “a serious disruption of the functioning of a community or society involving widespread human, material, economic, or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources” [47]. Based on the contributing causes, disasters are usually categorized as natural (eg, earthquakes, infectious disease-inducing epidemics, or pandemics of natural origin) and anthropogenic (eg, armed conflicts, nuclear accidents, or the release of pathogenic genetically modified organisms from laboratory settings). In the context of this study, biodisasters are defined as disasters that occur as a result of infectious pathogens with bioweapon potential, which are unleashed by state or nonstate actors accidentally and intentionally (eg, the Japanese government’s controversial decision to dump Fukushima’s contaminated water into the boundless and borderless ocean shared by all life forms on earth, including humans and sharks [48]). In the context of biodisasters, a state actor often takes the form of a nation that deliberately and systematically designs and develops infectious pathogens with its national interest in mind. In contrast, a nonstate actor is an individual or group acting independently to obtain or manufacture a pathogen either owing to misguidance or malice. Of note, although existing multilateral agreements prohibit the production and use of bioweapons by state actors (termed biowarfare) [49], the presence of signed agreements does not imply that accidental or intentional development and release of pathogens by state actors will not occur.

The concept of “bioterrorism,” defined as the deliberate release of pathogens that could cause illnesses and deaths in society, is not the focus of this study because “bioterrorism” entails both deliberation and malice (eg, to elicit terror to the public) [50]; antecedents may not necessarily apply to Biodisaster X threats. Insights from behavioral science [51-53] and evidence regarding individual-caused mass casualty events (eg, indiscriminate mass shootings) [54-56] suggest that individual actors’ behaviors, potentially leading to the onset of Biodisaster X, may or may not include conscious deliberation to harm. In other words, while it is possible that individual actors’ malicious actions might cause some biodisasters, it is also possible that some individual-caused biodisasters are accidental.

Furthermore, the term bioterrorism is limited, in that “terror” is the main outcome. We believe that for Biodisaster X, which could upend lives, livelihoods, and economies, “disaster” is a more appropriate description that sheds light on the scale and severity of its consequences and is more diverse than “terror.” Drawing insight from real-world examples, similar to the prevalent ransomware hacks, it is possible that state or individual actors could develop and utilize infectious pathogens as “ransomgens” for financial gain rather than merely aiming to generate terror in society. Therefore, under the current research context, we adopted the term “biodisaster” instead of “bioterrorism.” Furthermore, considering that various studies have discussed approaches to address state actor–initiated biodisasters [57-61], this study focuses on biodisasters that are infectious in nature, caused by individual actors, and can result in catastrophic human and economic consequences.

Biodisaster X vs Disease X

The risk of biodisasters, such as Biodisaster X, is increasing in likelihood: advances in technology, particularly the availability and maturity of biotechnology, have grown considerably in recent years. Inadvertently, these advances may resemble those of Oppenheimer [62] in facilitating the release of destructive factors. One example of the misuse of biotechnology is a microbiologist, vaccinologist, and senior biodefense researcher who worked at the United States Army Medical Research Institute of Infectious Diseases, who allegedly engineered the 2001 anthrax attacks [63-65]. While the scale of the 2001 anthrax attacks was minor, it demonstrated how easily biodisasters can occur and how unprepared society was for these events. As seen in the lack of adequate preparation and coherent responses to infectious disease–induced pandemics, including COVID-19 [66-69], Biodisaster X’s effects may be compounded to the same, if not greater, degree by incompetence across international, national, and regional agencies and organizations.

The concept of Biodisaster X can be best understood in contrast with Disease X. In terms of similarities, both Biodisaster X and Disease X are driven by pathogens unknown to humans and have the potential to cause crippling effects on society. Furthermore, based on previous inadequacies in response to emergency events including pandemics [66-74], the world at large may be ill-prepared for both Biodisaster X and Disease X. In terms of unique attributes, compared to Disease X, Biodisaster X is more likely to have the following characteristics: (1) having a pathogen directly affiliated to a laboratory; (2) having distinctive and engineered attributes tailored by the capabilities and intentions of the developer; and (3) the origin, development, and history can be definitively ascertained upon identification of the developer, which is not possible for naturally occurring pathogens (eg, the 1918 influenza pandemic), where there is always uncertainty regarding the origin and evolutionary history of the disaster [75-77].

The Imperative of Preparing for Biodisaster X

Some of the deadliest pandemics—the most recent ones ranging from AIDS, severe acute respiratory syndrome, Middle East respiratory syndrome, Ebola, and COVID-19—all have zoonotic origins [78]. Studies have further shown that for viruses that can transmit from animals to humans, especially those that can infect a diverse range of host species, the transmission speeds are substantially amplified once human-to-human transmission is established, and the diseases can quickly evolve into global pandemics [79]. Consequently, once a pathogen is transmissible within a population, there is a low access threshold: an individual actor can “obtain” these deadly pathogens without the need for advanced laboratory skills or extensive financial resources. However, costs to physical and mental health may reveal a counternarrative.

Based on available evidence, it is difficult to determine whether an individual can be a malicious “patient zero”; an individual who intentionally contracts a novel virus intending to cause infectious disease outbreaks in a society [80]. It is not impossible to purposely study and capture known or unknown deadly pathogens that can trigger infectious diseases; microbial surveys are commonly conducted to identify novel pathogens before they pose a threat to public health [81-84]. In theory, there could be individual actors, with adequate knowledge or experience (similar to the microbiologist allegedly behind the 2011 anthrax attacks [63-65]), who may take the same actions but with different motives, ranging from scientific curiosity to ill-guided intentions. Considering the rich biodiversity of wildlife, along with the large number of “missing viruses” and “missing zoonoses” that remain unidentified [85], close contacts with latent deadly pathogens are nearly impossible to control, which in turn, renders it challenging to locate or identify individual actors who might utilize them. Advances in synthetic biology may further compound the situation, especially considering the scholarly endeavors using pathogens in laboratory settings, which could amount to the level of real-world pandemics (eg, laboratory-cultured viruses such as smallpox [86-88]). The likelihood of Biodisaster X increases in proportion to these factors.

Overall, considering the species diversity of wildlife, the unknown factors related to the scale and severity of viruses in animals, which have the latent potential to infect humans, and the varying degrees of competency of community health centers in detecting infectious disease outbreaks in a bottom-up manner, it could be tremendously difficult for health experts and government officials to monitor potentially emerging Biodisaster X threats. However, not all hope is lost. Technology-based solutions, especially those utilizing AI and 6G technologies, can help address these issues.

The Need for Advanced Technology Solutions for Monitoring and Managing Biodisaster X

The Need for Technology-Based Solutions

Once Biodisaster X becomes a reality, human contact will drive transmission and become the primary fuel for exacerbating infections and deaths caused by the disaster. As seen during the COVID-19 pandemic, owing to virus spread and subsequent public health policies (eg, lockdowns), many critical societal functions could be substantially disrupted. The potential to control and contain human and economic consequences of Biodisaster X, such as the functionality of the health care systems (eg, infected health care professionals) [89-91], may also become critically undermined. In these circumstances, technology-based solutions could be the key to addressing these crises, as they are different from conventional solutions; they are not highly dependent on physical interactions and transportation. Overall, technology-based solutions require limited human resources (eg, with the ability to operate without human input), can be delivered independent of physical human contact (eg, web-based and remote deployment), and are immune to infectious diseases (eg, can function in contaminated environments). Furthermore, technology-based solutions are less vulnerable to issues ranging from physical fatigue to mental health burdens, which are health challenges that frontline workers often face amid emergency events.

The Need for Advanced Technologies

To effectively predict, control, and manage Biodisaster X, which is an event with a low probability (ie, difficult to detect preemptively) and a high impact (ie, difficult to control and contain), advanced technologies are needed. While many emerging technologies can address the dangers and damages associated with Biodisaster X [92,93], 2 families of advanced technology-based solutions show particular promise, namely AI techniques and 6G technologies.

Unique Capabilities of AI

AI is generally considered synonymous with “thinking machines” [94], or techniques that can facilitate “a computer to do things which, when done by people, are said to involve intelligence” [95]. With AI technologies, machines can identify patterns too intricate for humans to identify and process quickly. AI techniques are widely used in areas such as natural language processing, speech recognition, machine vision, targeted marketing, and health care, including efforts to combat COVID-19 [96-99]. While technologies such as virtual reality, smart sensors, drones, and robotics could play a positive role in supporting health care professionals to cope with the pandemic [100-102], AI technologies are arguably most instrumental in addressing some of the most prominent issues health experts and government officials are faced with, ranging from pandemic surveillance to COVID-19 drug and vaccine development [103-106].

AI and machine learning techniques are particularly valuable in their ability to identify trends and patterns across large amounts of data promptly and cost-effectively; for example, in identifying or searching for specific patterns. With natural language processing, for instance, data can be extracted retrospectively from clinical records or prospectively in real time and statistically processed for insights, which, in turn, can supplement existing structured data to enrich actionable information [86]. During the COVID-19 pandemic, natural language processing models have been used to analyze publicly available information such as tweets, tweet timestamps, and geolocation data, to identify and map potential COVID-19 cases cost-effectively, without utilizing testing devices or other medical resources that involve health care professional [107].

Overall, most, if not all, AI techniques are irreplaceable in regard to administering complex tasks such as extracting useful information from large data sets. Moreover, with the continuously increasing speed of its technological advancements and applications, AI technologies are often utilized as core components in other emerging technologies [108]. Smart sensors that perform advanced tasks, such as effectively identifying and recognizing captured motions and images, often need to integrate deep learning technologies (a subgroup of AI) [109-111]. These combined insights suggest that AI techniques have great potential in monitoring and managing Biodisaster X threats.

## Adv---DERS

### 1NC---AT: Warming

#### Warming doesn’t cause extinction---new studies.

Nordhaus 20 Ted Nordhaus, an American author, environmental policy expert, and the director of research at The Breakthrough Institute, citing new climate change forecasts. [Ignore the Fake Climate Debate, 1-23-2020, https://www.wsj.com/articles/ignore-the-fake-climate-debate-11579795816]//BPS

Beyond the headlines and social media, where Greta Thunberg, Donald Trump and the online armies of climate “alarmists” and “deniers” do battle, there is a real climate debate bubbling along in scientific journals, conferences and, occasionally, even in the halls of Congress. It gets a lot less attention than the boisterous and fake debate that dominates our public discourse, but it is much more relevant to how the world might actually address the problem. In the real climate debate, no one denies the relationship between human emissions of greenhouse gases and a warming climate. Instead, the disagreement comes down to different views of climate risk in the face of multiple, cascading uncertainties. On one side of the debate are optimists, who believe that, with improving technology and greater affluence, our societies will prove quite adaptable to a changing climate. On the other side are pessimists, who are more concerned about the risks associated with rapid, large-scale and poorly understood transformations of the climate system. But most pessimists do not believe that runaway climate change or a hothouse earth are plausible scenarios, much less that human extinction is imminent. And most optimists recognize a need for policies to address climate change, even if they don’t support the radical measures that Ms. Thunberg and others have demanded. In the fake climate debate, both sides agree that economic growth and reduced emissions vary inversely; it’s a zero-sum game. In the real debate, the relationship is much more complicated. Long-term economic growth is associated with both rising per capita energy consumption and slower population growth. For this reason, as the world continues to get richer, higher per capita energy consumption is likely to be offset by a lower population. A richer world will also likely be more technologically advanced, which means that energy consumption should be less carbon-intensive than it would be in a poorer, less technologically advanced future. In fact, a number of the high-emissions scenarios produced by the United Nations Intergovernmental Panel on Climate Change involve futures in which the world is relatively poor and populous and less technologically advanced. Affluent, developed societies are also much better equipped to respond to climate extremes and natural disasters. That’s why natural disasters kill and displace many more people in poor societies than in rich ones. It’s not just seawalls and flood channels that make us resilient; it’s air conditioning and refrigeration, modern transportation and communications networks, early warning systems, first responders and public health bureaucracies. New research published in the journal Global Environmental Change finds that global economic growth over the last decade has reduced climate mortality by a factor of five, with the greatest benefits documented in the poorest nations. In low-lying Bangladesh, 300,000 people died in Cyclone Bhola in 1970, when 80% of the population lived in extreme poverty. In 2019, with less than 20% of the population living in extreme poverty, Cyclone Fani killed just five people. “Poor nations are most vulnerable to a changing climate. The fastest way to reduce that vulnerability is through economic development.” So while it is true that poor nations are most vulnerable to a changing climate, it is also true that the fastest way to reduce that vulnerability is through economic development, which requires infrastructure and industrialization. Those activities, in turn, require cement, steel, process heat and chemical inputs, all of which are impossible to produce today without fossil fuels. For this and other reasons, the world is unlikely to cut emissions fast enough to stabilize global temperatures at less than 2 degrees above pre-industrial levels, the long-standing international target, much less 1.5 degrees, as many activists now demand. But recent forecasts also suggest that many of the worst-case climate scenarios produced in the last decade, which assumed unbounded economic growth and fossil-fuel development, are also very unlikely. There is still substantial uncertainty about how sensitive global temperatures will be to higher emissions over the long-term. But the best estimates now suggest that the world is on track for 3 degrees of warming by the end of this century, not 4 or 5 degrees as was once feared. That is due in part to slower economic growth in the wake of the global financial crisis, but also to decades of technology policy and energy-modernization efforts. “We have better and cleaner technologies available today because policy-makers in the U.S. and elsewhere set out to develop those technologies.” The energy intensity of the global economy continues to fall. Lower-carbon natural gas has displaced coal as the primary source of new fossil energy. The falling cost of wind and solar energy has begun to have an effect on the growth of fossil fuels. Even nuclear energy has made a modest comeback in Asia.

### 1NC---AT: Energy Wars

#### No resource wars

Bayramov 17 Agha Bayramov, international relations PhD candidate at the University of Groningen. [Review: Dubious nexus between natural resources and conflict. Journal of Eurasian Studies, 9(1), p. 72-81, https://www.rug.nl/research/portal/files/63407252/1\_s2.0\_S187936651730026X\_main.pdf]//BPS

Second, less research has scrutinized political and economic costs of resources wars, namely occupation cost, international cost and investment costs (e.g. Meierding, 2016). The existing works give a misleading impression that resource incomes can cover easily invasion, investment and international costs of wars. Third, the existing works consider approximately most resource states to be more or less equal entities. Although such states may have equal rights from juridical perspective, they share too many diverse features to be considered equal entities in other empirical terms. For example, while Azerbaijan and Saudi Arabia have rich natural resources, they are dissimilar in a number of other important ways. However, both qualitative and quantitative analyses neglect this factor while explaining the resource-conflict nexus. Therefore, it is unwise to lump different case studies together in the same category without considering the particular characteristics of the region or country in question. Moreover, wide part of the existing works adopts a national-level approach by portraying abundancy, scarcity and conflict at the unitary state-level. Nevertheless, natural resources are distributed inconsistently over a nation’s territory. In other words, only particular places, namely cities or urban areas are affected by the abundancy or scarcity of resources. Hence, conflict more likely develops in areas which are excluded from resource wealth and development. However, the present works neglect the distinctive characteristics between resource rich cities and nonresource cities by putting them into country level analysis.

## Adv---Prices

### 1NC---AT: Econ

#### Antitrust expansion creates an abrupt shift and doctrinal instability in antitrust that spills over throughout the economy

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I. GOING BEYOND ADJUDICATION FOR ANTITRUST ENFORCEMENT

Antitrust statutes are primarily enforced in court, usually through the adjudication of specific cases or settlement against the backdrop of court-made antitrust doctrine. Indeed, despite statutory authority for the FTC to issue competition rules, and despite the technical complexity of many antitrust cases, antitrust enforcement and policy in the United States has evolved primarily through precedent developed by generalist courts, not specialized agencies. 18To be sure, the Department of Justice and the FTC influence policy through the investigations they pursue and the consent decrees they reach with parties. The FTC itself adjudicates some cases, although it does so largely according to law developed in the federal courts, to which parties can appeal any FTC decision. 19Academics and other commentators have also affected the evolution of antitrust in the United States, from supporting an economic, notably price-focused framework for U.S. competition policy to sparking a rethinking of that framework in contemporary debates. As the courts have absorbed such learning, antitrust doctrine has evolved over the decades through the push and pull of precedent across the United States judicial circuits, with the Supreme Court periodically stepping in to correct, clarify, or resolve differences among the lower federal courts. Commentators often cite antitrust as a rare example of "federal common law" in the U.S. system. 20

The adjudicatory model for implementing antitrust enforcement has several key attributes, which in turn have both advantages and disadvantages. We put aside for now the question of who is adjudicating--whether it be an expert tribunal or a court of general jurisdiction, for example--and focus on three characteristics of antitrust adjudication itself.

A. Case-by-Case, Fact-Specific Approach

Complexity of underlying issues aside, adjudication is well suited to settings in which applicability of the law is contingent on case-specific facts. With the exception of the limited conduct that the antitrust laws prohibit per se, courts review most business activities through a rule of reason, under which some conduct that is illegal in one set of circumstances is allowable in [\*1918] another. 21The inquiry into liability goes beyond whether particular conduct in fact occurred (which is the extent of the inquiry into conduct that is illegal per se) and extends into a balancing of the conduct's likely effects on competition. 22The more that liability is contingent on such case-specific facts, the more difficult it is to determine liability in advance of the conduct's having taken place. Adjudication typically occurs when conduct either is imminent or has already occurred, at which point the relevant facts as to the effects of the conduct are, in principle, more readily measured. 23Such "ex post" mechanisms of enforcement can reduce the risk of over-enforcement when compared to alternative approaches, like some forms of regulation, that spell out more comprehensively in advance what conduct is illegal. 24Reducing false positives, however, may or may not be a virtue--that calculation depends on the extent to which particular adjudicative institutions and processes under-enforce by allowing harmful conduct or transactions to slip through the liability screen.

B. Slow, Usually Predictable Doctrinal Development

A second attribute of the American adjudicatory process for antitrust is stability. While antitrust doctrine has occasionally swerved abruptly over the past century, the common-law process through which antitrust law has developed usually provides clear notice that a change is coming. As a recent example, the Supreme Court's shift in *Leegin Creative Leather Products, Inc. v. PSKS. Inc*. 25from per se liability to a rule of reason for resale price maintenance likely caught few observers by surprise. 26

Antitrust adjudication's stability, like its suitability for fact-dependent situations, is potentially double-edged. Antitrust jurisprudence can be slow to adjust to changes in economic learning or changes in the underlying economy that alter the effects of a particular kind of business conduct. For [\*1919] example, nearly thirty years ago the Supreme Court in Brooke Group v. Brown & Williamson Tobacco Corp. 27required that plaintiffs claiming predatory pricing show not only prices below some measure of incremental cost, but also that the defendant could recoup its losses. 28No plaintiff has prevailed in a predatory pricing case in a U.S. federal court since. 29That outcome might not be of concern were it the case that the Supreme Court's test accurately captures the incidence of predatory pricing. 30Economic research demonstrates, however, that predatory conduct does occur and does not depend on either below-cost pricing or recoupment. 31Predation is just one area in which court-made doctrine appears out of step with relevant economic facts and knowledge. To be sure, other forces could accelerate the common-law process of doctrinal development. For example, Congress could legislate changes to the scope, presumptions, and other parameters of antitrust law in ways that would immediately alter precedent and bind the courts going forward. 32 In practice, however, such intervention is rare and unlikely, making significant lags in doctrine a reality of antitrust adjudication in the courts.

C. Market-Driven Case Selection

In the United States, most adjudicative bodies do not select the cases that come before them. To be sure, courts have jurisdictional limitations that prevent them from hearing certain kinds of cases, and doctrines exist that allow courts to reject weak or poorly conceived complaints. Beyond those mechanisms, however, independent parties decide when and whether to pursue litigation as method of relief. One potential virtue of this separation between decisionmaking and case selection is that the market can drive the focus of judicial attention. Assuming the most widespread and most troublesome anticompetitive conduct will receive the greatest investment of litigation resources, that conduct will in turn receive the most adjudication and doctrinal development.

[\*1920] Unfortunately, the separation between adjudication and case selection will not necessarily lead to an efficient match between judicial attention and the most pressing antitrust violations. In practice, even conduct that is clearly prohibited can persist when offenders think detection is difficult; one only has to look at the consistently high number of civil and criminal price fixing cases that wind up in court, even though that conduct has clearly been illegal per se for nearly a century. 33The most widespread anticompetitive conduct might not therefore be the conduct most in need of doctrinal development--it can be just the opposite, as the persistence of cartels demonstrates. 34Moreover, if the courts develop doctrine that needs revisiting, but that deters the government or private plaintiffs from filing cases, 35then the market for judicial attention to antitrust conduct will not work well dynamically; once doctrine is settled, there may be no mechanism outside of legislation or regulatory intervention to drive doctrinal change. We return to this issue below.

D. Generalists versus Industry Experts

Returning to an issue we put aside earlier, who is doing the adjudication can matter for substantive outcomes. In U.S. antitrust law, that adjudication has occurred, at least ultimately, in generalist federal courts. That institutional locus might well make sense given the wide variety of conduct, industries, and factual circumstances that antitrust cases present. However, as specific industries come to pose particular challenges for antitrust enforcement, the case for more specialized enforcement decisionmakers becomes stronger. Traditionally, where detailed, industry-specific knowledge is required to make sound competition policy decisions, Congress has assigned authority over those decisions, at least in part, to industry-specific regulatory agencies. Thus, the Securities and Exchange Commission has authority over competitive conduct in key financial sectors. 36The FCC has parallel authority with the Department of Justice (DOJ) over telecommunications mergers and sole authority to establish terms for competitive entry into various telecommunications markets. 37State [\*1921] regulators govern entry into hospital markets through Certifications of Public Need. 38The federal courts have increasingly safeguarded the domain of industry specific regulators over competition issues even when agency decisions might be in tension with antitrust law. 39

As antitrust enforcement focuses on distinct challenges posed by a particular industry, whether digital platforms, pharmaceuticals, or something else, expert and specialized knowledge becomes even more essential to making good enforcement decisions. Under current law and enforcement frameworks, there is no systematic way to bring such specialization into the ultimate adjudication of antitrust cases in industries not already covered by specific, competition-related, regulatory statutes. To be sure, the FTC and DOJ have divisions that specialize in various industrial sectors in which they have considerable expertise. Those divisions bring that expertise into their review of conduct and transactions, but neither the FTC nor DOJ has ultimate adjudicative authority over the cases they choose to litigate. The DOJ must go to federal court to seek enforcement. The FTC can opt for an administrative enforcement mechanism with the Commission itself sitting in appellate review of initial adjudication by an administrative law judge. The Commission's decision is, however, subject to review by federal appellate courts, which have not hesitated to reverse the agency's decisions. 40 The result is that, even when agencies have brought specific industry expertise into antitrust enforcement, doctrinal application and resolution still proceeds through the common-law process of adjudication by generalist judges.

E. Tradeoffs Inherent in the Adjudicatory Approach to Antitrust

As the foregoing discussion suggests, the ex post case-by-case approach, slow doctrinal evolution, and case selection mechanism of antitrust adjudication have potential advantages and disadvantages. The tradeoffs become particularly clear through the interaction of those three characteristics.

[\*1922] Adjudication may mitigate the rate of false positives or false negatives obtained through enforcement, as proceeding case-by-case is less likely to bring about those results than are general rules that impose limits on business conduct in advance, regardless of specific circumstances. Broad ex ante specifications could prohibit beneficial or harmless conduct, and narrow ex ante specifications could fail to prevent anticompetitive practices. As a decisionmaking process moves from strict ex ante prescription to pure case-by-case adjudication, particular facts and circumstances increasingly predominate over generic categorization of conduct. 41In principle, the movement along that spectrum enables the decisionmaker to avoid under-inclusiveness or over-inclusiveness of categorical rules. 42

The extent to which an adjudicator actually succeeds in reducing enforcement errors in either direction depends on the doctrine and precedent through which it evaluates the case-specific evidence. Doctrine and precedent will determine how a court allocates burdens, prioritizes facts, and weighs presumptions in evaluating the legality of conduct. If precedent provides mistaken guidance on those factors, case-specific adjudication might do no better a job than ex ante prohibitions in avoiding errors or bias toward either under or over-enforcement. For this reason, the evolutionary pace of doctrinal development through antitrust adjudication is very important. Where that evolution has been toward convergence with state-of-the-art analysis and evidence as to the effects of conduct, doctrinal stability is a virtue. Reasonable people disagree over the Supreme Court's movement from per se illegality to rule of reason treatment of vertical price restraints, as Justice Breyer's dissent in Leegin demonstrates. 43 The decision in that case nonetheless drew on a body of legal and economic analysis that, over decades, had continually narrowed the application of per se rules to vertical conduct and led logically (even if some might argue incorrectly) to the majority's conclusion. 44Many commentators might therefore say Leegin is a good example of where the evolution of doctrine through adjudication worked well: stakeholders had notice and the doctrine moved in an internally consistent direction. While it is debatable whether the per se rule against restraints on [\*1923] intra-brand competition has in recent years led to over-enforcement, there is a good case that it had done so in the past, 45so that the doctrine plausibly moved in an error-reducing direction.

However, where doctrine gets on the wrong track, the application of precedent will perpetuate rather than reduce enforcement errors. In the case of predation, for example, there is a good argument that, in the light of current economic knowledge, the Brooke Group decision has led to underenforcement. 46The potential case-by-case advantages of adjudication are lost where judicial precedent renders important facts and circumstances irrelevant. In such cases, the relatively slow process of doctrinal correction through common law evolution is harmful to sound antitrust enforcement.

The discussion above shows that the error-reducing potential of a case-by-case, adjudicatory approach to antitrust enforcement depends heavily on the actual doctrine courts apply and on the process by which that doctrine evolves. Similarly, whether case selection in an adjudicatory approach in fact directs judicial attention to the conduct that most warrants oversight depends on existing doctrine and precedent. It may well be that the conduct doing the most harm is also the conduct for which the courts impose the highest burdens of proof on plaintiffs. The deterrent effect of those burdens likely leads to fewer cases than the conduct's actual effects warrant. 47Similarly, doctrine that too readily imposes liability could have the opposite effect: lower barriers for plaintiffs would lead to too many cases and more devotion of judicial resources than the conduct deserves. 48Like error-reduction, the distribution of antitrust cases brought for adjudication depends heavily on the state of the doctrine and on the ability of the common law process to correct course where necessary.

The potential disadvantages of antitrust adjudication by generalist courts raise the question of whether a different approach might be preferable, specifically with regard to digital platforms. Digital platforms present relatively novel challenges. Considering the tenuous fit between some [\*1924] potential theories of harm and current antitrust doctrine, the complexity of the underlying technical issues in antitrust cases, and the interrelatedness of those issues and adjacent policy goals, a more informed, comprehensive approach coordinated by an expert regulatory agency might foster more advantages than does the exclusive resort to traditional antitrust adjudication. However, before we turn to the form such regulation might take, we briefly identify some general principles for such regulation.

#### US recessions don’t cause conflict

Dr. Stephen M. Walt 20, Robert and Renée Belfer Professor of International Relations at Harvard University, PhD in International Relations (with Distinction) from Stanford University, MA in Political Science from the University of California, Berkeley, “Will a Global Depression Trigger Another World War?”, Foreign Policy, 5/13/2020, https://foreignpolicy.com/2020/05/13/coronavirus-pandemic-depression-economy-world-war/

On balance, however, I do not think that even the extraordinary economic conditions we are witnessing today are going to have much impact on the likelihood of war. Why? First of all, if depressions were a powerful cause of war, there would be a lot more of the latter. To take one example, the United States has suffered 40 or more recessions since the country was founded, yet it has fought perhaps 20 interstate wars, most of them unrelated to the state of the economy. To paraphrase the economist Paul Samuelson’s famous quip about the stock market, if recessions were a powerful cause of war, they would have predicted “nine out of the last five (or fewer).”

Second, states do not start wars unless they believe they will win a quick and relatively cheap victory. As John Mearsheimer showed in his classic book Conventional Deterrence, national leaders avoid war when they are convinced it will be long, bloody, costly, and uncertain. To choose war, political leaders have to convince themselves they can either win a quick, cheap, and decisive victory or achieve some limited objective at low cost. Europe went to war in 1914 with each side believing it would win a rapid and easy victory, and Nazi Germany developed the strategy of blitzkrieg in order to subdue its foes as quickly and cheaply as possible. Iraq attacked Iran in 1980 because Saddam believed the Islamic Republic was in disarray and would be easy to defeat, and George W. Bush invaded Iraq in 2003 convinced the war would be short, successful, and pay for itself.

The fact that each of these leaders miscalculated badly does not alter the main point: No matter what a country’s economic condition might be, its leaders will not go to war unless they think they can do so quickly, cheaply, and with a reasonable probability of success.

## Adv---Capture

### 1NC---AT: Grid

#### Grid is fine now

Larson 18 Selena Larson, Cyber threat intelligence analyst at Dragos, Inc. [Threats to Electric Grid are Real; Widespread Blackouts are Not, 8-6-2018, https://dragos.com/blog/industry-news/threats-to-electric-grid-are-real-widespread-blackouts-are-not/]//BPS

The US electric grid is not about to go down. Though it’s understandable if someone believed that. Over the last few weeks, numerous media reports suggest state-backed hackers have infiltrated the US electric grid and are capable of manipulating the flow of electricity on a grand scale and cause chaos. Threats against industrial sectors including electric utilities, oil and gas, and manufacturing are growing, and it’s reasonable for people to be concerned. But to say hackers have invaded the US electric grid and are prepared to cause blackouts is false. The initial reporting stemmed from a public Department of Homeland Security (DHS) presentation in July on Russian hacking activity targeting US electric utilities. This presentation contained previously-reported information on a group known as Dragonfly by Symantec and which Dragos associates to activity labeled DYMALLOY and ALLANITE. These groups focus on information gathering from industrial control system (ICS) networks and have not demonstrated disruptive or damaging capabilities. While some news reports cite 2015 and 2016 blackouts in Ukraine as evidence of hackers’ disruptive capabilities, DYMALLOY nor ALLANITE were involved in those incidents and it is inaccurate to suggest the DHS’s public presentation and those destructive behaviors are linked. Adversaries have not placed “cyber implants” into the electric grid to cause blackouts; but they are infiltrating business networks – and in some cases, ICS networks – in an effort to steal information and intelligence to potentially gain access to operational systems. Overall, the activity is concerning and represents the prerequisites towards a potential future disruptive event – but evidence to date does not support the claim that such an attack is imminent. The US electric grid is resilient and segmented, and although it makes an interesting plot to an action movie, one or two strains of malware targeting operational networks would not cause widespread blackouts. A destructive incident at one site would require highly-tailored tools and operations and would not effectively scale. Essentially, localized impacts are possible, and asset owners and operators should work to defend their networks from intrusions such as those described by DHS. But scaling up from isolated events to widespread impacts is highly unlikely.

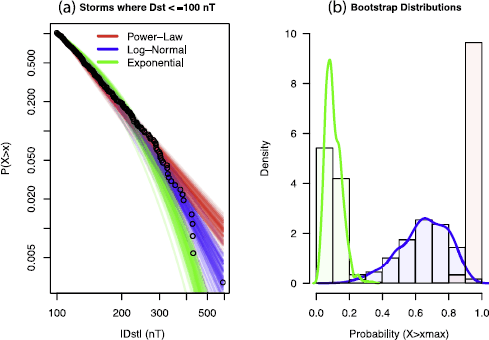
### 1NC---AT: Space Weather

#### Carrington event probability over the next decade is a measly 3%.

Baker et al. 18 – Daniel Baker, Physics Professor and Director at the Laboratory for Atmospheric and Space Physics for the University of Colorado. Pete Riley, PhD, Vice President, Chief Financial Officer, and Senior Research Scientist at Prediction Science Inc. Ying D. Liu, Physics PhD from MIT, professor at the National Space Science Center, Chinese Academy of Sciences (CAS) and the University of CAS. Pekka Verronen, Senior Research Scientist at the Finnish Meteorological Institute. Howard Singer, Space Physics and Geophysics PhD from the University of California, Los Angeles, Chief Scientist at the Space Weather Prediction Center, National Oceanic and Atmospheric Administration. Manuel Güdel, Professor of Astrophysics at the University of Vienna. [Extreme Space Weather Events: From Cradle to Grave, Space Science Reviews 214(21), published in 2018, SpringerLink]//BPS

With this caveat in mind, following Riley and Love (2017) we can estimate the likelihood of an extreme space weather event (as large, or larger than the Carrington event) for a set of distributions of storm sizes. Figure 8 summarizes the procedure. The left panel shows the complementary cumulative distribution function (CCDF), which is the probability that an event as large, or larger than some critical value will occur during a unit time interval. The open circles show all of the events. One of the advantages in using the CCDF, as oppose to the probability of an event of size x occurring is that the data are not binned, but summed from right to left. More practically, we are also not interested in events of a particular size, but events as large or larger than a particular size, since those more severe events will also cause at least as much damage. The data seem to follow a straight line (in log-log space), at least out to 280 nT. Beyond this, with the exception of the most severe storm (589 nT), they appear to fall off more rapidly. The colored curves summarize a selection of bootstrap fits for each of the three distributions considered. We infer that the power-law profiles capture the lower severity measurements well, but over-estimate the likelihood of the most severe events. In contrast, the log-normal profiles underestimate the low-severity events but capture the trends at the highest severities. Finally, the exponential profiles both over-estimate the low-severity events and underestimate the high-severity events. Figure 8(b) summarizes the likelihood of observing an event as severe as or more severe than the most severe event observed, that is, Dst<−589 nT, during the entire span of the data (∼57 years). The probabilities were calculated for each bootstrap iteration and the distributions derived from the probabilities for each of them.

Fig. 8



(a) Complementary cumulative distribution function (CCDF) for the geomagnetic storms shown in Fig. 7. Bootstrap fits for the three distributions (power-law, log-normal, and exponential) are superimposed. (b) Histogram and density plots showing the probability of an event as large as, or larger than the largest event in the dataset (−589 nT) over the duration of the dataset. The density curve colors follow the convention given in the legend within panel (a)

Based on these results, our best estimate for the probability of another extreme geomagnetic event comparable to the Carrington event occurring within the next 10 years is 10.3% with 95% confidence intervals (CI) in the range [0.9,18.7] for a power-law distribution, but only 3.0% with 95% CI [0.6,9.0] for a log-normal distribution (see also Riley and Love 2017). Our results, however, depend on: (1) how an extreme event is defined; (2) the statistical model used to describe how the events are distributed in intensity; (3) the techniques used to infer the model parameters; and (4) the data and duration used for the analysis. Riley and Love (2017) tested the assumption that the data are approximately represented by a time-stationary process, arguing that while not strictly true, it could be approximately factored into one’s interpretation of the forecasts. One of the key results from these studies is that both the uncertainties and the assumptions used to derive the forecasts are at least as important as the forecasts themselves.

### 1NC---DNR/LNR genocide

#### **Russia’s special operation is key to denazification and reversing American subversion of Ukrainian democracy**

Zuesse 22 (Eric, Feb 25, <https://moderndiplomacy.eu/2022/02/25/the-real-history-behind-ukraine-putin-the-eu-gas-donbass/>, The Real History Behind Ukraine, Putin, the EU, Gas & Donbas)

Russia’s long-predicted invasion of Ukraine finally happened, but the reasons for it are widely misrepresented. Basic history is necessary in order to understand it The Nord Stream 2 natural gas pipeline, from Russia, under the Baltic Sea, to Germany, was [planned in order to enable greatly increased sales-volume of the lowest-cost natural gas, which came from Russia, into the EU](https://web.archive.org/web/20160215063150/http:/www.bsh.de/en/Marine_uses/Industry/Pipelines/Nord_Stream_Project_Information.pdf), without having to rely upon the irregular pipelined supplies through the unstable and unpredictable nation of Ukraine. In fact, [the planning-document noted on its page 12](https://web.archive.org/web/20160215063150/http:/www.bsh.de/en/Marine_uses/Industry/Pipelines/Nord_Stream_Project_Information.pdf) that “Import of Russian natural gas to Europe takes place through three main routes, whereof 80% of the gas is in transit through the Ukraine.” They didn’t need to say that that was unstable; everyone knew it was; so, diplomatically speaking, this unfortunate fact about Ukraine wasn’t mentioned by them in the document, though the fact was a crucial reason for the Nord Stream project, which would transmit gas directly from Russia to Germany, no longer through unstable Ukraine. On 8 November 2011, the BBC headlined [“Nord Stream gas pipeline opened by Merkel and Medvedev”](https://www.bbc.com/news/world-europe-15637244), and Russia’s RIA Novosty [presented this happy photo](https://www.gazprom.com/press/news/2011/november/article122620/) of the signing-ceremony: From left to right, Gerhard Schroder had been Germany’s Chancellor; Francois Fillon had been France’s Prime Minister; Johannes Teyssen was the CEO of multinational German electrical utility E.ON; Angela Merkel was Germany’s Chancellor; Mark Rutte was Prime Minister of Netherlands; Dmitry Medvedev was Prime Minister of Russia; Alexey Miller was Chairman of Russia’s Gazprom; Guenter Oettinger was the European Commission’s V.P. in charge of Energy; Kurt Bock was CEO of Germany’s BASF; and Erwin Sellering was Germany’s Minister President of Mecklenburg-Vorpommern. None of those people are or had been pro-Nazi. However, ideological anti-Russian racist-fascists (or nazis) dominated in Ukraine’s far-western provinces, near to Poland, of Lviv, Tarnopil, Volyn, and Ivano-Frankivsk; and, so, there was, in Ukraine, intense nationalistic and nazi opposition to replacing Ukraine as the main transit-route for the crucial commodity of natural gas, from Russia into the EU, which new pipeline into the EU would greatly reduce the gas-transit-fees that were being paid by Russia into Ukraine’s Government — and reduce the geostrategic importance of their country (something that nazis tend to be very concerned with, since they’re supremacist-nationalists, not merely supremacist-racists). This proposed pipeline (which had been pressed upon Merkel by leaders of German industry, who needed cheaper energy) was viewed by those far-right Ukrainians as being an anti-Ukraine Russian scheme, even though Nord Stream was actually planned simply as a necessary business-deal between Germany and Russia. That’s what it actually was. And it also enjoyed considerable support elsewhere in the EU, such as in Netherlands, and [France](https://archive.is/QyJ9m). U.S. President Barack Obama [intended even when he entered office in 2009, to replace Syria’s Government](http://archive.is/uAVEW), but his decision to replace Ukraine’s Government didn’t come right away. On 12 April 2010, Ukraine’s [democratically elected President, Viktor Yanukovych](https://www.theguardian.com/world/2010/feb/08/viktor-yanukovych-ukraine-president-election) met the democratically elected U.S. President [at the White House, to which Obama had invited him](http://archive.is/x1p8V), but Yanukovych refused Obama’s suggestions that Ukraine join America’s alliance against Ukraine’s next-door neighbor Russia. (Obama wanted to take over Russia’s main naval base, which since 1783 has been in Crimea, which the Soviet dictator had transferred to Ukraine in 1954, so it was then in Ukraine — [Obama was planning for that Russian naval base in Ukraine to become another U.S. naval base](https://www.europereloaded.com/the-obama-regimes-plan-to-seize-the-russian-naval-base-in-crimea/), and for Ukraine to be brought into NATO. But Yanukovych said no.) On 2 July 2010, U.S. Secretary of State Hillary Clinton and Yanukovych held a joint press conference in Kiev, where [she said](https://archive.is/T0wDb) that she had discussed with Yanukovych joint military exercises with U.S. forces against his neighbor, Russia. Yanukovych again declined the demands. Obama then assigned Victoria Nuland, Hillary’s friend (and the wife of the famous neoconservative — or American-imperialist — writer, Robert Kagan) to organize a coup against Ukraine, to place it under U.S. control. Planning for the coup was already under way by no later than 23 June 2011, which was even before the Nord Stream project had yet become signed. But after Nord Stream became agreed later in 2011, that proposed pipeline was immediately added to the Ukrainian-takeover target, as something that needed to be cancelled. (Ukraine’s gas-transit fees were crucial financial support to Ukraine’s government, and Obama wanted those fees to be supporting a post-coup Americanized Ukraine.) As [CNBC accurately summarized on 11 July 2018](https://archive.is/BEegw#selection-1271.0-1279.188): “President Barack Obama opposed Nord Stream 2 and President George W. Bush came out against the original Nord Stream prior to its completion in 2011. Like the central and eastern European countries, they worried it increased Russian influence over the Continent.” Post-WW-II American Presidents wanted America to control Europe, as key allies to [conquer Russia](http://archive.is/MWj49). The Nord Stream project was, to a large extent, a European bid to work cooperatively with Russia and finally free itself of U.S. domination over European countries. Nuland got caught managing the coup when on 4 February 2014 a phone call from her to the U.S. Ambassador in Kiev got posted to youtube in which she instructed him to get “Yats” or “Yatsenyuk” appointed to run the post-coup government, and “Yats” was a rabidly anti-Russian and pro-nazi politician, who, unlike some others that the U.S. regime had been considering for the purpose, didn’t yet have any clear or blatantly expressed racist-fascist sentiments (which would have meant bad PR), but who, once he did become appointed on 22 February 2014 to run the government, promptly replaced the generals with ones who favored [exterminating](http://archive.is/DGIny) enough people in the heavily pro-Yanukovych areas of Ukraine so that, in subsequent Ukrainian national elections, rabid anti-Russians like “Yats” would be able to become ‘democratically elected’ to lead the country. The objective wasn’t only to kill enough of those pro-Russian voters but even more importantly to scare enough of the residents there to escape to Russia, so that they’d be gone altogether from Ukraine’s voting-rolls (either by fleeing or by having been killed). Videos became posted online of some of the Obama-instigated local Ukrainian [extermination](https://archive.is/rqxPR)-and [terrorism](https://archive.md/UZojt) operations, such as in [Odessa](http://web.archive.org/web/20190808090228/www.washingtonsblog.com/2014/05/videos-photos-odessan-massacre-done.html), and in [Donbass](https://archive.is/8EZbe), and, of course, in [Crimea](https://archive.is/K393t), but those were basically covered-up and/or lied-about in the ’news’-media of the U.S.-and-allied (which included EU) regimes, because Obama needed those allies to agree with the U.S. regime’s anti-Russia sanctions, so as to block the Nord Stream 2 pipeline from being allowed to operate (which would strengthen not only Russia but Europe). This wasn’t merely in order to weaken the economies in Germany and throughout the EU and make them more dependent upon the U.S.; it was also in order to replace Europe’s low-priced Russian pipelined natural gas with America’s costly tanked-and-shipped expensive liquefied natural gas, so as to enrich America’s billionaires who financed America’s successful politicians. It was to force Europe to pay America’s prices. As a result of the success of Obama and Trump and Biden — and of Congress-members of both of America’s two political Parties (this bipartisan effort) — the inexpensive Russian pipelined natural gas has, indeed, become [replaced by the incredibly expensive](https://archive.is/Mgnar) canned [American liquefied and cross-Atlantic-shipped](https://archive.is/0p4ek) natural gas, so as to weaken European industries, in the name of ‘protecting Ukraine’s democracy’, and this con-game strengthens the U.S., at Europe’s expense, and keeps Europe in its place as a U.S. vassal-region, which has [consistently been ever since the 1991 breakup of the Soviet Union](http://archive.is/MWj49). U.S. gas producers are laughing [all the way to the bank](https://archive.is/XOAtw), while blaming ‘the aggressive dictator” or “tyrant’, Putin, who is condemned by both America’s [Republicans](https://archive.is/soKXU) and [Democrats](https://archive.is/9zjPe). (Both of America’s Parties are nearly 100% neoconservative.) On 17 February 2022, a retired head of Britain’s MI6, Sir John Sawers, was [interviewed](https://www.atlanticcouncil.org/content-series/britain-debrief/britaindebrief-what-role-is-western-intelligence-playing-in-the-ukraine-crisis-a-debrief-from-sir-john-sawers/) by NATO’s PR firm the Atlantic Council, and he seconded Nuland’s phone-call assertion that the U.N should [“glue this thing”](https://archive.is/rWTuI#selection-1613.146-1613.161), when he used the phrase in a different context, saying that “If you try to install a new government which has no legitimacy, you’ve got to glue it in place.” She [had said](https://archive.is/rWTuI#selection-1613.0-1613.223): “Nuland: Ok. He’s now gotten both Serry and Ban ki-Moon to agree that Serry could come in Monday or Tuesday. That would be great, I think, to help glue this thing, and to have the UN help glue it, and, you know, fuck the EU.”The last three words there, [“fuck the EU,”](https://archive.is/1N0tv#selection-1413.102-1417.1) were the only part of the entire phone call that the ‘news’-media in The West publicized; and, of course, The West’s widely deceived audiences had no idea, no way of knowing, what she was actually talking about, or why. The incuriosity of the masses in The West prevented the U.S. public from demanding or requiring to have more honestly informative and authentic news-media that would make more sense than simply displaying the U.S. President’s assigned diplomat for Europe privately referring so contemptuously to Europeans. And, so, under Obama’s V.P., Biden, now as the U.S. President, she’s assigned the #2 role at the U.S. State Department, and Americans aren’t shocked and repelled at that fact. America’s leaders also hold America’s own public in contempt. Only America’s billionaires are not. Only they are not viewed as chumps — to be deceived and exploited — because America’s billionaires are the politicians’ bosses.Here is a [ten-minute video](https://www.youtube.com/watch?v=fWkfpGCAAuw) that places this “Fuck the EU” into its correct perspective. Here is an even fuller [perspective](https://archive.is/cU1oa) on the matter. The geostrategic expert Alexander Mercouris has [well explained the historic significance of what has just happened](https://theduran.com/ukraine-war-wests-loss-chinas-gain/).

# 2NC

## K---Cap

### 2NC---OV

#### Emerging tech causes extinction---outweighs nuclear war

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2. “Civilizational collapse risks” As most human societies are fairly complex, a true civilizational collapse would require a drastic reduction in human population, and the break-down of connections between surviving populations. Survivors would have to rebuild civilization from scratch, likely losing much technological abilities and knowledge in the process. Hanson (2008) estimated that the minimal human population able to survive is around 100 people. Like X risks, there is little agreement on what is required for civilizational collapse. Clearly, different types and levels of the civilizational collapse are possible (Diamond, 2005) (Meadows, Randers, & Meadows, 2004). For instance, one definition of the collapse of civilization involves, collapse of long distance trade, widespread conflict, and loss of government (Coates, 2009). How such collapses relate to existential risk needs more research. 3. “Human extinction risks” are risks that all humans die, and no future generations (in the extended sense mentioned above) will ever exist. 4. “All life on Earth ends risks” involve the extinction of all life on earth. As this includes H. sapiens, such risks are at the very least on a par with human extinction, but are likely worse as the loss of biodiversity is higher, and (without life arising a second time) no other civilizations, human or otherwise, would be possible on Earth. 5. “Astronomical scale risks” include the demise of all civilizations in the affectable universe. This of course includes human extinction, and all life on Earth, and so again are at the very least on a par, and very likely much worse outcomes, than those two. 6. “S-risks” include collective infinite suffering (Daniel, 2017). These differ from extinction risks insofar as extinction leads to a lack of existence, whereas this concerns ongoing existence in undesirable circumstances. These also vary in scale and intensity, but are generally out of scope of this work. Even with a focus squarely on X Risk, global catastrophic risks and civilizational collapse are critically important. This is because there is at least some likelihood that global catastrophic risks increase the probability of human extinction risks—and the more extreme end of civilizational collapses surely would. Before shifting to a discussion of probability appropriate to X risk, we’ll discuss some reasons to link these kinds of risk. First, global risks may have a fat tail—that is a low probability of high consequences—and the existence of such fat tails strongly depend on the intrinsic uncertainty of global systems (Ćirković, 2012) (Baum, 2015), (Wiener, 2016) (Sandberg & Landry, 2015). This is especially true for risks associated with future world wars, which may include not only nuclear weapons, but weapons incorporating synthetic biology and nanotechnology, different AI technologies, as well as Doomsday blackmail weapons (Kahn, 1959). Another case are the risks associated with climate change, where runaway global warming is a likely fat tail (Obata & Shibata, 2012a), (Goldblatt & Watson, 2012). Second, global catastrophes could be part of double catastrophe (Baum, Maher, & Haqq-Misra, 2013) or start a chain of catastrophes (Tonn & and MacGregor, 2009), and in this issue (Karieva, 2018). Even if a single catastrophic risk is insufficient to wipe us out, an unhappy coincidence of such events could be sufficient, or under the wrong conditions could trigger a collapse leading to human extinction. Further, global catastrophe could weaken our ability to prepare for other risks. Luke Oman has estimated the risks of human extinction because of nuclear winter: “The probability I would estimate for the global human population of zero resulting from the 150 Tg of black carbon scenario in our 2007 paper would be in the range of 1 in 10,000 to 1 in 100,000” (Robock, Oman, & Stenchikov, 2007), (Shulman, 2012). Tonn also analyzed chains of events, which could result in human extinction and any global catastrophe may be a start of such chain (Tonn and MacGregor, 2009). Because this, we suggest that any global catastrophe should be regarded as a possible cause of human extinction risks with no less than 0.01 probability. Similarly, scenarios involving civilization collapses also plausibly increase the risk of human extinction. If civilization collapses, recovery may be slowed or stopped for a multitude of reasons. For instance, easily accessible mineral and fossil fuel resources might be no longer available, the future climate may be extreme or unstable, we may not regain sufficient social trust after the catastrophe’s horrors, the catastrophe may affect our genetics, a new endemic disease could prevent high population density, and so on. And of course, the smaller populations associated with civilization collapse are more vulnerable to being wiped out by natural events. We estimate that civilization collapse has a 0.1 probability of becoming an existential catastrophe. In section 4, this discussion will form the basis of our analysis of an X risk’s “severity”, which is the main target of our scale. Before getting there, however, we should first discuss the difficulties of measuring X risks, and related worries regarding probabilities. 3. Difficulties of using probability estimates as the communication tool Plain probability estimates are often used as an instrument to communicate X risks. An example is a claim like “Nuclear war could cause human extinction with probability P”. However, in our view, probability measures are inadequate, both for measuring X risks, and for communicating those risks. This is because of conceptual difficulties (3.1), difficulty in providing meaningful measurements (3.2), the possibility of interaction effects (3.3) and the measurement’s inadequacy for prioritization (3.4) purposes. After presenting these worries, we argue that the magnitude of probabilities is a better option, which we use in our tool (3.5). 3.1 Difficulties in defining X risk probabilities Frequentism applies to X risks only with difficulty. One-off events don’t have a frequency, and multiple events are required for frequentist probabilities to apply. Further, on a frequentist reading, claims concerning X risks cannot be falsified. Again, this is because in order to infer from occurrences to probability, multiple instances are required. Although these conceptual and epistemic difficulties may be analyzed and partly overcome in technical scientific and philosophical literature, they would overcomplicate a communication tool. Also, discussion of X risks sometimes involves weird probabilistic effects. Consider, for example, what (Ćirković, Sandberg, & Bostrom, 2010) call the ‘anthropic shadow’. Because human extinction events entail a lack of humans to observe the event after the fact, we will systematically underestimate the occurrence of such events in an extreme case of survivorship bias (the Doomsday Argument (Tegmark & Bostrom, 2005) is similar). All of this makes the probabilities attached to X risks extremely difficult to interpret, bad news for an intended communication tool, and stimulates obscure anthropic reasoning. In addition, the subtle features involved in applying frequentism to one-off events, would otherwise tamper with our decision making process. 3.2 Data & X Risk There are little hard data concerning global risks from which probabilities could be extracted. The risk of an asteroid impact is fairly well understood, both due to the historical record, and because scientists can observe particular asteroids and calculate their trajectories. Studies of nuclear winter (Denkenberger & Pearce, 2016), volcanic eruptions, and climate change also provide some risk probability estimates, but are less rigorously supported. In all other cases, especially technological risks, there are many (often contradicting) expert opinions, but little hard data. Those probability calculations which have been carried out are based on speculative assumptions, which carry their own uncertainty. In the best case, generally, only the order of magnitude of the catastrophe’s probability can be estimated. Uncertainty in GCRs is so high, that predictions with high precision are likely to be meaningless. For example, surveys could produce such meaningless over-precision. A survey on human extinction probability gave an estimate of 19 percent in the 21st century (Sandberg & Bostrom, 2008). Such measurements are problematic for communication, because probability estimates of global risks often do not include corresponding confidence intervals (Garrick, 2008). For some catastrophic risks, uncertainty is much larger than for others, because of objective difficulties in their measurement, as well as subjective disagreements between various approaches (especially in the case of climate change, resource depletion, population growth and other politicized areas). As we’ll discuss below, one response is to present probabilities as magnitudes. 3.3 Probability density, timing and risks’ interactions Two more issues with using discrete frequentist probabilities for communicating X risks are related to probability density and the interactions between risks. For the purpose of responding to the challenges of X risk, the total probability of an event is less useful than the probability density: we want to know not only the probability but the time in which it is measured. This is crucial if policy makers are to prioritize avoidance efforts. Also, probability estimates of the risks are typically treated separate: interdependence is thus ignored. The total probability of human extinction caused by risk A could strongly depend on the extinction probability caused by risks B and C and also of their timing. (See also double catastrophes discussed by Baum, Maher, & HaqqMisra, 2013 and the integrated risk assessment project (Baum, 2017). Further, probability distributions of different risks can have different forms. Some risks are linear, others are barrier-like, other logistical. Thus, not all risks can be presented by a single numerical estimate. Exponentially growing risks may be the best way to describe new technologies, such as AI and synthetic biology. Such risks cannot be presented by a single annual probability. Finally, the probability estimation of a risk depends on whether human extinction is ultimately inevitable. We assume that if humanity becomes an interstellar civilization existing for millions of years, it will escape any near-term extinction risks; the heat death of the universe may be ultimate end, but some think even that is escapable (Dvorsky, 2015). If near-term extinction is inevitable, it is possible to estimate which risks are more probable to cause human extinction (like actuaries do in estimating different causes of death, based in part on the assumption that human death is inevitable). If near-term human extinction is not inevitable, then there is a probability of survival, which is (1- P(all risks)). Such conditioning requires a general model of the future. If extinction is inevitable, the probability of a given risk is just a probability of one way to extinction compared to other ways. 3.4 Preventability, prioritizing and relation to the smaller risks Using bare probability as a communication tool also ignores many important aspects of risks which are substantial for decision makers. First, a probability estimate does not provide sufficient guidance on how to prioritize prevention efforts. A probability estimate does not say anything about the risk’s relation to other risks, e.g. its urgency. Also, if a risk will take place at a remote time in the future (like the Sun becoming a red giant), there is no reason to spend money on its prevention. Second, a probability estimate does not provide much information about the relation of human extinction risks, and corresponding smaller global catastrophic risks. For example, a nuclear war probability estimate does not disambiguate between chances that it will be a human extinction event, a global catastrophic event, or a regional catastrophe. Third, probability measures do not take preventability into account. Hopefully, measures will be taken to try and reduce X risks, and the risks themselves have individual preventability. Generally speaking, it ought to be made clear when probabilities are conditional on whether prevention is attempted or not, and also on the probability of its success. Probability density, and its relation with cumulative probability could also be tricky, especially as the probability density of most risks is changing in time. 3.5 Use of probability orders of magnitude as a communication tool We recommend using magnitudes of probabilities in communicating about X risk. One way of overcoming many of the difficulties of using probabilities as communication tool described above is to estimate probabilities with fidelity of one or even two orders of magnitude, and do it over large fixed interval of time, that is the next 100 years (as it the furthest time where meaningful prognoses exist). This order of magnitude estimation will smooth many of the uncertainties described above. Further, prevention actions are typically insensitive in to the exact value of probability. For example, if a given asteroid impact probability is 5% or 25%, needed prevention action will be nearly the same. For X risks, we suggest using probability intervals of 2 orders of magnitude. Using such intervals will often provide meaningful differences in probability estimates for individual risks. (However, expert estimates sometimes range from “inevitable” to “impossible”, as in AI risks). Large intervals will also accommodate the possibility of one risk overshadowing another, and other uncertainties which arise from the difficulties of defining and measuring X-risks. This solution is itself inspired by The Torino scale of asteroid danger, which we discuss in more detail below. The Torino scale has five probability intervals, each with a two order of magnitude difference from the next. Further, such intervals can be used to present uncertainty in probability estimation. This uncertainty is often very large for even approximately well-defined asteroid risks. For example, Garrick (Garrick, 2008) estimated that asteroid impacts on the contiguous US with at least 10 000 victims to have expected frequency between once 1: 1900 and 1: 520 000 years with 90 percent confidence. In other words, it used more than 2 orders of magnitude uncertainty. Of course, there is a lot more to be said about the relationship between X risks and probability—however here we restrict ourselves to those issues most crucial for our purpose, that is, designing a communication tool for X risks. 4. Constructing the scale of human extinction risks 4.1. Existing scales for different catastrophic risks In section 2 we established the connection between global catastrophic risks, civilizational collapse risks, human extinction and X risks; we explored the difficulty of the use of probabilities as a communication tool for X risks in section 3; now we can construct the scale to communicate the level of risk of all global catastrophic and X risks. Our scale is inspired by the Torino scale of asteroid danger which was suggested by professor Richard Binzel (Binzel, 1997). As it only measures the energy of impact, it is not restricted to asteroids but applies to many celestial bodies (comets, for instance). It was first created to communicate the level of risk to the public, because professionals and decision makers have access to all underlying data for the hazardous object. The Torino scale combines a 5 level color code and 11 level numbered codes. One of the Torino scale’s features is that it connects the size and the probability using diagonal lines, i.e., an event with a bigger size and smaller probability warrants the same level of attention as smaller but more probable events. However, this approach has some difficulties, as was described by (Cox, 2008). There are several other scales of specific global risks based on similar principles: 1. Volcanic explosivity index, VEI, 0-8, (USGS, 2017) 2. DEFCON (DEFense readiness CONdition, used by the US military to describe five levels of readiness), from 5 to 1. 3. “Rio scale” of the Search for Extra-Terrestrial Intelligence (SETI) – complex scale with three subscales (Almar, 2011). 4. Palermo scale of asteroid risks compares the likelihood of the detected potential impactor with the average risk posed by objects of the same size measured both by energy and frequency (NASA, 2017). 5. San-Marino scale of risks of Messaging to Extra-Terrestrial Intelligence (METI) (Almar, 2007). The only more general scale for several global risks is the Doomsday Clock by the Bulletin of the Atomic Scientists, which shows global risks as minutes before midnight. It is oriented towards risks of a nuclear war and climate change and communicates only emotional impact (The Bulletin of the Atomic Scientists, 2017). 4.2. The goals of the scale How good a scale is depends in part on what it is intended to do: who will use it and how will they use it. There are three main groups of people the scale addresses: Public. Simplicity matters: a simple scale is required, similar to the hurricane Saffir-Simpson scale (Schott et al., 2012). This hurricane ACCEPTED MANUSCRIPT 13 measuring scale has 5 levels which present rather obscure wind readings as corresponding to the expected damage to houses and thus can help the public make decisions about preparedness and evacuation. In the case of X risks, personal preparedness is not very important, but the public make decisions about which prevention projects to directly support (via donations or crowdfunding) or voting for policymakers who support said projects. Simplicity is necessary to communicate the relative importance of different dangers to a wide variety of nonexperts. Policymakers. We intend our scale to help initiate communication of the relative importance of the risks to policymakers. This is particularly important as it appears that policymakers tend to overestimate smaller risks (like asteroid impact risks) and underestimate larger risks (like AI risks) (Bostrom, 2013). Our scale helps to make such comparison possible as it does not depend on the exact nature of the risks. The scale could be applicable to several groups of risks thus allowing comparisons between them, as well as providing a perspective across the whole situation. Expert community. Even a scale of the simplicity we suggest may benefit the expert community. It can act as a basis for comparing different risks by different experts. Given the interdisciplinarity inherent in studying X risk, this common ground is crucial. The scale could facilitate discussion about catastrophes’ probabilities, preventability, prevention costs, interactions, and error margins, as experts from different fields present arguments about the importance of the risks on which they work. Thus it will help to build a common framework for the risk discussions. 4.3. Color codes and classification of the needed actions Tonn and Steifel suggested a six-level classification of actions to prevent X risks (Tonn & Steifel, 2017). They start from “do nothing” and end with “extreme war footing, economy organized around reducing human extinction risk”. We suggest a scale which is coordinated with Tonn and Steifel’s classification of actions (Table 1), that is our colors correspond to the needed level of action. Also, our colors correspond to typical nonquantifiable ways of the risks description: theoretical, small, medium, serious, high and immediate. We also add iconic examples, which are risks where the probability distribution is known with a higher level of certainty, and thus could be used to communicate the risk’s importance by comparison. Such ACCEPTED MANUSCRIPT 14 examples may aid in learning the scale, or be used instead of the scale. For instance, someone could say: “this risk is the same level as asteroid risk”. The iconic risks are marked bold in the scale. Iconic examples are also illustrated with the best-known example of that type of event. For example, the best known supervolcanic eruption was the Toba eruption 74,000 years ago (Robock et al., 2009). The Chicxulub impact 66 million years ago is infamous for being connected with the latest major extinction, associated with the non-avian Dinosaur extinction. The scale presents the total risk of one type of event, without breaking categories down into subrisks. For example, it estimates the total risks of all known and unknown asteroids, but not the risk of any particular asteroid, which is a departure from the Torino scale. Although the scale is presented using probability intervals, it could be used instead of probabilities if they are completely unknown, but other factors, such as those affecting scope and severity, are known. For example, we might want to communicate that AI catastrophe is a very significant risk, but its exact probability estimation is complicated by large uncertainties. Thus we could agree to represent the risk as red despite difficulties of its numerical estimation. Note that the probability interval (when it is known) for “red” is shorter and is only 1 order of magnitude, as it is needed to represent most serious risks and here we need better resolution ability. As it is a communication scale, the scientists using it could come to agreement that a particular risk should be estimated higher or lower in this scale. We don’t want to place too many restrictions on how different aspects of a risk’s severity (like preventability or connection with other risks) should affect risks coding, as it should be established in the practical use of the scale. However, we will note two rules: 1. The purple color is reserved to present extreme urgency of the risk 2. The scale is extrapolated from the smaller than extinction risks and larger than extinction risks in Table 2. (This is based on idea that smaller risks have considerable but unknown probability to become human extinction risks, and also on the fact that policy makers may implement similar measures for smaller and larger risks). 4.4. Extrapolated version of scale which accounts for the risk size In Table 2 we extend the scale to include smaller risks like civilization collapse and global catastrophic risks as well as on “larger” ACCEPTED MANUSCRIPT 15 risks like life extinction and universe destruction, in accordance with our discussion in section 2. This is necessary because: 1) Smaller risks could become larger extinction risks by starting chains of catastrophic events. 2) The public and policymakers will react similarly to human extinction level catastrophe and to a global catastrophe where there will be some survival: both present similar dangers to personal survival, and in both similar prevention actions are needed. [[TABLE 2 OMITTED]] 4.5. Accessing risks with shorter timeframes than 100 years In Table 2 above we assessed the risks for the next 100 years. However, without prevention efforts, some risks could approach a probability of 1 in less time: climate change, for instance. We suggest that the urgency of intervening in such cases may be expressed by increasing their color coding. Moreover, the critical issue is less the timing of risks, but the timing of the prevention measures. Again, although extreme global warming would likely only occur at the end of the 21st century, it is also true that cutting emissions now would ameliorate the situation. We suggest, then, three ranks which incorporate these shorter time-frame risks. Note that the timings relate to implementation of interventions not the timings of the catastrophes. 1) Now. This is when a catastrophe has started, or may start in any moment: The Cuban Missile Crisis is an historical example. We reserve purple to represent it. 2) “Near mode”. Near mode is roughly the next 5 years. Typically current political problems (as in current relations with North Korea) are understood in near mode. Such problems are appropriately explored in terms of planning and trend expectations. Hanson showed that people are very realistic in “Near mode”, but become speculative and less moral in “Far mode” thinking (Hanson, 2010). Near mode may require one color code increase. 3) “Next 2-3 decades”. Many futurists predict a Technological Singularity between 2030-2050: that is around 10-30 years from now (Vinge, 1993), (Kurzweil, 2006). As this mode coincides with an adult’s working life, it may also be called “in personal life time”. In this mode people may expect to personally suffer from a catastrophe, or be personally responsible for incorrect predictions. MIRI recently increased its estimation of the probability that AGI will appear around 2035 (MIRI, 2017), pushing AGI into “next 2-3 decades” mode. There is a consideration against increasing the color code too much for near-term risks, as that may lead to myopia regarding longterm risks of human extinction. There will always be smaller but more urgent risks, and although these ought to be dealt with, some resources ought to be put towards understanding and mitigating the longer term. ACCEPTED MANUSCRIPT 19 Having said this, in high impact emergency situations, short term overwhelming efforts may help to prevent impending global catastrophe. Examples include the Cuban missile crisis and fighting the recent Ebola pandemic in Western Africa. Such short-term efforts do not necessarily constrain our long-term efforts towards preventing other risks. Thus, short term global catastrophic and larger risks may get a purple rating. 4.6. Detailed explanation of risk assessment principles in the color coded scale In Table 3, we estimate the main global risks, according to the scale suggested in section 4.4. Table 3. Detailed explanation of the X risks scale Color code Examples of risks White Sun becomes red giant. Although this risk is practically guaranteed, it is very remote indeed. Natural false vacuum decay. Bostrom and Tegmark estimated such events as happening in less than one in 1 billion years, (that is 10-7 in a century) (Tegmark & Bostrom, 2005). Moreover, nothing can be done to prevent it. Green Gamma-ray bursts. Earth threatening gamma-ray bursts are extremely rare, and in most cases they will result only in a crop failure due to UV increases. However, a close gamma-ray burst may produce a deadly muon shower which may kill everything up to 3 km in depth (A. Dar, Laor, & N.J, 1997). However, such events could happen less than once in a billion years (10-7 in a century) (Cirković & Vukotića, 2016). Such an event will probably kill all multicellular life on Earth. Dar estimates risks of major extinction events from gamma ray bursts as 1 in 100 mln years (A. Dar, 2001). Asteroid impacts. No dangerous asteroids have been thus far identified, and the background level of global catastrophic impacts is around 1 in a million years (10- 4 in a century). Extinction-level impact probability is 10-6 per century. There are several prevention options involving deflecting comets/asteroids. Also, food security could be purchased cheaply (Denkenberger, 2015). However, some uncertainty exists. Some periods involve intense comet bombardment, and if we are in such a time investment in telescopes should be larger (Rampino & Caldeira, 2015). High energy accelerator experiments creating false vacuum decay/black hole/strangelet. Vacuum decay seems to have extremely low probability, far below 10-8 currently. One obvious reason for expecting such events to have very low probability is that similar events happen quite often, and haven’t destroyed everything as yet (Kent, 2004). However, we give this event a higher estimation for two reasons. First, as accelerators become more capable such events might become more likely. Second, the risks are at an astronomical scale: it could affect other civilizations in the universe. Other types of accelerator catastrophes, like mini-black hole or strangelet creation, would only kill Earth life. However, these are more likely, with one estimate being <2E-8 risk from a single facility (the Relativistic Heavy Ion Collider) (Arnon Dar, De Rújula, & Heinz, 1999), which should be coded white. There many unknowns about dangerous experiments (Sandberg & Landry, 2015). Overall, these risks should be monitored, so green is advisable. Yellow Supervolcanic eruption. Given historical patterns, the likelihood of living in a century containing a super volcanic eruption is approximately 10-3 (Denkenberger, 2014). However, the chance of human extinction resulting is ACCEPTED MANUSCRIPT 21 significantly lower than this. If such an eruption produces global crop failure, it could end current civilization. Conventional wisdom is that there is nothing that could be done to prevent a super volcano from erupting, but some possible preventive measures have been suggested (Denkenberger, this issue). We estimate supervolcanic risks to be higher than asteroid impacts because of the historical record, as they likely nearly finished us off 74 000 ago (Robock et al., 2009). Natural pandemic. A natural pandemic is fairly likely to kill 1% (to an order of magnitude) of the global population during this century, as the Spanish flu did. However, such a pandemic is very unlikely to cause total extinction because lethality is under 100% and some populations are isolated. Between all natural pandemics, emerging pandemic flus have a shorter timespan and need much more attention. Bird flu has a mortality above 0.5 (WHO, 2017) and could produce widespread chaos and possible civilizational collapse if human-to-human transmission starts. Therefore, we estimate 10% probability this century of 10% mortality. Global warming triggering global catastrophe. According to the IPCC anthropogenic global warming may affect billions of people by the end of the 21st century (Parry, 2007), causing heat waves, crop failures and mass migration. Those events, and downstream consequences such as conflicts, could conceivably kill 1 billion people. However, this would only occur for tail risk scenarios which have order of magnitude 1% probability. Having said this, several experts think that methane release from permafrost and similar positive feedback loops may result in runaway global warming with much larger consequences (Obata & Shibata, 2012). Orange Full-scale nuclear war. There is roughly 0.02-7% chance per year of accidental full-scale nuclear war between the US and Russia (Barrett, Baum, & Hostetler, 2013). With fairly high probabilities of nuclear winter and civilization collapse given nuclear war, this is order of magnitude 10% this century. We should also take into consideration that despite reductions in nuclear weapons, a new nuclear arms race is possible in the 21st century. Such a race may include more devastating weapons or cheaper manufacturing methods. Nuclear war could include the creation of large cobalt bombs as doomsday weapons or attacks on nuclear power plants. It could also start a chain of events which result in civilization collapse. Nanotechnology risks. Although molecular manufacturing can be achieved without self-replicating machines (Drexler & Phoenix, 2004), technological fascination with biological systems makes it likely that self-replicating machines will be created. Moreover, catastrophic uses of nanotechnology needn’t be due to accident, but also due to the actions of purposeful malignant agents. Therefore, we estimate the chance of runaway self-replicating machines causing “gray goo” and thus human extinction to be one per cent in this century. There could also be extinction risks from weapons produced by safe exponential molecular manufacturing. See also (Turchin, 2016). Artificial pandemic and other risks from synthetic biology. An artificial multipandemic is a situation in which multiple (even hundreds) of individual viruses created through synthetic biology are released simultaneously either by a terrorist state or as a result of the independent activity of biohackers (Turchin, Green, & Dekenbergern, 2017). Because the capacity to create such a multipandemic could arrive as early as within the next ten to thirty years (as all the needed technologies already exist), it could overshadow future risks, like nanotech and AI, so we give it a higher estimate. There are also other possible risks, connected with synthetic biology, which are widely recognized as serious (Bostrom, 2002). Agricultural catastrophe. There is about a one per cent risk per year of a ten per cent global agricultural shortfall occurring due to a large volcanic eruption, a medium asteroid or comet impact, regional nuclear war, abrupt climate change, or extreme weather causing multiple breadbasket failures (Denkenberger 2016). This could lead to 10% mortality. Red AI risks. The risks connected with the possible creation of non-aligned Strong AI are discussed by (Bostrom, 2014), (Yudkowsky, 2008), (Yampolskiy & Fox, 2013) and others. It is widely recognized as the most serious X risk. AI could start an “intelligence explosion wave” through the Universe, which could prevent appearance of the other civilizations before they create their own AI. Purple Something like the Caribbean crisis in the past, but larger size. Currently, there are no known purple risks. If we could be sure that Strong AI will appear in the next 100 years and would probably be negative, it would constitute a purple risk. Another example would be the creation of a Doomsday weapon that could kill our species with global radiation poisoning (much greater ionizing radiation release than all of the current nuclear weapons) (Kahn, 1959). A further example would be a large incoming asteroid being located, or an extinction level pandemic has begun. These situations require quick and urgent effort on all levels.

#### Structurally err neg---corporate lysenkoism undermines credibility of aff evidence---also turns innovation

UCS 12 - nonprofit science advocacy organization (Union of Concerned Scientists, <https://www.ucsusa.org/sites/default/files/2019-09/heads-they-win-summary.pdf>, EM)

Access to the best available science allows federal decisionmakers to craft policies that protect our health and safety and the environment. Unfortunately, censorship of scientists and the manipulation, distortion, and suppression of scientific information has threatened the federal scientific enterprise in recent years. This serious problem has sparked much debate, but few have analyzed the key driver of political interference in federal science: the inappropriate influence of companies with a financial stake in the outcome. This influence affects not only the science used in decision making, but also public opinion and the decision-making process itself. By better understanding how corporations influence the use of science in federal decision making, we can both hold companies and policy makers accountable for their actions and ensure that the nation develops science-based policies that serve the public interest. The first chapter of this report explores the numerous methods corporate interests employ to inappropriately influence how the federal government uses science to make decisions. The second chapter provides an overview of the steps the Obama administration has taken to restore scientific integrity to federal policy making. The third chapter focuses on the federal reforms still essential to ensure that authoritative and independent scientific information informs policies designed to protect public health and the environment. Recognizing that solving this problem extends far beyond what the government can accomplish alone, we also suggest broader reforms that corporations, the scientific community, academic institutions, news media, and the courts can pursue to ensure transparency and accountability in the use of science. The twenty-first century presents the United States and the world with urgent science-based challenges. We must have the ability to use independent science to address problems such as the need for high-quality yet affordable health care, terrorism, climate change, rising demand for energy and natural resources, population growth, and the loss of biodiversity, and to anticipate and tackle challenges unknown today. Methods of Abuse Corporations attempt to exert influence at every step of the scientific and policy-making processes, often to shape decisions in their favor or avoid regulation and monitoring of their products and by-products at the public’s expense. In so doing, they often attempt to fundamentally alter the decision-making process and exploit executive branch agencies, Congress, and the courts. Corrupting the Science Corporations that stand to lose from the results of independent scientific inquiry have gone to great lengths to manipulate and control science and scientists by: Terminating and suppressing research. Companies have controlled the dissemination of scientific information by ending or withholding results of research that they sponsor that would threaten their bottom line. Intimidating or coercing scientists. Corporations bury scientific information by harassing scientists and their institutions into silence. Scientists have been threatened with litigation and the loss of their jobs, have had their research defunded, have been refused promotion or tenure, and have been transferred to non-research positions, leading to self-censorship and changes in research direction. Manipulating study designs and research protocols. Corporations have employed flawed methodologies in testing and research—such as by changing the questions scientists are asking—that are biased toward predetermined results. Ghostwriting scientific articles. Corporations corrupt the integrity of scientific journals by planting ghostwritten articles about their products. Rather than submitting articles directly, companies recruit scientists or contract with research organizations to publish articles that obscure the sponsors’ involvement. Publication bias. Corporations selectively publish positive results while underreporting negative results. While not directly corrupting science itself, these publishing and reporting biases skew the body of evidence. Shaping Public Perception Armed with public relations teams, private interests have launched campaigns that influence public opinion and undermine understanding of scientific consensus. Among their methods: Downplaying evidence and playing up false uncertainty. As scientific understanding of the health effects of products and substances such as tobacco and particulate emissions emerges, companies fight regulation by attacking the science, downplaying scientific consensus, exaggerating scientific uncertainty and spreading doubt. Vilifying scientists. Scientists analyzing the health and environmental effects of products such as asbestos and lead, and phenomena such as climate change, are publicly criticized and attacked. These attacks and allegations of misconduct discredit the scientists and deter them from continuing their research. Promoting experts who undermine the scientific consensus. Corporations promote individuals who overemphasize research that appears to cast doubt on the scientific consensus. Often their expertise is not in a relevant field, limiting their ability to effectively evaluate the scientific findings they are criticizing. Hiding behind front groups or “capturing” organizations. Companies use front groups, public relations firms, and other paid consultants to covertly advance corporate interests while these entities maintain the illusion of independence. Influencing the media. Corporations inaccurately portray science by feeding the media slanted reports and news stories, or biased spokespeople.

### 2NC---FW

#### Plan focus frames debate within the terms of neoliberalism

Jackson ‘16 [Richard; Director of the National Centre for Peace and Conflict Studies, the University of Otago and Former Professor of International Politics at Aberystwyth University; “To Be or Not To Be Policy Relevant? Power, Emancipation and Resistance in CTS Research” Critical Studies on Terrorism, Vol. 9, No. 1, p. 120-125]

Finally, I would argue that the effect of holding up “policy relevance” as a measure of good research can, and most often does, have a distorting effect on the research itself. This is because framing the end-point of the research in this way pushes us towards asking particular kinds of questions and looking for particular kinds of evidence. Primarily, it frames the research question in a “problem-solving” mode, conforming to the way that policymakers view reality. To illustrate this, consider the potential impact of asking, “How could my research assist counterterrorism officials to respond to terrorism more effectively?”, compared to the question, “How could my research assist ordinary people or oppressed groups achieve greater social justice and emancipation?” Research on the same topic, but pursued under the rubric of these two contrasting questions, will result in quite different sets of findings, I would argue. It is for these reasons – the inherently oppressive nature of contemporary counterterrorism, the legitimising role of academics in maintaining state power, the potentially distorting effects of policy-oriented research, and the incompatibility of a commitment to both emancipation and the maintenance of the current elite-dominated system – that I have come to believe that the time for any kind of significant engagement with policymakers and counterterrorism practitioners is now over. The pitfalls and dangers for normatively oriented and committed scholars are too great to warrant risking it. We are now in a historical period where blunt and sustained opposition to the war on terror and state counterterrorism, plus the broader questioning of neoliberal capitalism and the state, is an overriding ethical imperative, in order to protect the innocent from foreseeable harms, advance social justice, respond to climate change, and promote emancipation.

#### Independently, neoliberal discourse drives interpersonal violence within debate

Monbiot ‘16 [George; The author of the bestselling books The Age of Consent: A Manifesto for a New World Order and Captive State: The Corporate Takeover of Britain; 4-1-2016; “Neoliberalism – the ideology at the root of all our problems,” https://www.theguardian.com/books/2016/apr/15/neoliberalism-ideology-problem-george-monbiot]

Imagine if the people of the Soviet Union had never heard of communism. The ideology that dominates our lives has, for most of us, no name. Mention it in conversation and you’ll be rewarded with a shrug. Even if your listeners have heard the term before, they will struggle to define it. Neoliberalism: do you know what it is? Its anonymity is both a symptom and cause of its power. It has played a major role in a remarkable variety of crises: the financial meltdown of 2007‑8, the offshoring of wealth and power, of which the Panama Papers offer us merely a glimpse, the slow collapse of public health and education, resurgent child poverty, the epidemic of loneliness, the collapse of ecosystems, the rise of Donald Trump. But we respond to these crises as if they emerge in isolation, apparently unaware that they have all been either catalysed or exacerbated by the same coherent philosophy; a philosophy that has – or had – a name. What greater power can there be than to operate namelessly? Inequality is recast as virtuous. The market ensures that everyone gets what they deserve. So pervasive has neoliberalism become that we seldom even recognise it as an ideology. We appear to accept the proposition that this utopian, millenarian faith describes a neutral force; a kind of biological law, like Darwin’s theory of evolution. But the philosophy arose as a conscious attempt to reshape human life and shift the locus of power. Neoliberalism sees competition as the defining characteristic of human relations. It redefines citizens as consumers, whose democratic choices are best exercised by buying and selling, a process that rewards merit and punishes inefficiency. It maintains that “the market” delivers benefits that could never be achieved by planning. Attempts to limit competition are treated as inimical to liberty. Tax and regulation should be minimised, public services should be privatised. The organisation of labour and collective bargaining by trade unions are portrayed as market distortions that impede the formation of a natural hierarchy of winners and losers. Inequality is recast as virtuous: a reward for utility and a generator of wealth, which trickles down to enrich everyone. Efforts to create a more equal society are both counterproductive and morally corrosive. The market ensures that everyone gets what they deserve. We internalise and reproduce its creeds. The rich persuade themselves that they acquired their wealth through merit, ignoring the advantages – such as education, inheritance and class – that may have helped to secure it. The poor begin to blame themselves for their failures, even when they can do little to change their circumstances. Never mind structural unemployment: if you don’t have a job it’s because you are unenterprising. Never mind the impossible costs of housing: if your credit card is maxed out, you’re feckless and improvident. Never mind that your children no longer have a school playing field: if they get fat, it’s your fault. In a world governed by competition, those who fall behind become defined and self-defined as losers. Neoliberalism has brought out the worst in us Among the results, as Paul Verhaeghe documents in his book What About Me? are epidemics of self-harm, eating disorders, depression, loneliness, performance anxiety and social phobia. Perhaps it’s unsurprising that Britain, in which neoliberal ideology has been most rigorously applied, is the loneliness capital of Europe. We are all neoliberals now.

### 2NC---Alt

#### Proletarianization makes class struggle inevitable---the aff accelerates and properly directs movements

Reese 20 - author of Socialism or Extinction and The End of Capitalism: The Thought of Henryk Grossman (Ted, <https://www.amazon.com/Socialism-Extinction-Automation-Capitalist-Breakdown-ebook/dp/B081FHF2ZQ>, emuse)

Those who are lucky enough to find or remain in work as the capitalist crisis deepens will see their pay and conditions savagely forced down. In April 2018, the World Bank recommended yet more deregulation in a report that said “high minimum wages, undue restrictions on hiring and firing and strict contract forms all make workers more expensive vis-à-vis technology”.[437] International capital is preparing a major assault on international labour in order to accelerate moves towards automation. Even if the next crash is not a final breakdown, significant sections of the middle classes would be proletarianised and impoverished and the reserve army of labour would swell. Class struggle would explode. Capitalists could be forced to slow down or stop the introduction of new automation by, say, a strong and militant neo-Luddite or trade union movement and – the usual driver for concessions – the desire for social peace. But the contradiction persists: capital accumulation, and staying ahead of or keeping up with competitors, requires higher productivity and therefore labour-saving innovation. The deeper capitalism sinks into crisis the more necessary it becomes to raise productivity. That is, the more workers are replaced by robots, the greater the underproduction of surplus value becomes, and yet the system will need to respond by replacing more workers with robots. If it cannot do this then capital goes unvalorised and the economy crashes. From the perspective of the bourgeoisie, a strong neo-Luddite or trade union movement would sooner or later have to be crushed. In an article in January 2018 headlined “When the next recession hits, the robots will be ready”, the Washington Post pointed out that innovations happen quickest “when employers slash payrolls going into a downturn and, out of necessity, turn to software or machinery to take over the tasks once performed by their laid-off workers”.[438] Pointing to growing expectations by economists of a financial crisis in 2020, the paper adds that the “next wave of automation won’t just be sleek robotic arms on factory floors. It will be ordering kiosks, self- service apps and software smart enough to perfect schedules and cut down on the workers needed to cover a shift. Employers are already testing these systems. A recession will force them into the mainstream.” Striking statistics from an upcoming paper by economists Nir Jaimovich and Henry Siu “found that 88% of job loss in routine occupations occurs within 12 months of a recession. In the 1990- 1991, 2001 and 2008-2009 recessions, routine jobs accounted for ‘essentially all’ of the jobs lost. They regained almost no ground during the subsequent recoveries.”[439] Automation under capitalism is therefore accelerating the trend towards proletarianisation, higher levels of poverty and the underproduction of surplus value. It is the sharpest of sharpening contradictions, a vicious circle from which capitalism cannot escape. It is a trend which increasingly threatens a final breakdown. The ‘Leninist’ road to socialism[440] – whereby working class organisations (soviets (workers’ councils), communes etc) effectively form an independent state and then, when strong enough, destroy what is left of the capitalist state – of course seems to be dismissed now more than ever – by liberals who claim that the demise of the Soviet Union signalled the end of history;[441] by the anarchists and autonomists who believe a leap into ‘full communism’ can be achieved without the socialist stage; and by ‘democratic socialists’ who claim socialism can be built via bourgeois democracy by voting through ‘socialist policies’. Then there is the notion that Marx and Lenin are redundant because the supposed protagonist of their revolutionary strategy – the industrial proletariat – is dead or irrelevant. There are several problems surrounding this. The accusation about the industrial proletariat is made, in slightly different ways, not just by liberals but by some anarchists, who do not claim that the industrial proletariat is dead but persist with the myth that it is the protagonist of the Leninist revolution. The Bolsheviks focused on agitating among the urban or industrial proletariat because that was the most efficient use of scarce resources, with the intention that the message would then spread outwards to the wider proletariat as a whole. This accusation that Leninists ignore the wider proletariat is often a projection of valid criticisms of some ‘Trotskyists’, who, while posing as Leninists, or at least distorting Leninism, do overemphasise the importance of the industrial worker. This is because Trotskyists – who for the same reason tend to be de facto pro-imperialist (by giving critical support to the Labour Party, for example) – tend to derive from labour aristocratic positions in trade unions and universities. Lenin though is renowned for criticising socialists who limited their agitation to “trade union consciousness” or “economism” – ie, simply supporting, or tailing, working class demands, without advocating an independent (non-social democratic) working class party or proletarian dictatorship (or, before that, the overthrow of tsarism) – and for his ruthless criticism of a labour aristocratic minority which misled the masses with solely reformist demands. Hence why he said revolutionaries had to “dig deeper into the real masses” of the poorest workers, who had the least to lose and the most to gain. This meant that, in Russia, he saw the need for an alliance between workers and poor peasants, an alliance that Leon Trotsky initially rejected. Today, real Leninists still see the poorest and most oppressed workers as the main protagonists of revolution. The claim that the industrial proletariat is dead is either dishonest or smacks of ‘first world’ myopia. The industrial proletariat may have shrunk in the imperialist nations over the past 40 years but internationally it has grown spectacularly. In 2010, 79%, or 541 million, of the world’s industrial workers lived in ‘less developed regions’, up from 34% in 1950 and 53% in 1980, compared to the 145 million industrial workers, or 21% of the total, who in 2010 lived in the imperialist countries.[442] This shift is even greater in the manufacturing industry, since in emerging nations manufacturing forms a much higher proportion of total industrial employment than in imperialist countries, and therefore, as John Bellamy Foster et al point out, “the broad category of ‘industrial employment’ systematically understates the extent to which the world share of manufacturing has grown in developing countries”, citing figures for the US and China showing these ratios to be 58.1% and 75.2% respectively.[443] “Extrapolating these two ratios to ‘more developed’ and ‘less developed’ countries as a whole, 83% of the world’s manufacturing workforce lives and works in the nations of the Global South,” says John Smith in Imperialism in the Twenty First Century.[444] Based on the integration of ‘Southern’ workers into the global economy, the IMF has also attempted to take into account qualitative as well as quantitative changes, calculating an “export-weighted global workforce” by multiplying the numerical growth of the workforce by the increasing degree to which they produce for the global market rather than the domestic market. Since Southern-manufactured exports grew more than twice as fast as GDP during the quarter-century leading up to the global crisis in 2007, the IMF estimates that the effective global workforce quadrupled in size between 1980 and 2003. But even within the imperialist nations, where the industrial working class has declined both absolutely and relatively, Smith points to “deepening proletarianisation”, saying that “the proletarians have increased their already overwhelming predominance within the economically active population [EAP].... Between 1980 and 2005 the proportion of waged and salaried workers in total EAP in ... the developed nations steadily rose, from 83% to 88% (in 2005, around 500 million people), indicating deepening proletarianisation in these countries.”[445] In the US, it is even higher, with waged workers as a proportion of the EAP increasing from 90.6% in 1980 to 93.2% in 2011.[446] Because of distortions made by the ILO’s methods, this undoubtedly underestimates or obscures the size of the labour aristocracy, something we will come back to further on, but the trend is nevertheless clear, with more and more workers being forced into low-paid services work. Obviously with China, India and the former Soviet bloc being integrated into the global economy, 1.47 billion workers joined the global capitalist workforce very suddenly. But this does not distort the overall trend. With their supposed bias for the industrial proletariat, Leninists are accused of failing to recognise the multiple sections of the working class or its fragmentation. But far from ignoring the heterogeneous make-up of the working class, this is one of the factors that contribute to the Leninist conclusion that a vanguard party is necessary – to unite the disparate and sectional struggles of the working class into one unstoppable force. Likewise, the fact recognised across the left that technological advances have fragmented the working class, that they have increased unemployment and underemployment and therefore reduced workers’ leverage in their struggles against their bosses, reflected in the imperialist countries by the low number of strikes since the 1980s, must mean that the state is the primary battleground. We are already seeing this in the re-emergence of social democratic movements (see the previous chapter), whereby downwardly mobile labour aristocracies are becoming slightly more antagonistic towards the ruling class, and are attempting to harness the power of the working class as a whole, in what is essentially a fight with the middle and ruling classes over allocations of surplus value. These strawman accusations against Lenin misrepresent or misinterpret his definition of the proletariat, which followed Marx’s. The main feature of the proletariat as a class is not its direct link with the means of production but rather its separation from them. In other words, the proletariat is first and foremost characterised as a class by the fact that it does not own the means of production and has to work for wages. The salient feature is not what differentiates them, but what unites them. The more a worker is dependant on selling their labour power for survival the deeper their proletarianisation. Indeed, it is the fact that the industrial proletariat is shrinking relative to the working class as a whole, relegating a significant proportion of previously privileged workers into the poorer sections of the working class, that sees the mass of the latter grow numerically in strength. As the mass of exploited manual workers decreases due to scientific and technological progress, particularly automation, the mass of exploited intellectual workers, ie white collar employees, engineers and scientists (who increasingly contribute to commodity production) also increases in reverse proportion. The casualisation of university employment in the past few years is a case in point. In the US, although union membership stood at a lowly 10.7% of the workforce at the start of 2019, the unionisation of traditionally non- unionised white collar labour almost doubled between 2010 and 2017.[447] According to the Pew Research Center, the median wealth (assets minus debts) of the US middle class fell by 28% from 2001 to 2013.[448] People on middle incomes[449] accounted for 50% of the US adult population in 2015, down from 61% in 1971, while the poorest tier of the working class comprised 20% of the population in 2015 compared to 16% in 1975. The number of people receiving supplemental nutritional assistance, or food stamps, exploded from 26 million in 2007 to 46 million in 2012.[450] And 63% of the population say they have less than $500 in personal savings.[451] At the same time private and household debt has gone through the roof. In the 1970s, personal and credit card debts shot up by 238% relative to the 1960s. In the 1980s it shot up on the previous decade by another 318% and by another 180% in the 1990s.[452] According to the Federal Reserve Bank of New York, household debt rose to a record $13.5 trillion in the fourth quarter of 2018, nearly 7% higher than in the third quarter of 2008. Even more troublingly, a record number of US Americans were three months or more behind on repayments for car loans (more than 7 million). As New York Times journalist Amy Chozick noted in May 2015, “the once ubiquitous term ‘middle class’ has gone conspicuously missing from the 2016 [presidential] campaign trail, as candidates and their strategists grasp for new terms for an unsettled economic era [in which] the middle class has for millions of families become a precarious place to be”.[453] Capitalism in the age of automation increasingly turns the majority of the population into proletarians and, in doing so, creates all economic, social and political prerequisites for the system’s downfall. The deeper the system sinks into crisis, the more proletarians are created, through unemployment, wage cuts and so on, and the more radical they are likely to become. This is borne out by the real development of the international proletariat. While we have already seen that the industrial proletariat has grown enormously, according to the ILO, the world’s “economically active population” (EAP) grew from 1.9 billion in 1980 to 3.1 billion in 2006.[454] Almost all of this numerical growth took place in the ‘emerging nations’, now home to 84% of the global workforce, 1.6 billion of whom worked for wages. The other one billion were small farmers and a multitude of people working in the ‘informal economy’,[455] which is, according to Mike Davis “the fastest growing social class on earth”.[456] While the industrial proletariat in the ‘Global South’ has grown enormously since 1980, its share of the South’s total workforce has been much more modest, rising from 14.5% in 1980, to 16.1% in 1990, to 19.1% in 2000, to 23.1% in 2010[457] – because the absolute growth of the non-industrial proletariat is even greater. Meanwhile, agricultural employment in the Global South has declined to 48% of its EAP, down from 73% in 1960, and from “approximately one-third” to just 4% of EAP in developed countries. However, the ILO reports: “Despite the declining share of agricultural workers in total employment, the absolute numbers of those engaged in agriculture are still rising, most notably in south Asia, east Asia, and sub-Saharan Africa.”[458] The other significant component of the growing proletariat? The unemployed. Smith reports that, apart from China, “no economy has grown fast enough to provide jobs to the legions of young people entering the labour market and the rural exodus to swollen cities in search of work. Even at the zenith of export-oriented industrialisation the ILO reported that ‘in the late 20th century, manufacturing ceased being a major sector of employment growth, except in east and southeast Asia’.” Senior ILO economist Nomaan Majid said the commerce sector, not manufacturing, “is the main employment growth sector in both low- and middle-income groups”.[459] This links back to what we saw in chapter four – that even in the developing nations, the trend towards automation is accompanied by growing unproductive work and unemployment. The numerical growth of the working class has been coupled with a massive attack on its wages, further deepening proletarianisation. In a striking example of how constant capital rises relative to variable capital, John Lanchester writes in the London Review of Books that in the US: “In 1960, the most profitable company in the world’s biggest economy was General Motors (GM). In today’s money, GM made $7.6bn that year. It also employed 600,000 people. Today’s most profitable company employs 92,600. So where 600,000 workers would once generate $7.6bn in profit, now 92,600 generate $89.9bn, an improvement in profitability per worker of 76.65 times. Remember, this is pure profit for the company’s owners, after all workers have been paid. Capital isn’t just winning against labour: there’s no contest. If it were a boxing match, the referee would stop the fight.”[460] Whereas wages in the US rose by 350% between 1927 and 1977, real terms growth has since been in decline. In Britain, wages grew at an annual average of 2.9% in the 1960s and 70s, 1.5% in the 90s and 1.2% in the 2000s. Between 2007 and 2015 that trend accelerated at an unprecedented rate, with real household wages falling by 10.4%.[461] The Resolution Foundation said the 2010s would be the worst decade for UK wage growth since the late 18th century. But as bad as the attack on wages in imperialist countries has been, it has been even worse in the countries imperialism plunders, where workers are of course already paid much less. According to the ILO’s World of Work Report 2011, since the early 1990s the “share of domestic income that goes to labour ... declined in nearly three-quarters of the 69 countries with available information”. While “the wage share among advanced economies has been trending downward since 1975”, it “occurred at a much more moderate pace than among emerging and developing economies – falling roughly nine percentage points since 1980”.[462] In contrast, the fall in Asia between 1994 and 2010 was around 20%. The imperialist countries have also seen a decline in full-time self- employment and self-employed income. This has included a continuing shrinkage in the number of small family farmers, indicating the proletarianisation of portions of the lower middle classes. Michael Elsby’s study The Decline of US Labor Share reports that the “rise in inequality is even more striking for proprietors’ income than it is for payroll income. In 1948 the bottom 90% of employees earned 75% of payroll compensation. By 2010 this had declined to 54%. For entrepreneurial income, however, this fraction plummeted from 42% in 1948 to 14% in 2010.”[463] A separate study of 2014 data by the US Small Business Administration suggests the same pattern regarding millennials (generally defined as people born between 1985 and 2004). “Fewer than 4% of 30 year-olds reported they were in full-time self-employment – a proxy for entrepreneurship – compared with 5.4% of Generation X-ers [1965 and 1984] and 6.7% of Baby Boomers [1945 and 1964] at the same age,” the FT reported.[464] Furthermore, the pace of decline in wages has accelerated in recent years, “with the wage share falling more than 11 percentage points between 2002 and 2006. In China, the wage share declined by close to 10 percentage points since 2000.”[465] Africa’s workers saw their share of national income reduced by 15% in the two decades since 1990, again “with most of this decline – 10 percentage points – taking place since 2000. The decline is even more spectacular in north Africa, where the wage share fell by more than 30 percentage points after 2000.”[466] Latin America saw the lowest decline, of 10% since 1993, and most of it before 2000, undoubtedly due to strong workers’ organisation and resistance, represented by the left-wing ‘Pink Tide’ in Venezuela,[467] Bolivia, Brazil and Argentina. As mentioned, mainstream economic accounting methods underepresent the size of the middle classes and labour aristocracy – which are bound to be proportionately bigger in imperialist nations – and do not take account of sharply increasing inequality between skilled/professional and unskilled workers or of income to capital that has been classified as income to labour, such as bonuses paid to bankers and wages and sponsorship of sports professionals etc, meaning the real extent of the fall in labour’s share is even higher, and considerably so. Elsby attempts to challenge these distortions, writing that in the US, the Bureau of Labor Statistics’ (BLS) calculation of a decline of 3.9% in the share of national income for labour over 1987-2013 becomes a 10% decline when the highest paid 1% of employees are excluded, and a 14% decline when the highest paid 10% are excluded. Based on this more honest method, the lowest 90% of wage earners (84% of the US’s total economically active population) actually earned 42% of the total payroll in 1980 and just 28% in 2011. Elsby also found that the fall for labour has accelerated as time has progressed, declining by twice as much between 2000 and 2011 as in the previous two decades.[468] Again, the trend towards deepening proletarianisation is clear. The material basis for a position of relative privilege among the lower middle classes and labour aristocracy is disappearing. The proletariat is numerically stronger than ever, especially as an international class. ‘Neoliberal globalisation’, which promised to produce prosperous nations of entrepreneurs and homeowners, has instead produced capitalism’s grave-diggers. All this is confirmed by the fact that inequality has hit record levels. In 2018 and 2019, Oxfam found that the 26 richest billionaires owned as much in assets as the 3.8 billion people who make up the poorest half of the planet’s population. The number had been 61 in 2016 and 43 in 2017, showing again that capital continues to centralise. Marx wrote that the concentration of wealth at one pole depended on the concentration of poverty at the other. And lo: the wealth of more than 2,200 billionaires across the globe increased by $900bn in 2018, a 12% increase against a fall of 11% in the wealth of the poorest half of the world’s population. Between 1980 and 2015, the global economy grew by 380%, yet the number of people living in poverty on less than $5 (£3.20) a day increased by more than 1.1 billion. In 1980, $2.20 of every $100 went to the world’s poorest 20%, but in 2003 that figure had fallen to 60 cents.[469] Inequality is most acute between rich and poor countries but it is growing within rich countries as well. In the US, for example, according to the Federal Reserve, the richest 1% owned a record-high 38.6% of the country’s wealth in 2016, nearly twice as much as the bottom 90%. Anti-socialists will still ignore all this or proclaim that the proletariat is no longer a revolutionary class because living standards are generally much higher than 100 years ago, claiming that really “we are all middle class now” or making shallow observations such as “capitalism works because workers have mobile phones!” as if cracking some kind of insightful gotcha that disproves Marxism. This ignores how as the rate of exploitation increases, the value of necessary labour falls, making the commodities workers need to buy to live cheaper. It ignores how the needs of the working class change as capitalism develops: workers need smartphones and laptops in this day and age of 24-hour connectivity if they are even to be considered employable, and so the cost of a smartphone is included in the value of labour power. It also ignores that workers in some countries may have access to better infrastructure than in others (indeed, although no technology has ever scaled as quickly as the mobile phone, while five billion people now have mobile phones, only around 2.5 billion of world’s population presently have a smartphone). But most of all, it is ignorant of the fact that capitalism is breaking down, which will impoverish and radicalise the working class. The revolutionary power of the working class is latent.

#### That’s sufficient to usher in a transition, but the perm fails

Monbiot 19 (George Monbiot, citing Erica Chenoweth - the Berthold Beitz Professor in Human Rights and International Affairs at Harvard Kennedy School, Foreign Policy magazine ranked her among the Top 100 Global Thinkers in 2013 for her efforts to promote the empirical study of civil resistance, she received the Karl Deutsch Award, which the International Studies Association gives annually to the scholar under the age of 40 who has made the greatest impact on the field of international politics or peace research. And together with Maria J. Stephan, she won the 2013 Grawemeyer Award for Ideas Improving World Order, which is presented annually in recognition of outstanding proposals for creating a more just and peaceful world order. Their book, Why Civil Resistance Works, also won the 2012 Woodrow Wilson Foundation Award, given annually by the American Political Science Association in recognition of the best book on government, politics, or international affairs published in the U.S. in the previous calendar year. 4-1-2019, "Only rebellion will prevent an ecological apocalypse," Guardian, <https://www.theguardian.com/commentisfree/2019/apr/15/rebellion-prevent-ecological-apocalypse-civil-disobedience> accessed: 8-29-2019) //bp

As the environmental crisis accelerates, and as protest movements like YouthStrike4Climate and Extinction Rebellion make it harder not to see what we face, people discover more inventive means of shutting their eyes and shedding responsibility. Underlying these excuses is a deep-rooted belief that if we really are in trouble, someone somewhere will come to our rescue: “they” won’t let it happen. But there is no they, just us. The political class, as anyone who has followed its progress over the past three years can surely now see, is chaotic, unwilling and, in isolation, strategically incapable of addressing even short-term crises, let alone a vast existential predicament. Yet a widespread and wilful naivety prevails: the belief that voting is the only political action required to change a system. Unless it is accompanied by the concentrated power of protest – articulating precise demands and creating space in which new political factions can grow – voting, while essential, remains a blunt and feeble instrument. The media, with a few exceptions, is actively hostile. Even when broadcasters cover these issues, they carefully avoid any mention of power, talking about environmental collapse as if it is driven by mysterious, passive forces, and proposing microscopic fixes for vast structural problems. The BBC’s Blue Planet Live series exemplified this tendency. Those who govern the nation and shape public discourse cannot be trusted with the preservation of life on Earth. There is no benign authority preserving us from harm. No one is coming to save us. None of us can justifiably avoid the call to come together to save ourselves. I see despair as another variety of disavowal. By throwing up our hands about the calamities that could one day afflict us, we disguise and distance them, converting concrete choices into indecipherable dread. We might relieve ourselves of moral agency by claiming that it’s already too late to act, but in doing so we condemn others to destitution or death. Catastrophe afflicts people now and, unlike those in the rich world who can still afford to wallow in despair, they are forced to respond in practical ways. In Mozambique, Zimbabwe and Malawi, devastated by Cyclone Idai, in Syria, Libya and Yemen, where climate chaos has contributed to civil war, in Guatemala, Honduras and El Salvador,, where crop failure, drought and the collapse of fisheries have driven people from their homes, despair is not an option. Our inaction has forced them into action, as they respond to terrifying circumstances caused primarily by the rich world’s consumption. The Christians are right: despair is a sin. As the author Jeremy Lent points out in a recent essay, it is almost certainly too late to save some of the world’s great living wonders, such as coral reefs and monarch butterflies. It might also be too late to prevent many of the world’s most vulnerable people from losing their homes. But, he argues, with every increment of global heating, with every rise in material resource consumption, we will have to accept still greater losses, many of which can still be prevented through radical transformation. Every nonlinear transformation in history has taken people by surprise. As Alexei Yurchak explains in his book about the collapse of the Soviet Union – Everything Was Forever, Until It Was No More – systems look immutable until they suddenly disintegrate. As soon as they do, the disintegration retrospectively looks inevitable. Our system – characterised by perpetual economic growth on a planet that is not growing – will inevitably implode. The only question is whether the transformation is planned or unplanned. Our task is to ensure it is planned, and fast. We need to conceive and build a new system based on the principle that every generation, everywhere has an equal right to enjoy natural wealth. This is less daunting than we might imagine. As Erica Chenoweth’s historical research reveals, for a peaceful mass movement to succeed, a maximum of 3.5% of the population needs to mobilise. Humans are ultra-social mammals, constantly if subliminally aware of shifting social currents. Once we perceive that the status quo has changed, we flip suddenly from support for one state of being to support for another. When a committed and vocal 3.5% unites behind the demand for a new system, the social avalanche that follows becomes irresistible. Giving up before we have reached this threshold is worse than despair: it is defeatism. Today, Extinction Rebellion takes to streets around the world in defence of our life-support systems. Through daring, disruptive, nonviolent action, it forces our environmental predicament on to the political agenda. Who are these people? Another “they”, who might rescue us from our follies? The success of this mobilisation depends on us. It will reach the critical threshold only if enough of us cast aside denial and despair, and join this exuberant, proliferating movement. The time for excuses is over. The struggle to overthrow our life-denying system has begun.

#### American DPS goes global---serves as a shining city on a hill, removes obstacles, and offers assistance

PSL 8 (Party for Socialism and Liberation, [https://liberationschool.org/the-goal-of-socialism-peace-and-equality-amid-plenty/#](https://liberationschool.org/the-goal-of-socialism-peace-and-equality-amid-plenty/), emuse)

Experiences in socialist construction Thanks in great part to the practical experience of Lenin in making revolution, 21st-century socialists have a wealth of experience on which to base further conclusions. Marxists have been able to use accumulated theory and practice in order to lead revolutions in Russia, China, Korea, Yugoslavia, Cuba and many other countries. While there have been vast differences in the experiences of those socialist revolutions, they share one common feature: The socialist revolutions of the 20th century took place in countries where the level of productive forces was very low compared to the imperialist countries. Every successful revolution faced the primary task of developing their economies—while under constant military threat by world imperialism. For that reason, Lenin described the challenges of building communism in 1920 in very practical terms: “Communism is Soviet power plus the electrification of the whole country.” There was no hope in building socialism if the economy remained underdeveloped. Because of the combined challenges of developing the productive forces under the gun of world imperialism, no socialist revolution has yet reached a stage where the “withering away of the state” could be imagined. Imperialism has seized on any weakness in the revolutionary states in order to foment counterrevolution. Nevertheless, the working classes in the countries that have set out to build socialism have made tremendous gains. Russia’s working class in 1917 was 4 percent of the population. Within 50 years, it was the second-most powerful economy in the world. China had never been able to feed its entire population prior to the revolution. Millions died during famines in China prior to 1949. Yet after the 1949 revolution, for the first time the economy was able to feed the largest population in the world. Despite immense pressure from imperialism, Cuba has been able to achieve tremendous gains—despite the collapse of the Soviet Union in 1991. Cuban workers enjoy among the highest living standards of any of their counterparts in Latin America or much of the oppressed world. The continued military and economic dominance by world imperialism—first and foremost by U.S. imperialism—has made the transition to socialism that Marx and Lenin described so far impossible. The workers’ states have needed to devote a considerable part of their social development toward the strengthening of the proletarian dictatorship—the army and police—in order to defend against invasion or counterrevolution. Taking that next step will require a society based on the dictatorship of the proletariat in the United States. Toppling the world’s dominant capitalist power would not only lift a tremendous burden from the workers around the world who are trying to engage in socialist construction. It would put at the disposal of the world working class the tremendous wealth produced by the U.S. working class. All the social wealth extracted from the oppressed world by U.S. corporations and mines could be used to reverse the effects of centuries of colonial and imperialist exploitation. A revolution in the United States would undercut the economic basis for divisions among the working class that promote racism, sexism and homophobia. Socialism is a system of peace, justice and equality. The road to socialism begins with revolution in the United States.

### 2NC---AT: Transition Wars

#### No transition wars---empirics and strategic incentives disprove

MacDonald & Parent ’18 -- Paul MacDonald, associate professor of political science at Wellesley College, Joseph M. Parent, associate professor of political science at the University of Notre Dame. [“Twilight of the Titans: Great Power Decline and Retrenchment,” Cornell University Press, 2018, p. 14-16, <https://muse-jhu-edu.proxy.lib.umich.edu/book/58148>] KS

Preventive war theories lay out a clear cost-benefit analysis, but their accounting is suspect in a number of respects. First, war is incredibly costly and risky. The preferred solution of preventive war theories is one of the most expensive and least predictable actions a state can take. This may be why Thucydides’s prototypical example ended badly. After decisively defeating Athens, Spartan power never recovered, losing to Thebes and Macedon not long after. And modern wars are worse. Even putting nuclear weapons to one side, great power wars have been exorbitantly costly for some time. 23 As Gilpin and Copeland acknowledge, hardline foreign policies bring risks—defeat being the worst—and even victories can be pyrrhic. 24 The use of force may alienate allies, alarm neutrals, and provoke rivals. It can saddle the victor with restive populations and costlier commitments. Shallow declines are not menacing enough to warrant war, while deep declines are hard to reverse with force. Because deep declines tend to be the product of fundamental social and economic deficiencies, foreign policy fixes are seldom silver bullets. Great powers will be most willing to accept the risks of hardline policies at precisely the moments when the benefits are likely to be minimal and unattainable.

Second, and related, preventive war theories underestimate the efficacy of mutual accommodation. The assumption tends to be that war, while rare, is to a large extent inevitable. The alternatives available to declining powers, as Gilpin emphasizes, are “seldom those of waging war versus promoting peace, but rather waging war while the balance is still in that state’s favor or waging war later when the tide may have turned against it.” 25 But there are good reasons why rising challengers would see war as improbable. The capacity of rising powers to sustain their trajectory depends on domestic institutions, which must manage the dislocations associated with rapid growth, and the stresses of great power war are unlikely to help. Premature bids for hegemony can not only encourage the formation of hostile foreign coalitions but also upset the fragile domestic foundations of long-term growth. Windows of vulnerability rarely open as quickly or decisively as theories of preventive action anticipate, and even the most damaged declining power does not become a pushover. Rising powers have strong incentives to bide their time until they are in a decisively dominant position. 26

On their side, declining powers have reasons to avoid confrontational responses as well. The growth of a rising challenger may slow or stall for a variety of reasons. Rising powers may acquire new and costly commitments, which can distract attention and drain resources. Domestic issues may siphon away disposable wealth and divert rising powers from challenging redoubtable great powers. While they may dominate by lesser margins, declining powers can still call upon their large and diverse economies as well as advanced and experienced militaries. They can draw on the support of longstanding allies, appeal to customary diplomatic practices and familiar rules, and concentrate resources on well-established interests. Hostile or unbending actions forfeit these advantages. Provocative actions require declining states to risk scarce resources and use dubious means in uncertain environments for quixotic goals.

Third, preventive war theories obsess over the appearance of credibility, not where it comes from or how much it is worth. For Gilpin, the “fundamental problem with a policy of appeasement or accommodation” is that it leads to “continuing deterioration in a state’s prestige and international position.” 27 But commitments are checks: they only cash when there is something behind them. In world politics, power is the closest equivalent to money, and as a declining state’s power draws down, it has to be more frugal. Great powers cannot be fooled for long; commitments must be backed. Yet declining powers have less capability and must decide whether to keep a stronger, shorter defensive perimeter, or a longer, weaker one. Preventive war theories assert the sanctity of credibility in theory as they recommend overdrawing it in practice. And, while the debate remains lively, credibility in the abstract appears to be worth less than policymakers believe. 28 Great powers are not obligated to defend their interests with equal vigor, and accommodation in one area does not necessarily invite exploitation in others. A reputation for bluffing can be worse than a reputation for weakness.

Most important, credibility is more multifaceted and contextual than preventive war theories assume. Great powers certainly worry about their power and prestige, but their commitments are not of equal weight, and concessions in one area need not be seen as weakening commitments elsewhere. The fact that commitments are complex allows declining powers to shift burdens and concentrate capabilities at key points of challenge. 29 Tactical retreats and strongpoint defenses make deterrence more robust and threats more credible, and may help signal benign intentions. 30 The multifaceted nature of commitments also provides crafty rising challengers with opportunities to challenge the status quo in places that dominant powers are unlikely to vigorously defend. Rising powers that undertake modest challenges to the status quo in less sensitive areas send the important signal that they do not intend to forcibly overturn the existing order. 31 In this way, rising powers can take advantage of their newfound strength without generating incentives for declining powers to clip their wings.

Altogether, these points suggest that shifts in power are concerning but rarely generate strong incentives for war. Declining powers will be drawn to preventive war when uncommon stars align: if war is likely to succeed, if the consequences of war can be managed, if victory will reverse flagging fortunes, and if there are no better options. A declining power must also be confident that rising challengers will continue to ascend rapidly up the ranks, that they will fight to assure their ascendance, and that they are bent on future domination. In the absence of these conditions, pugnacious policies make little sense. Defeat in a preventive war opens the floodgates for exploitation on multiple fronts, and even a successful war can compromise a great power to the point of vulnerability. Typically, states will manage the very real, but often ambiguous, dangers that accompany decline with more caution than aggression.

### 2NC---AT: No AI Impact

#### Overwhelming consensus of AI experts is that AI is inevitable and risks extinction

Allan **Dafoe &** Stuart **Russell 16**. Dafoe is an assistant professor of political science at Yale University; Russell is a professor of computer science at the University of California, Berkeley. 11-02-16. “Yes, We Are Worried About the Existential Risk of Artificial Intelligence.” MIT Technology Review. https://www.technologyreview.com/s/602776/yes-we-are-worried-about-the-existential-risk-of-artificial-intelligence/.

Oren Etzioni, a well-known AI researcher, complains about news coverage of potential long-term risks arising from future success in AI research (see “No, Experts Don't Think Superintelligent AI is a Threat to Humanity”). After pointing the finger squarely at Oxford philosopher Nick Bostrom and his recent book, Superintelligence, Etzioni complains that Bostrom’s “main source of data on the advent of human-level intelligence” consists of surveys on the opinions of AI researchers. He then surveys the opinions of AI researchers, arguing that his results refute Bostrom’s. It’s important to understand that Etzioni is not even addressing the reason Superintelligence has had the impact he decries: its clear explanation of why superintelligent AI may have arbitrarily negative consequences and why it’s important to begin addressing the issue well in advance. Bostrom does not base his case on predictions that superhuman AI systems are imminent. He writes, “It is no part of the argument in this book that we are on the threshold of a big breakthrough in artificial intelligence, or that we can predict with any precision when such a development might occur.” Thus, in our view, Etzioni’s article distracts the reader from the core argument of the book and directs an ad hominem attack against Bostrom under the pretext of disputing his survey results. We feel it is necessary to correct the record. One of us (Russell) even contributed to Etzioni’s survey, only to see his response being completely misconstrued. In fact, as our detailed analysis shows, Etzioni’s survey results are entirely consistent with the ones Bostrom cites. How, then, does Etzioni reach his novel conclusion? By designing a survey instrument that is inferior to Bostrom’s and then misinterpreting the results. The subtitle of the article reads, “If you ask the people who should really know, you’ll find that few believe AI is a threat to humanity.” So the reader is led to believe that Etzioni asked this question of the people who should really know, while Bostrom did not. In fact, the opposite is true: Bostrom did ask people who should really know, but Etzioni did not ask anyone at all. Bostrom surveyed the top 100 most cited AI researchers. More than half of the respondents said they believe there is a substantial (at least 15 percent) chance that the effect of human-level machine intelligence on humanity will be “on balance bad” or “extremely bad (existential catastrophe).” Etzioni’s survey, unlike Bostrom’s, did not ask any questions about a threat to humanity. Instead, he simply asks one question about when we will achieve superintelligence. As Bostrom’s data would have already predicted, somewhat more than half (67.5 percent) of Etzioni’s respondents plumped for “more than 25 years” to achieve superintelligence—after all, more than half of Bostrom’s respondents gave dates beyond 25 years for a mere 50 percent probability of achieving mere human-level intelligence. One of us (Russell) responded to Etzioni’s survey with “more than 25 years,” and Bostrom himself writes, of his own surveys, “My own view is that the median numbers reported in the expert survey do not have enough probability mass on later arrival dates.” Now, having designed a survey where respondents could be expected to choose “more than 25 years,” Etzioni springs his trap: he asserts that 25 years is “beyond the foreseeable horizon” and thereby deduces that neither Russell nor indeed Bostrom himself believes that superintelligent AI is a threat to humanity. This will come as a surprise to Russell and Bostrom, and presumably to many other respondents in the survey. (Indeed, Etzioni’s headline could just as easily have been “75 percent of experts think superintelligent AI is inevitable.”) Should we ignore catastrophic risks simply because most experts think they are more than 25 years away? By Etzioni’s logic, we should also ignore the catastrophic risks of climate change and castigate those who bring them up. Contrary to the views of Etzioni and some others in the AI community, pointing to long-term risks from AI is not equivalent to claiming that superintelligent AI and its accompanying risks are “imminent.” The list of those who have pointed to the risks includes such luminaries as Alan Turing, Norbert Wiener, I.J. Good, and Marvin Minsky. Even Oren Etzioni has acknowledged these challenges. To our knowledge, none of these ever asserted that superintelligent AI was imminent. Nor, as noted above, did Bostrom in Superintelligence.

## Adv---DERS

### 2NC---AT: Warming

#### Only socialism can achieve the absolute decoupling necessary to solve

Reese 20 - author of Socialism or Extinction and The End of Capitalism: The Thought of Henryk Grossman (Ted, https://grossmanite.medium.com/socialism-or-extinction-is-a-fact-not-a-slogan-3cb97b198c50, emuse)

Socialism or extinction is not just a slogan, though; it is a statement of scientific fact. If XR does not stand for socialism, then it must necessarily stand for extinction, rendering its own alleged purpose redundant. In short: capitalism is a profit-dependent system, and must therefore continue to expand production in order to keep investment flowing and profits rising (in absolute terms). And since profit arises from capital’s exploitation of commodity-producing labour, the intensity of the production based on fossil fuel and toxic, fuel-intensive metal mining is (increasingly) necessary. To flesh this out a bit more: capital’s exploitation of commodity-producing labour is the [sole source of profit](http://gesd.free.fr/kliman99.pdf) — the capitalist appropriates surplus value (surplus labour time) from the worker, i.e the worker keeps less value than they create, covering their living costs (necessary labour time), and surplus value is then realised through commodity sales. This social relation is obscured by the money-wage relation. Therefore, capital’s evermore demanding need to accumulate is based on the continual expansion of intensive production, i.e. the extraction of fossil fuel and metals, deforestation, intensive farming, etc., that is releasing carbon and other ‘greenhouse’ emissions — not to mention that they are fuel-intensive practices in the first place and toxic to the local environment — trapped in nature into the atmosphere, making the planet warmer and threatening runaway global heating that, according to numerous scientific studies, will make the planet uninhabitable for humans, probably before the end of the present century. (Capital’s exploitation of labour is therefore also the root cause of [alleged plummeting sperm counts](https://grossmanite.medium.com/declining-sperm-counts-polluted-breast-milk-autoimmune-disorders-the-diabolical-legacy-of-53462aa1245d) (down a reported 59% from 1973 to 2011), further threatening extinction. The microplastics, nanoparticles and toxic chemicals sourced from fossil fuels and metal mines and consumed in everyday products penetrate and damage human cells.) Although extractive industries are usually now very capital-intensive — the source of capitalism’s ([now existential) economic crisis](https://grossmanite.medium.com/with-hyperinflation-looming-and-capitalism-dying-socialism-is-becoming-an-economic-necessity-a031f9a746e0) — the rate of exploitation of the remaining workers is very high. It is not capitalism’s need for ‘infinite growth on a planet of finite resources’, as most leftists seem to put it, that is the central or immediate problem; rather, it is the pace of production and its expansion — determined by the size of an ever-larger total capital and its need to expand yet further by feeding off labour — relative to nature’s ability to replenish itself (something capitalism’s dependence on intensive extraction obviously hinders). Just as surplus value is converted into capital faster than it is produced — resulting in (on average) decennial recessions and, eventually, a historical limit to capital accumulation — so nature is converted into capital faster than it can be replenished. Compound accumulation Fossil fuels (petroleum, coal, natural gas and orimulsion) would shrink to roughly half of total primary energy supply in 2050, from about 77% in 2020 — [down from 81% in 2010](https://www.iea.org/data-and-statistics/charts/share-of-total-primary-energy-demand-by-fuel-2010-2019) — if the world meets the ‘minimum’ internationally agreed target of 2 degrees Celsius warming, [according to S&P Global Platts Analytics](https://www.spglobal.com/platts/en/market-insights/latest-news/oil/062320-fossil-fuels-energy-mix-infographic-interactive). (Even 1C has already seen a reported [400,000 people (and counting) a year dying from climate-related causes](https://www.inquirer.com/philly/blogs/public_health/Death-toll-from-climate-change-estimated-at-400000-In-2010.html); while the Arctic permafrost — containing 1.8 trillion tonnes of carbon, more than twice as much as is currently suspended in Earth’s atmosphere — is, we are told,[2] melting [70 years sooner than previously expected](https://bigthink.com/surprising-science/canada-permafrost). While fossil fuel may fall to 50% of the mix of energy production, its absolute production may rise, since economic output under capitalism tends to double every 20 years.[3] As Jason Hickel writes in his book Less Is More, there was “a steady rise of material use in the first half of the 1900s, doubling from 7 billion tons per year to 14 billion tons per year. But then, in the decades after 1945, something truly bewildering happens… material use explodes: it reaches 35 billion tons by 1980, hits 50 billion tons by 2000, and then screams up to an eye-watering 92 billion tons by 2017… This increase in material use tracks more or less exactly with the rise of global GDP. The two have grown together in lockstep. Every additional unit of GDP means roughly an additional unit of material extraction. “There has been a radical acceleration of fossil fuel use since 1945, rising along with the explosion in both GDP and material use. And carbon emissions have gone up right along with it. Annual emissions more than doubled from 2 billion tons per year to 5 billion tons per year during the first half of the 1900s. During the second half of the century they rose fivefold, reaching 25 billion tons by the year 2000. And they have continued to rise since then, despite a string of international climate summits, reaching 37 billion tons in 2019. Of course, there is no intrinsic relationship between energy use and CO2 emissions. It all depends on what energy source we’re using. Coal is by far the most carbon-intensive of the fossil fuels. Oil — which has grown much more quickly than coal since 1945 — emits less CO2 per unit of energy. And natural gas is less intensive still. As the global economy has come to rely more on these less polluting fuels, one might think that emissions would begin to decline.… [But] because GDP growth is driving total energy demand up at such a rapid pace … these new fuels aren’t replacing the older ones, they are being added on top of them. The shift to oil and gas hasn’t been an energy transition, but an energy addition. “The same thing is happening right now with renewable energy… To keep energy flowing when the sun isn’t shining and the wind isn’t blowing will require enormous batteries at the grid level. This means 40 million tons of lithium — an eye-watering 2,700% increase over current levels of extraction… It takes 500,000 gallons of water to produce a single ton of lithium. Even at present levels of extraction this is causing real problems. In the Andes, where most of the world’s lithium is located, mining companies are burning through the water tables and leaving farmers with nothing to irrigate their crops. Many have had no choice but to abandon their land altogether. Meanwhile, chemical leaks from lithium mines have poisoned rivers from Chile to Argentina, Nevada to Tibet, killing off whole freshwater ecosystems. The lithium boom has barely started, and it’s already a catastrophe… “Today the world is producing 8 billion more megawatt hours of clean energy each year than in 2000. That’s a lot — enough to power all of Russia. But over exactly the same period, economic growth has caused energy demand to increase by 48 billion megawatt hours. “There’s also something else going on. With every year that goes by, it becomes more and more difficult to extract the same amount of materials from the earth. Today, three times more material has to be extracted per unit of metal than a century ago.”[4] There is no such thing as ‘green capitalism’. The ‘Green New Deal’ proposed by social democrats — which actually involves privatising the last areas of common land — is species suicide. Socialism and non-intensive production Under capitalism, commodities are only produced if they are profitable, i.e. if labour is exploitable enough to expand capital. They are use-values/utilities and exchange-values. Under socialism, goods (having been decommodified) are produced if we deem them to be useful, via democratic regulation and demand. They are just use-values and socially owned, so no exchange of ownership takes place, i.e. exchange value and profit are abolished. If we deem that a good is not useful since it is damaging the environment or contributing to climate change too much, we can decide not to make it. Or we can find a way of making it that does not damage or exhaust nature. Rather than fossil fuel (which disappears into thin air and so has to be extracted anew by exploited labour, making it perfect for the needs of capital) or metals (which are finite), we could use non-labour-intensive renewables — sunlight, wind and especially (for physical products) fibrous plants ([especially hemp](https://medium.com/@Grossmanite/the-green-new-deal-is-species-suicide-only-a-hemp-based-industrial-revolution-can-save-earths-f9c3dc29c4e3), which can replace steel, concrete, graphene, lithium and fossil fuel) and [mycelium](https://blogs.scientificamerican.com/observations/the-mycelium-revolution-is-upon-us/) (from which we can even make [computers](https://royalsocietypublishing.org/doi/10.1098/rsfs.2018.0029)). And because socialism can plan and co-ordinate production as a whole on a break-even basis, instead of having to bow to the demands of capital accumulation and anarchic competition between private producers, we can grow economic output at the rate nature replenishes (or slower) — something that socialism could help instead of hinder. Achieving the abundant material wealth for all promised by communism (as it develops into its higher stage, when production becomes fully automated and, eventually, free) is part of the solution. Fibrous plants like hemp [quickly draw down and sequester CO2](https://www.huffpost.com/entry/hemp-and-lots-of-it-could_b_328275?guccounter=1) while reviving the soil, reversing desertification; and the products made from them (including bioplastic that is 10 times stronger than steel; batteries that [outperform lithium and graphene](https://www.bbc.co.uk/news/science-environment-28770876); and highly-insulating [carbon-negative hempcrete](https://www.ukhempcrete.com/services/better-than-zero-carbon-buildings/)) keep that carbon sequestered indefinitely. Abundant material wealth for all includes abundant vegetation, permaculture, afforestation, etc. There is also the potential for micro-organisms to supply a near-infinite source of energy. In 2018, scientists in the US confirmed a theory first proposed by Soviet geologists when they found [huge populations of bacteria living in the extreme temperatures of Earth’s crust](https://www.independent.co.uk/news/science/deep-life-microbes-underground-bacteria-earth-surface-carbon-observatory-science-study-a8677521.html), despite the lack of photosynthesis and nutrients, living solely from chemical reactions fuelled by geothermal energy. They estimated that up to 23 billion tonnes of micro-organisms live in this “deep biosphere”, making it the largest ecosystem on the planet and accounting for nearly 400 times the amount of carbon found in all living humans. Here lies a potential source of abundant energy (although we will have to assess whether the benefits outweigh the impacts of drilling). Other scientists have even found that the Geobacter bacteria found in human waste can convert sewage into fresh water and [produce electricity in the process](https://www.nasa.gov/vision/earth/technologies/18may_wastenot.html). It is now thought that one day [microbial fuel cells](https://www.nasa.gov/feature/ames/could-electricity-producing-bacteria-help-power-future-space-missions/) could power our phones, household appliances — and even spaceships. Investment in microbial fuel cells will remain seriously limited, however, until value-creation is based solely on utility instead of exploitation and profit, since capital cannot exploit the labour time of microbes! Modern science — which is looking more and more ‘presocialist’, i.e. systematic, holistic and dialectial-materialist (the Marxist method of assessing history as moving forward through material and social interactions)— has proven that humans depend on plants and bacteria for everyday life, [smashing the myth of The Individual](https://aeon.co/essays/science-and-metaphysics-must-work-together-to-answer-lifes-deepest-questions) — the world is powered by collectivism. Indeed, trees, plants and bacteria are our relatives. The world is one interconnected whole. The socialisation of the means of production, whereby the means of production are owned by humanity instead of capital, will thus be a ‘naturalising’ humanisation, plantification and microbiolisation of production. Other forms of existing carbon-negative production that could be scaled up include ‘sky mining’ for diamonds that are chemically identical to earth diamonds, another industry that only exists on a small scale under capitalism because of the lack of labour exploitation involved. Emissions-free, energy-dense nuclear power, is also an option. The initial impact of mining uranium on the environment must be re-assessed by an independent socialist state, but to prove our earlier point, nuclear has not been abandoned because of safety fears, but because its capital-intensity has become unprofitable as ever-growing total capital becomes harder and harder to expand by the relatively diminishing pool of human labour. In terms of worker safety, nuclear is [the safest form of energy production](https://amp.theguardian.com/science/political-science/2015/nov/04/why-eco-austerity-wont-save-us-from-climate-change). There is also the prospect of space-based solar power and associated wireless transmission, without the intermittency of night time or winter suffered by solar panels and wind turbines on Earth. This, too, however, has proven too expensive for investors who won’t invest without the prospect of a higher return. Reverting to overly local, small-scale production—which would make everything more expensive — is not an option. Sea levels are rising and we probably need to build incredibly vast dikes on every continent. Rising temperatures will also massively increase the demand for air conditioning, which will have to be powered by something abundant and emissions-free, like nuclear. But socialism never works? Clearly, we need world socialism. Countries that are arguably ‘semi-socialist’ or that are supposedly ‘working towards’ socialism, like China and Venezuela, still work to some extent on the basis of commodity-production. But even ‘fully’ socialist countries still have to trade with capitalist countries, and that means having to make concessions to capital, working within a world capitalist system and having to maintain military defences at the expense of the civilian economy. Nor can they fully plan their economies due to fluctuating, unpredictable foreign prices. The need to build up foreign currency also incentivises black markets. Again, because socialist production is based on utility, socialism will also be able to invest in things like mineralising CO2 (turning it permanently into basalt rock). This is not a silver bullet since it is water-intensive, but it could certainly be scaled up significantly where water scarcity is not an issue (or if [water can be ‘artificially’ produced](https://www.sciencedaily.com/releases/2007/10/071031125457.htm)). That we are not doing this is a travesty — but where it would be a productive industry under socialism, it is an unproductive industry under capitalism, since it does not offer a commodity that can be sold for profit (unless it is sold to the state using public debt, thereby creating no new value and contributing to money devaluation that [will eventually (imminently) cause hyperinflation](https://grossmanite.medium.com/with-hyperinflation-looming-and-capitalism-dying-socialism-is-becoming-an-economic-necessity-a031f9a746e0)). It would therefore have to be funded by taxes that eat into already thinning profit margins, and so these taxes are resisted by capitalists, who anyway run the capitalist state. They are incapable of changing the system, even as it threatens to produce an ecocidal holocaust. Capitalism is now effectively an extinction cult and can only continue to steer Earth into the sun. Socialism — which is anyway [becoming an economic necessity](https://fleetworld.co.uk/road-test-hyundai-i30/) for the first time — gives humanity the chance of steering Earth to safety, in the nick of time.

#### Socialism maximizes socially-conscious growth and innovation

Alexander 14 - acclaimed political commentator whose work is regularly praised by top academics (Scott, <https://slatestarcodex.com/2014/09/24/book-review-red-plenty/>, emuse)

There’s a very settled modern explanation of the conflict between capitalism and communism. Capitalism is good at growing the economy and making countries rich. Communism is good at caring for the poor and promoting equality. So your choice between capitalism and communism is a trade-off between those two things. But for at least the first fifty years of the Cold War, the Soviets would not have come close to granting you that these are the premises on which the battle must be fought. They were officially quite certain that any day now Communism was going to prove itself better at economic growth, better at making people rich quickly, than capitalism. Even unofficially, most of their leaders and economists were pretty certain of it. And for a little while, even their capitalist enemies secretly worried they were right. The arguments are easy to understand. Under capitalism, plutocrats use the profits of industry to buy giant yachts for themselves. Under communism, the profits can be reinvested back into the industry to build more factories or to make production more efficient, increasing growth rate. Under capitalism, everyone is competing with each other, and much of your budget is spent on zero-sum games like advertising and marketing and sales to give you a leg up over your competition. Under communism, there is no need to play these zero-sum games and that part of the budget can be reinvested to grow the industry more quickly. Under capitalism, everyone is working against everyone else. If Ford discovers a clever new car-manufacturing technique, their first impulse is to patent it so GM can’t use it, and GM’s first impulse is to hire thousands of lawyers to try to thwart that attempt. Under communism, everyone is working together, so if one car-manufacturing collective discovers a new technique they send their blueprints to all the other car-manufacturing collectives in order to help them out. So in capitalism, each company will possess a few individual advances, but under communism every collective will have every advance, and so be more productive. These arguments make a lot of sense to me, and they definitely made sense to the Communists of the first half of the 20th century. As a result, they were confident of overtaking capitalism. They realized that they’d started with a [disadvantage] – czarist Russia had been dirt poor and almost without an industrial base – and that they’d faced a further [disadvantage] in having the Nazis burn half their country during World War II – but they figured as soon as they overcame these [disadvantages] their natural advantages would let them leap ahead of the West in only a couple of decades. The great Russian advances of the 50s – Sputnik, Gagarin, etc – were seen as evidence that this was already starting to come true in certain fields. And then it all went wrong. II. Grant that communism really does have the above advantages over capitalism. What advantage does capitalism have? The classic answer is that during communism no one wants to work hard. They do as little as they can get away with, then slack off because they don’t reap the rewards of their own labor. Red Plenty doesn’t really have theses. In fact, it’s not really a non-fiction work at all. It’s a dramatized series of episodes in the lives of Russian workers, politicians, and academics, intended to come together to paint a picture of how the Soviet economy worked. But if I can impose a thesis upon the text, I don’t think it agreed with this. In certain cases, Russians were very well-incentivized by things like “We will kill you unless you meet the production target”. Later, when the state became less murder-happy, the threat of death faded to threats of demotions, ruined careers, and transfer to backwater provinces. And there were equal incentives, in the form of promotion or transfer to a desirable location such as Moscow, for overperformance. There were even monetary bonuses, although money bought a lot less than it did in capitalist countries and was universally considered inferior to status in terms of purchasing power. Yes, there were [Goodhart’s Law](http://en.wikipedia.org/wiki/Goodhart%27s_law) type issues going on – if you’re being judged per product, better produce ten million defective products than 9,999,999 excellent products – but that wasn’t the crux of the problem. Red Plenty presented the problem with the Soviet economy primarily as one of allocation. You could have a perfectly good factory that could be producing lots of useful things if only you had one extra eensy-weensy part, but unless the higher-ups had allocated you that part, you were out of luck. If that part happened to break, getting a new one would depend on how much clout you (and your superiors) pulled versus how much clout other people who wanted parts (and their superiors) held. The book illustrated this reality with a series of stories (I’m not sure how many of these were true, versus useful dramatizations). In one, a pig farmer in Siberia needed wood in order to build sties for his pigs so they wouldn’t freeze – if they froze, he would fail to meet his production target and his career would be ruined. The government, which mostly dealt with pig farming in more temperate areas, hadn’t accounted for this and so hadn’t allocated him any wood, and he didn’t have enough clout with officials to request some. A factory nearby had extra wood they weren’t using and were going to burn because it was too much trouble to figure out how to get it back to the government for re-allocation. The farmer bought the wood from the factory in an under-the-table deal. He was caught, which usually wouldn’t have been a problem because everybody did this sort of thing and it was kind of the “smoking marijuana while white” of Soviet offenses. But at that particular moment the Party higher-ups in the area wanted to make an example of someone in order to look like they were on top of their game to their higher-ups. The pig farmer was sentenced to years of hard labor. A tire factory had been assigned a tire-making machine that could make 100,000 tires a year, but the government had gotten confused and assigned them a production quota of 150,000 tires a year. The factory leaders were stuck, because if they tried to correct the government they would look like they were challenging their superiors and get in trouble, but if they failed to meet the impossible quota, they would all get demoted and their careers would come to an end. They learned that the tire-making-machine-making company had recently invented a new model that really could make 150,000 tires a year. In the spirit of [Chen Sheng](http://en.wikipedia.org/wiki/Dazexiang_Uprising), they decided that since the penalty for missing their quota was something terrible and the penalty for sabotage was also something terrible, they might as well take their chances and destroy their own machinery in the hopes the government sent them the new improved machine as a replacement. To their delight, the government believed their story about an “accident” and allotted them a new tire-making machine. However, the tire-making-machine-making company had decided to cancel production of their new model. You see, the new model, although more powerful, weighed less than the old machine, and the government was measuring their production by kilogram of machine. So it was easier for them to just continue making the old less powerful machine. The tire factory was allocated another machine that could only make 100,000 tires a year and was back in the same quandary they’d started with. It’s easy to see how all of these problems could have been solved (or would never have come up) in a capitalist economy, with its use of prices set by supply and demand as an allocation mechanism. And it’s easy to see how thoroughly the Soviet economy was sabotaging itself by avoiding such prices. III. The “hero” of Red Plenty – although most of the vignettes didn’t involve him directly – was Leonid Kantorovich, a Soviet mathematician who thought he could solve the problem. He invented the technique of [linear programming](http://en.wikipedia.org/wiki/Linear_programming), a method of solving optimization problems perfectly suited to allocating resources throughout an economy. He immediately realized its potential and wrote a nice letter to Stalin politely suggesting his current method of doing economics was wrong and he could do better – this during a time when everyone else in Russia was desperately trying to avoid having Stalin notice them because he tended to kill anyone he noticed. Luckily the letter was intercepted by a kindly mid-level official, who kept it away from Stalin and warehoused Kantorovich in a university somewhere. During the “Khruschev thaw”, Kantorovich started getting some more politically adept followers, the higher-ups started taking note, and there was a real movement to get his ideas implemented. A few industries were run on Kantorovichian principles as a test case and seemed to do pretty well. There was an inevitable backlash. Opponents accused the linear programmers of being capitalists-in-disguise, which wasn’t helped by their use of something called “shadow prices”. But the combination of their own political adeptness and some high-level support from Khruschev – who alone of all the Soviet leaders seemed to really believe in his own cause and be a pretty okay guy – put them within arm’s reach of getting their plans implemented. But when elements of linear programming were adopted, they were adopted piecemeal and toothless. The book places the blame on Alexei Kosygen, who implemented [a bunch of economic reforms that failed](http://en.wikipedia.org/wiki/1965_Soviet_economic_reform), in a chapter that makes it clear exactly how constrained the Soviet leadership really was. You hear about Stalin, you imagine these guys having total power, but in reality they walked a narrow line, and all these “shadow prices” required more political capital than they were willing to mobilize, even when they thought Kantorovich might have a point. IV. In the end, I was left with two contradictory impressions from the book. First, amazement that the Soviet economy got as far as it did, given how incredibly screwed up it was. You hear about how many stupid things were going on at every level, and you think: This was the country that built Sputnik and Mir? This was the country that almost buried us beneath the tide of history? It is a credit to the Russian people that they were able to build so much as a screwdriver in such conditions, let alone a space station. But second, a sense of what could have been. What if Stalin hadn’t murdered most of the competent people? What if entire fields of science hadn’t been banned for silly reasons? What if Kantorovich had been able to make the Soviet leadership base its economic planning around linear programming? How might history have turned out differently? One of the book’s most frequently-hammered-in points was that there was was a brief moment, back during the 1950s, when everything seemed to be going right for Russia. Its year-on-year GDP growth (as estimated by impartial outside observers) was somewhere between 7 to 10%. Starvation was going down. Luxuries were going up. Kantorovich was fixing entire industries with his linear programming methods. Then Khruschev made a serious of crazy loose cannon decisions, he was ousted by Brezhnev, Kantorovich was pushed aside and ignored, the “Khruschev thaw” was reversed and tightened up again, and everything stagnated for the next twenty years. If Khruschev had stuck around, if Kantorovich had succeeded, might the common knowledge that Communism is terrible at producing material prosperity look a little different? The book very briefly mentioned a competing theory of resource allocation promoted by Victor Glushkov, a cyberneticist in Ukraine. He thought he could use computers – then a very new technology – to calculate optimal allocation for everyone. He failed to navigate the political seas as adroitly as Kantorovich’s faction, and the killing blow was a paper that pointed out that for him to do everything really correctly would take a hundred million years of computing time. That was in 1960. If computing power doubles every two years, we’ve undergone about 25 doubling times since then, suggesting that we ought to be able to perform Glushkov’s calculations in three years – or three days, if we give him a lab of three hundred sixty five computers to work with. There could have been this entire field of centralized economic planning. Maybe it would have continued to underperform prices. Or maybe after decades of trial and error across the entire Soviet Union, it could have caught up. We’ll never know. Glushkov and Kantorovich were marginalized and left to play around with toy problems until their deaths in the 80s, and as far as I know their ideas were never developed further in the context of a national planned economy. V. One of the ways people like insulting smart people, or rational people, or scientists, is by telling them they’re the type of people who are attracted to Communism. “Oh, you think you can control and understand everything, just like the Communists did.” And I had always thought this was a pretty awful insult. The people I know who most identify as rationalists, or scientifically/technically minded, are also most likely to be libertarian. So there, case dismissed, everybody go home. This book was the first time that I, as a person who considers himself rationally/technically minded, realized that I was super attracted to Communism. Here were people who had a clear view of the problems of human civilization – all the greed, all the waste, all the zero-sum games. Who had the entire population united around a vision of a better future, whose backers could direct the entire state to better serve the goal. All they needed was to solve the engineering challenges, to solve the equations, and there they were, at the golden future. And they were smart enough to be worthy of the problem – Glushkov invented cybernetics, Kantorovich won a Nobel Prize in Economics. And in the end, they never got the chance. There’s an interpretation of Communism as a refutation of social science, here were these people who probably knew some social science, but did it help them run a state, no it didn’t. But from the little I learned about Soviet history from this book, this seems diametrically wrong. The Soviets had practically no social science. They hated social science. You would think they would at least have some good Marxists, but apparently Stalin killed all of them just in case they might come up with versions of Marxism he didn’t like, and in terms of a vibrant scholarly field it never recovered. Economics was tainted with its association with capitalism from the very beginning, and when it happened at all it was done by non-professionals. Kantorovich was a mathematician by training; Glushkov a computer scientist. Soviet Communism isn’t what happens when you let nerds run a country, it’s what happens when you kill all the nerds who are experts in country-running, bring in nerds from unrelated fields to replace them, then make nice noises at those nerds in principle while completely ignoring them in practice. Also, you ban all Jews from positions of importance, because fuck you.

#### Capitalism-based green tech can’t solve---empirics, rebound, outsourcing, and politics

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The first heroic assumption underpinning techno-optimist solutions is the ongoing reliance in many of the most influential large scale decarbonization strategies on CCS (carbon capture and storage). While CCS may play a valuable, albeit modest, long term role, the current state of knowledge suggests that we are still a very long way from affordable and scalable CCS deployment. Even the Global CCS Institute (2013: 5) has recently reported that, “while CCS projects are progressing, the pace is well below the level required for CCS to make substantial contribution to climate change mitigation”. The growing “emissions gap” is also providing increasing impetus for speculation about the “necessity” of geoengineering “solutions” with all their attendant concerns about ethical implications and unintended consequences (see Hamilton 2013).

The second debatable assumption is that technological innovation will necessarily and rapidly translate into global reductions in energy consumption. Important questions remain about the speed with which 100% renewable energy can realistically be achieved (see e.g. Smil 2010, 2014); the extent of fossil fuel energy consumption required to drive the initial massive expansion in renewable energy infrastructure; and the full life cycle energy return on investment (EROI) outcomes of solar and wind energy—particularly if these calculations factor in the full costs of energy storage (see e.g. Palmer 2013; Prieto and Hall 2013). Noting that emissions reductions of 4% p.a. in an economy growing at 2% p.a. are likely to require carbon intensity improvements of around 6% p.a., Anderson (2013) notes that he has yet to find any credible mainstream economist prepared to argue that prolonged emissions reductions of 3% or 4% or more are compatible with economic growth.

Indeed, as Lord Stern (2006: 231) himself has noted: There is likely to be a maximum practical rate at which global emissions can be reduced. At the national level, there are examples of sustained emissions cuts of up to 1% per year associated with structural change in energy systems... whilst maintaining strong economic growth. However, cuts in emissions greater than this have historically been associated only with economic recession or upheaval, for example, the emissions reduction of 5.2% per year for a decade associated with the economic transition and strong reduction in output in the former Soviet Union. These magnitudes of cuts suggest it is likely to be very challenging to reduce emissions by more than a few percent per year while maintaining strong economic growth.

The third reason for caution in assuming overly optimistic relationships between technological innovation, carbon intensity and emissions reductions is the impact of the “rebound effect” (see Jevons 1865; Herring and Sorrell 2009; Holm and Englund 2009; Jackson 2009). This phenomenon refers to the tendency for innovation and efficiency gains to be rapidly overwhelmed as cheaper unit costs combined with the formidable reach and power of the global advertising industry enable and encourage individuals to consume more of the same or alternative services and products. The harsh reality remains that global emissions continue to grow (IPCC 2013)—along with the global trends in the consumption of energy and resources—with apparent improvements in developed economy energy efficiency often masking the reality of energy intensive production being offshored to developing economies.

The likelihood of full and fast deployment of new technologies is the fourth problematic assumption that needs to be addressed given the formidable political and social obstacles standing in the way of rapid implementation. As noted in the recent Post Carbon Pathways review of learning from the implementation of large-scale decarbonization strategies (see Wiseman et al. 2013), experienced climate scientists and policymakers consistently come to the conclusion that the key obstacles standing in the way of rapid decarbonization are political and social rather than technological. Key roadblocks include the following.

### 2NC---AT: Renewables

#### Renewables take too long

Harold Wilhite 16, Research Director at the University of Oslo’s Centre for Development and Environment and Academic Director of a program entitled Environmental Change and Sustainable Energy, *The Political Economy of Low Carbon Transformation: Breaking the habits of capitalism*, 2016, no page numbers

The main within-capitalism solution for reducing energy-related climate emissions is the replacement of fossil fuels with other energy sources that do not emit carbon, such as sun, wind, geothermal and nuclear power. As I have argued in several recent publications, the transformation to renewable energies, while important, will not happen fast enough, nor assume a large enough share of global energy production over the next couple of centuries to make a significant dent in carbon reductions (Wilhite 2012). In the highest carbon-emitting country, the USA, even the latest and most ambitious plan for reducing carbon emissions assumes that 70 percent of primary energy use in 2030 will be from fossil fuels (compared to 72 percent in 1990) and 15 percent from renewable energy sources (CSE 2015). The most lucrative alternative source of energy, solar, has disadvantages relative to fossil fuels regarding storage and production at scale which limit its uses in industrial production and large-scale electricity production (Altvater 2007). In Chapter 4 1 will argue that mainstream 'green' economy approaches to reducing carbon are overoptimistic in their assumptions about the capacity for renewable energies to achieve urgently needed rapid and significant decreases in carbon emissions. I will also argue that the consumption of the things that use energy will have to be reduced in numbers and size, including reductions in the sizes of the houses in which we live and in the energy used to produce essential in-home services such as thermal comfort, clean bodies, food and transport. Achieving these reductions will demand challenging the cornerstones of capitalist political economy — growth, individualism and consumerism — and reforming the habits that this economic system have fostered.

## Adv---Prices

### 2NC---AT: UQ

#### Profitability will hit zero by 2054---but converging tipping points ensure collapse much sooner

Reese 20 - author of Socialism or Extinction and The End of Capitalism: The Thought of Henryk Grossman (Ted, <https://www.patreon.com/posts/socialism-is-now-37023695>, emuse)

That capitalism is unsustainable has long been empirically observable. Most obviously, manufacturing costs and consumer commodity prices are trending towards zero. For example, whereas the world’s fastest supercomputer in 1975 was worth $5m ($32m in 2013’s money), the price of an iPhone 4 released in 2010 with the equivalent performance was $400. Aerospace companies producing propulsion systems in 2010 for $24m in 24 months are now 3-D printing their engines for $2,000 in two weeks. And rather than having globalised supply chains, such companies foresee the entire rocket being built in ‘at home’ [7]. While ‘offshoring’ manufacturing jobs to the ‘low-income economies’ is said to save up to 65% on labour costs, replacing human workers with robots saves up to 90% [8]. Unlike workers, robots do not need wages, breaks, sick days, holidays or pensions. And they work quicker in the first place, too. While industrialisation, particularly in Asia, saw 83 ‘developing countries’ achieving growth rates by the early 2000s that were more than twice the rate of the ‘developed’ OECD members, the rest of the world has seen the same opportunity end ‘prematurely’. Latin America and Africa are already deindustrialising (shifting to services-based workforces) – from a much lower starting point than Asia [9]. Whereas industrialisation peaked in western European countries at income levels of around $14,000, India and many sub-Saharan African countries appear to have reached their peak manufacturing employment at income levels of $700 (both at 1990 levels) [10]. Not only do robots and 3D-printing increasingly remove the incentive for capitalists based in the US and Europe to exploit workers overseas, the incentive to exploit transit workers – who add production time/value to the commodities they transport around the world – is also removed [11]. The emergence of cellular agriculture (lab-grown food), with falling prices and rising quality estimated to see the beef industry go bust by 2035, is going to have the same effect [12]. For the past 145 years, the imperialist powers – the US, Britain, France, Germany and Japan – have been increasingly compelled to export capital (invest) overseas in order to expand and cheapen their exploitable labour bases, thereby sustaining their own economies by living off profits generated by commodity-producing workers in the ‘developing world’. Britain, for example, exported capital equal to 560% of its GDP in 2014 [13]. Between 1980 and 2012 the net outflows of capital from ‘developing’ countries being funnelled into ‘developed’, ie imperialist nations, totalled $16.3 trillion [14]. But the economic relation that underpins imperialism is now unravelling. If prices are trending historically towards zero, so too must the ‘global’ aggregate rate of profit. According to Estaban Maito’s estimates, it fell in a secular trend from 43% in the 1870s to 17% in the 2000s, and is (as of 2014) on course to reach zero around 2054 [15]. Automation and absolute overaccumulation But as the criminally under-appreciated Polish Marxist Henryk Grossman warned in 1929, capitalism is bound to collapse “much earlier than a zero rate of profit” [16], because capital, inherently, does not accumulate harmoniously – the process tends to break down. Overaccumulated capital – surplus capital that has become unprofitable to reinvest – is inevitable. It causes every recession, a partial and temporary breakdown, and is at the same time an underproduction of surplus value; ie, too little profit has been generated to preserve and expand the value of total capital. (Surplus value, or surplus labour time, is the amount of value the capitalist appropriates from the worker, who, on average, keeps only what they need to subsist, their necessary labour time. Profit then is essentially unpaid labour, which tends to increase with innovation. Hence falling prices.) Debt therefore rises to ‘fill the gap’ caused by this underproduction, but can only cover the lag in profit for so long before recession becomes inevitable, since investors are bound to withdraw funds when growth becomes too stagnant, channelling this new surplus instead into tax havens, land and the competitive gambling of speculation that generates financial ‘bubbles’. Each breakdown is overcome through the sufficient destruction, cheapening and centralisation of capital. But the resulting innovation means fewer workers tend to remain employed relative to total capital. Despite the increased rate of exploitation that temporarily lifts profit rates, the next overaccumulation tends to be greater than the one which preceded it. There is no such thing as ‘technological unemployment’ though – alongside surplus capital grows unexploitable surplus labour (unemployment). Clearly, the closer we get to the completion of the historical trend towards fully-automated production, the closer capitalism gets to its final breakdown. Production is already highly automated. As James Manyika, McKinsey Global Institute director, said in June 2017: “Find a factory anywhere in the world built in the past five years  –  not many people work there.” But the services jobs – relatively unproductive since they tend to handle near-finished commodities, if they handle commodities at all – that replaced manufacturing work are now becoming increasingly automated, too. In Britain, where services count for 80% of economic activity, the number of supermarket checkout assistants fell by 25.3% between 2011 and 2017. At the end of March, after most countries had entered lockdown, almost half of company bosses in 45 countries said they were speeding up plans to automate their businesses. [17] Innovation always takes place most rapidly during a recession, when prices are low. With lockdown turning the home into the place of work, Microsoft could boast of having discovered a fresh way of reducing labour costs and extending absolute labour time as it announced “two years’ worth of digital transformation in two months”. As The Guardian reported at the end of April: “Bank branches were already closing in droves before the epidemic, but here is the perfect excuse to shut more. And that’s not all. The authors of an Oxford University study thought that by 2035 it would be possible to automate 86% of restaurant jobs, three-quarters of retail jobs, and 59% of recreation jobs. By unlucky coincidence, those are among the very industries hardest hit by an epidemic now demanding quantum leaps in efficiency if some companies are to avoid going under.” [18] But automation is abolishing the source of profit, ie, commodity-producing human labour. To be more precise, automation is the final expression of capitalism’s self-abolishing tendency. As Marx wrote in 1858: “As soon as labour in the direct form has ceased to be the great wellspring of wealth, labour time ceases and must cease to be its measure... Capital thus works towards its own dissolution as the form dominating production.” [19] But this dissolution does not happen in a seamless falling rate of profit towards zero, since – as explained, and as indicated by both zig-zagging profit rates and the recessions that tend to strike roughly every 10 years – capital does not accumulate harmoniously. As the Soviet Russian philosopher Genrikh Volkov wrote in 1967, increasing automation eventually leads to “the breakdown, instead of the consolidation, of the existing relations ... of the private ownership of the means of production…. Its consummation is incompatible with capitalism.” [20] In Capital, Marx anticipates an eventual “absolute overaccumulation” of capital. “The limit of capitalist production is the excess time of the labourers,” says Marx. [21] But stretching the rate of exploitation of the working class to anywhere near 100% is obviously impossible – for starters, capital cannot even afford to exploit an ever-increasing part of it, a surplus population that grows alongside surplus capital, while workers in the growing services sector are also relatively unproductive. “As the capitalist mode of production develops, an ever larger quantity of capital is required to employ the same, let alone an increased, amount of labour-power.” But there are other limits too: “As soon as capital would, therefore, have grown in such a ratio to the labouring population that neither the absolute working time supplied by this population, nor the relative surplus working time, could be expanded any further (this last would not be feasible at any rate in the case where the demand for labour were so strong that there were a tendency for wages to rise); at a point, therefore when the increased capital produced just as much, or even less, surplus value than it did before its increase, there would be absolute overproduction of capital.” [22] From zero interest rates to worldwide hyperinflation If the rate of profit is on course to hit zero around 2054, but the final breakdown is bound to happen much earlier than that, it at least becomes impossible to dismiss the theory that we are entering this uncharted territory right now. But empirically, there also seem to be several approaching economic limits or ‘tipping points’ which cannot be converging at the same time merely by coincidence. For starters, average GDP growth rates in what the World Bank defines as ‘high income countries’ are already closing in on zero, having fallen every decade for the past half century: from 5.59% in the 1960s, to 4.15% in the 1970s, 2.93% in the 1980s, 2.35% in the 1990s, and 1.78% in the 2000s. The figure rose slightly to 1.97% in the years 2010-2017, but this minor reprieve has already proven to be unsustainable. GDP in the imperialist nations, though, is inflated by the profits leached from the rest of the world, since much of the profit from each commodity goes towards the GDP of the nation in which it is sold, rather than where it was made. [23] Productivity growth in the high income countries has itself, since 2011, spluttered below 1%. Aggregate global debt (the total debt of governments, corporations and households), already mountainous before the Great Recession, has hit new heights, indicating record-high overaccumulation [24]. According to the IMF, global debt fell by 1.5% of GDP in 2017 compared to a year earlier, but remained more than 11 percentage points of GDP above the previous high in 2009. In June 2019, the IMF said global debt stood officially at $184 trillion, 225% of global GDP. This averages out at $86,000 for every person in the world, 2.5 times average annual per capita income. But according to financial analyst Ron Surz, once ‘off-the-books’ net obligations such as social security and health care are taken into account, official figures are understated by a factor of 2.5, making actual global debt $460 trillion, 560% of GDP and $215,000 per person (as of July 2019) [25]. He put the US figure not at the official 105%, but 390%. Even that is without taking into account the serious accounting problem in the US Department of Defense. In 2016, before Trump was elected, the department’s Inspector General said he could not properly track $6.5 trillion in defence spending. An academic study looking at the years 1998-2015 later put the figure at $21 trillion [26]. The US defence budget has ballooned to $748bn as the long-time imperialist superpower scrambles to hold on to its dying empire. Another financial analyst, Simon Thorpe, calculated in 2015 that global debt was 2.5 times higher than the global money supply (up from two times higher in 2013) [27]. This is despite the fact that the US’s monetary base exploded from $842bn in August 2008 to $2.9 trillion in January 2013 and then $4 trillion in August 2014. The sheer amount of debt is unsustainable since the tax base needed to pay it is obviously shrinking in relative terms. Though it has been socialised, it is now simply too large to work off. Something the capitalist state can do to ease the government’s ability to pay its debt is reduce interest rates, which also makes borrowing cheaper and stimulates lending, maintaining the circulation of money. But lifting the economy out of recession usually takes a 4-5% base interest rate cut. In the US and across Europe base rates are already at zero, having been cut by around only 2%. Central banks have said going negative would make the banks unviable. Therefore, it is highly probable – lockdown or no lockdown – that capitalism, as Pento says, is soon going to spiral for the first time in its history into a crisis of worldwide hyperinflation, since rates will have to start going back up to re-incentivise bond holding and sustain the tax base. But debt-to-GDP – already at record highs and rising – will surge, and so the tax base will continue to shrink; bondholders will realise that what they are owed cannot be repaid and increasingly transfer their funds into hard assets, especially precious metals. The only way to avoid hyperinflation is for states to default on their debt through hyperdeflation – which the record bailouts imply they are understandably trying to avoid – but that would happen after hyperinflation anyway. The US’s national annual deficit is now expected to soar from $984bn in 2019 to $3.8 trillion in 2020. The US has never meaningfully defaulted on its debt but, historically, countries that have failed to get their debt-to-GDP back below 90% have gone on to default, meaning they have had to go to the International Monetary Fund (IMF) for a bail out (usually in the form of high-interest loans and on the condition of privatising state assets). But given that the US dollar is the world’s reserve currency – all oil must be traded in US dollars, for example, making the solvency of all countries dependent on their ability to purchase US dollars – the IMF effectively is the US. The US dollar has lost more than 96% of its value, its purchasing power, since 1913. The figure is more than 99.5% for British pound sterling, compared to 1694, the year it was founded [28]. This is why negative rates would make the banks unviable – they would finish off the depreciation of fiat currency. Many countries, including Russia and China, have started diversifying their foreign currency reserves in the past few years, meaning the main source of financing US debt is disappearing. Even the biggest US bank, JP Morgan, told its clients in August 2019 to sell the dollar. The world economy will likely soon be without a reserve currency. While smaller economies have survived defaults through bailouts in the past, the US and western European countries are the richest and most developed in the world. They represent monopoly capitalism, or imperialism, the highest stage of capitalism. As mentioned, with their workforces now largely services-based, the imperialist nations have been largely living off of profit produced by the labour of commodity-producing workers in Africa, Asia and South America. If the imperialist economies collapse, it’s because the whole system has collapsed. Indeed, as of 7 March, investors had already pulled $83bn from developing markets, the largest capital outflow ever recorded, according to the Institute of International Finance. If all these converging factors – near-zero prices, flat productivity growth, unsustainably high debt, zero interest rates, exhausted currencies – do not constitute a final breakdown of the system, then what will?

### 2NC---AT: Econ Decline

#### Diversionary wars are small and don’t escalate

Dominic **Tierney 17**, associate professor of political science at Swarthmore College and contributing editor at The Atlantic, latest book is The Right Way to Lose a War: America in an Age of Unwinnable Conflicts, “The Risks of Foreign Policy as Political Distraction,” The Atlantic, 6/15/2017, https://www.theatlantic.com/international/archive/2017/06/trump-diversionary-foreign-policy/530079/

But what about military force? To be clear, there is little cause to speculate that Trump plans to launch a full-scale war solely to distract attention. For one thing, as president, the worst possible time to start a major military campaign is when you’re deeply unpopular. And the political upside is shaky at best. Recent big wars in Afghanistan and Iraq were politically damaging to George W. Bush. Even victory doesn’t guarantee a pay-off, as George H. W. Bush discovered when he won the 1991 Gulf War and then lost his bid for reelection in 1992. A crisis may arise where there are real national-security rationales for fighting, along with potential domestic gains. Here, the payoff at home would likely enter Trump’s calculus, and even push him over the edge to fight, with the legitimate casus belli providing a shield of plausible deniability. The most tempting use of force may be a seemingly manageable, but still dazzling, kinetic operation, like a missile strike or a raid to kill terrorist leaders. Another option would be to escalate a crisis where an easy win seems available: The key is to find

the right enemy, one that’s both widely hated and too weak to fight back. After all, there’s a well-established “rally ‘round the flag” effect, where almost any military crisis temporarily juices the president’s approval ratings. In the wake of Clinton’s airstrikes in 1998, one poll found that 68 percent of Americans approved of his foreign policy. Republican House Speaker Newt Gingrich said, “it was the right thing to do at the right time.”

## Adv---Capture

### 2NC---AT: Space Weather

#### Backups solve

**IBEW 14** – (2014, International Brotherhood of Elctricial Workers, <http://www.ibew.org/IBEW/departments/utility/IBEW-Nuclear-FAQ.pdf> The International Brotherhood of Electrical Workers (IBEW) represents approximately 750,000 active members and retirees who work in a wide variety of fields, including utilities, construction, telecommunications, broadcasting, manufacturing, railroads and government. The IBEW has members in both the United States and Canada and stands out among the American unions in the AFL-CIO because it is among the largest and has members in so many skilled occupations.

Some of the units at the Japanese plants lost both off - site power and diesel generators. This is called a “station blackout.” U.S. nuclear power plants are designed to cope with station blackouts by having multiple back - up power sources at the ready. All U.S. plants are also responsible for demonstrating to the NRC that they can handle such situations in order to legally remain in operation.

# 1NR

## CP---Taxes

### Perm: Do Both---2NC

#### The perm makes taxes and prohibitions co-dependent, denying a special status for regulatory taxation.

Kobylnik ’21 [Dmytro; January 4; PhD in Law, Associate Professor, Associate Professor of the Department of Financial Law of Yaroslav Mudryi National Law University; Law and Innovative Society, “The Impact of Tax Policy on the Implementation of the Regulatory Function of Tax Law,” <http://apir.org.ua/en/archives/1425>, translated via Google Translate]

Conclusions and prospects for the development. As we have shown, tax policy has its own meaning, it is organically linked to tax law, which by implementing the regulatory function implements the vectors indicated by the policy. Given the profound transformation of public relations that has taken place in our country in recent years, tax policy should be given a special role as a strong foundation for ensuring the effectiveness of tax and legal regulation.

Formulation of the problem. The social value, role and purpose of tax law are revealed in its functions as the main directions of its impact on public life. At the same time, the value potential of law is revealed by both general social and special legal functions. Scientists in the first group of functions through which law in general, and tax law in particular, influence the public consciousness, forming values, creating a certain dimension of social interaction, in which possible, appropriate and forbidden find their clear delineation in human actions, include the following : humanistic, organizational / organizational-managerial, epistemological / cognitive, informational / communicative, educational, orienting, evaluative / evaluative, security, economic, political, cultural [17, p. 32, 33]. As for the special legal functions of law, they usually include regulatory and protective. However, in their system, the prominent, defining place of these sciences give a regulatory function. So it is no coincidence that OS Emelyanov argues, reflecting on the functions of financial law, as follows: "expressed financial law in the form of regulations or financial planning acts, implemented in absolute or relative legal relations, or seeks to determine the legal status of participants in financial relations - in all these forms social purpose - to regulate public relations in the field of public finance "[1, p. 32]. The scientist sees specific features of this function, first of all, in the establishment of positive rules of conduct, organization of social relations, coordination of social relationships in the process of redistribution of social wealth [1,

p. 33]. At the same time, it is obvious that the implementation of the regulatory function of law is influenced by a number of factors, among which tax policy is important. Therefore, the purpose of the article is to characterize the impact of tax policy on the implementation of the regulatory function of tax law.

Analysis of recent research. Note that the question of the functions of tax law, tax policy and their interaction is not entirely new to the science of tax law, because to some extent resorted to their consideration OS Emelyanov, AA Kovalenko, MP Kucheryavenko, Yu. L. Smirnikov, VV Chaika and others. However, at present it cannot be said that they have received a proper scientific analysis, as the financial scientists did not resort to a comprehensive examination of them, but conducted fragmentary research. Thus, the purpose of the article is to consider the impact of tax policy on the implementation of the regulatory function of tax law.

Presenting main material. In the scientific literature it is noted that the content of the regulatory function of law is revealed through the separation of two aspects: static (establishment of legal norms) and dynamic (implementation of legal norms). In this regard, TM Radko argues that the regulatory function of law includes two components: regulatory-static function or the function of consolidation, stabilization of social relations and regulatory-dynamic, through which the law determines the future behavior of people [16, p. 31]. Other scientists say the same. Thus, Yu. L. Smirnikov notes that the regulatory function of financial law includes regulatory static and regulatory-dynamic subfunctions. Delimitation between them is due to the manifestation of two patterns of development of law - reflection in law and legal anticipatory reflection. From these positions, the regulatory-static function of financial law is manifested in the ability of financial law to reflect the essential properties of financial relations and to organize public relations in a particular period, which is expressed in the content of financial law. The regulatory and dynamic function of financial law provides an opportunity to predict the need for financial and legal influence on public relations, their transformation through public financial activities to ensure the public interest, finding the most effective means of legal influence based on monitoring financial legislation and its impact on society no relationship [18, p. 24].

As we can see, scholars characterizing the regulatory function of law emphasize the establishment of legal norms and the way of detecting the activity of law, calling the first aspect dynamic, and the second - static. At the same time, in our opinion, it is not entirely correct to call the corresponding phenomenon static or dynamic. First, the establishment of the rules of tax law, I and any law, is not a static phenomenon. Second, tax relationships, like any legal relationship, are hardly static in nature, but rather dynamic. They do not exist in statics as such, but are constantly in a certain motion, when in the presence of certain circumstances they arise, change and cease. Therefore, such a characteristic of the regulatory function is hardly logical.

However, there is no doubt that in any case, the tax law is able and intended precisely to regulate tax relations. "By enshrining in the sources of law the limits of the desired and permissible conduct for all subjects of law, grounds and types for the application of coercive measures to those of them that go beyond certain limits, the law (compared to other types of social norms) most effectively regulates social relations, giving them such features as organization, predictability, predictability, which ensures their stability and at the same time lays the foundation for development. This ultimately means awareness of its positive role for the individual, society, humanity in general [17, p. 32, 33].

The establishment of the norm of tax law is the most important kind of manifestation of the essence of tax law as a regulator of public relations. As VI Shcherbyna notes, the establishment of the rule of law is the definition of its content, the definition of real, adequate to social relations content of the rules of law as a guarantee of the viability of law [20, p. 55]. At the same time, the effective implementation of the considered function is possible under the condition of logical, consistent formulation of the prescriptions of tax and legal norms, which will ensure their effective implementation. Therefore, it is important to properly determine the content of the tax law, which largely depends on the tax policy that is implemented in the state. State tax policy is defined differently by scholars. For example, the activity of the state in the field of establishment, legal regulation and organization of collection of taxes and tax payments to the centralized funds of state resources [5], or systemic activities of public authorities and local governments to create and improve an effective mechanism for taxation. legal regulation aimed at mobilizing funds to public centralized funds to finance public expenditures and tasks and functions of the state, as well as based on balancing public and private tax interest [19, p. 85]. The state's tax policy covers the content of ideological, theoretical and activity-practical aspects of state management of the processes of functioning, improvement and development of the tax system of Ukraine. As a phenomenon of ideological and theoretical plan, it is a system of conceptually conscious ideas, goals, objectives, principles, programs that express the official position of the state on key issues of tax regulation and is the ideological and theoretical basis of tax activity in the state (tax policy in statics) . At the same time, tax policy is the activity of state and non-state institutions, citizens, which consists in developing, adjusting and implementing state legal strategy (tactics) in the field of tax regulation, creating conditions that ensure the state of legal protection of tax law subjects (tax politics in dynamics) [19, p. 86]. It is characteristic that scientists consider tax legislation to be the main, but not the only form of tax policy implementation [3, p. 57; 19, p. 90]. Therefore, we can talk about the corresponding dialectical dependence of tax and legal regulation and tax policy. This is manifested in two areas: (1) through the definition of the purpose, objectives, results of tax policy outlines the direction of regulation of tax relations, its subject, limits and methods, which establishes rules of conduct for taxpayers, ie the impact on lawmaking activities in the field of taxation, implementation of the regulatory function of tax law; (2) by determining the quality, effectiveness of tax legislation, assesses whether the tax policy has been fully implemented. This approach allows us to see deviations from the desired model of the tax system; establish the level of implementation of those provisions that you know strategically; identify shortcomings in both tax law and tax policy in general; to develop new approaches to ensuring the sustainable and efficient functioning of the state tax system.

Ensuring the formation and implementation of a unified state tax policy in our country is entrusted to the Ministry of Finance of Ukraine (paragraph 1 of the Regulation on the Ministry of Finance of Ukraine, approved by the Cabinet of Ministers of Ukraine dated August 20, 2014 № 375 [12]), as well as State Tax Service of Ukraine (paragraph 1 of the Regulation on the State Tax Service of Ukraine, approved by the resolution of the Cabinet of Ministers of Ukraine of March 6, 2019 № 227 [13]). The main tasks and directions of tax policy are defined in the Strategy for Reforming the Public Financial Management System for 2017-2020, which was approved by the order of the Cabinet of Ministers of Ukraine of February 8. 2017 № 142-r, which include: improving the quality and efficiency of administration of taxes and fees and the level of compliance with tax legislation; strengthening control over fiscal risks and implementing measures to minimize them, in particular with regard to state-owned enterprises, state guarantees and other contingent debt obligations, etc. [15].

Scholars rightly point out that the main contradiction of tax policy is to find a compromise between economic efficiency and social justice, the content of which long before the clear mathematical proofs of modern optimal taxation theory was formulated in the well-known aphorism of Jean-Baptiste Colbert: "Taxation goose so as to obtain the maximum number of feathers with a minimum of hissing. In modern scientific discourse, this contradiction should answer the question: what exactly should be formed tax system in terms of its composition of different taxes and elements of each individual tax, so that it provides funding for social needs and is the least harmful to economic growth [4, with. 7]. And in this context there are many problems, because on the agenda there are a number of issues, both regarding the establishment of a set of taxes and fees, their specific legal mechanisms, and control over the collection of taxes and fees, the powers of the tax administration and meetings, etc.

For example, let's look at a few aspects. Thus, one of the tasks in the Strategy for Reforming the Public Financial Management System for 2017–2020 is to increase the stability and predictability of the tax system. It is further noted that the Ministry of Finance will develop a Strategy for the development of the tax system in the medium term, which should be consistent with the strategy of economic development, reform of the budget process and the pension system. The control over the observance of the requirement to provide compensators of tax revenues or reduction of state budget expenditures in case of reduction of such revenues due to amendments to the tax legislation will be strengthened, as well as to ensure that changes to any elements of taxes and fees are not made later than six months before the start of the new budget period [15]. Taking into account the outlined direction of tax policy, this task should be implemented in tax and legal regulation. However, did it really happen? The answer is obvious, as at the end of 2020 the Strategy for the development of the tax system in the medium term has not been developed and approved. However, the report on the implementation of the action plan for the implementation of the Strategy for reforming the public financial management system for 2017–2020, approved by the order of the Cabinet of Ministers of Ukraine dated 24.05.2017 № 415-r, states that this aspect has been implemented [2]. The development of the mission and strategic goals of the State Tax Service until 2022, which was approved on December 10, can be attributed to the fulfillment of this task with a certain conditionality. 2019 by order № 205 of the State Tax Service of Ukraine [11]. However, as you can see, these are all such different regulations. As a result, we get unsystematic, frequent changes in tax legislation, because it is unlikely that a logical transformation of tax legislation can be achieved without a clear strategy, which indicates the state's chosen course for the future, aimed at solving tax issues. Therefore, the implementation of tax policy in this context has a negative impact on the implementation of the regulatory function of tax law.

#### 2. REDUNDANCE---overlapping prohibitions and taxes will be uncoordinated and duplicative.

Logue ’10 [Kyle; June 2010; Wade H. McCree Jr. Collegiate Professor of Law at the University of Michigan Law School, JD from Yale Law School, BA from Auburn University; Cardozo Law Review, “Coordinating Sanctions in Tort,” vol. 31]

Take the quintessential example of a negative externality - some activity that spews CO<2> into the atmosphere thereby contributing to the global problem of climate change. If a fully cost-internalizing Pigovian tax (say, a carbon-based tax of the sort that many commentators have recently proposed) were imposed on domestic companies by the U.S. government, there obviously need not (and, from an efficiency perspective, should not) be a state-level carbon-based tax on the same polluters for the same carbon emissions. Nor should there be any overlapping command-and-control regulations or any other sort of regulation (including tort liability) designed to regulate the same conduct. It - the external harm caused by CO<2> emission - has, by assumption, already been fully regulated. Redundant regulation represents unnecessary administrative costs and potentially excessive deterrence. The same analysis can be applied to torts. Consider automobile accidents or product-related injuries or medical malpractice harms. All are potentially affected, at least in theory, by the same problem of overlapping, uncoordinated, and thus possibly redundant sanctions; this means either over-deterrence or duplicative and therefore excessive administrative costs, or both. Again, the literature has largely neglected this subject. 7

#### 3. CONFUSION---it nukes solvency AND the effectiveness of later tax application.

Tickell ’11 [Oliver; 2011; Editor of The Ecologist, Campaigner on Health and Environment Issues; Kyoto 2: How to Manage the Global Greenhouse, Google Books]

This complex mix of taxes, levies, obligations and subsidies sends out confused signals, creates unintended interactions and opportunities for double or treble counting. In particular no consistent ‘carbon price’ emerges, and the carbon prices reflected by these different mechanisms cover a wide range, between £216/tC02 for fuel duty (on the admittedly unsustainable assumption that 100 per cent of the fuel duty reflects climate change costs) and around £100/tCO2 for the Renewables Obligation, down to -£50/tCO2 (that is, a £50 ‘carbon subsidy’) through the reduced rate of VAT on domestic fuel and electricity.

As Steven Sorrell and Jos Slim comment,

The complex, elaborate and interdependent mix of climate policies developed in the UK provides a particularly rich example of the challenges to be faced. [...] The net result may be a mix of overlapping, interacting, and conflicting instruments which lack any overall coherence. In short, a policy mix may easily become a policy mess.70

#### 4. COST BASIS---prohibition eliminates the tax’s regulatory target, so it can’t be evaluated for future use.

Tsindeliani ’19 [Imeda; November 4; PhD in Law, Associate Professor, Head of the Department of Financial Law at the Russian State University of Justice; Utopía y Praxis Latinoamericana, “Main Elements of Taxation in the Conditions of the Development of Digital Economy, “ vol. 24]

Therefore, due to the fact that this issue has not been sufficiently studied in the science of financial and tax law, it is difficult to make a clear distinction between the meanings of the concepts "object of taxation" and "tax object." At the same time, one should agree that the presence in the legal doctrine of the category "tax object" along with the object of taxation is necessary. In this connection, in this article the terms "object of taxation" and "tax object" are considered as synonyms. If you turn to property taxes, for example, to the tax on the property of individuals, then residential houses, apartments, rooms, car places, etc. with ownership of these objects are the object of taxation. In this context, it is rightly noted that the right of ownership, which is the basis of personal rights and freedoms, also serves the public interest of taxation. The object of land tax is land plots that are both in the ownership right and owned by taxpayers on the right of permanent (unlimited) use or the right of lifetime inheritable possession. If there is a right of gratuitous use of the land plot or its lease, which by definition are characterized by a much less stable legal relationship with the taxpayer, then the object of this tax is absent (Cockfield: 2002).

It is obvious that the tax base is regarded as a cost, quantitative, or physical characteristic of the object of taxation, which is determined for each tax independently. One cannot but agree with the opinion of scientists that the tax base is one of the tools of the State's tax policy, and this, in turn, allows the regulatory function of the tax to be realized.

The main function of the tax base, as A.V. Demin considers, is to express the object of taxation quantitatively, i.e., measure it. For this, it is necessary to select a parameter that will be used as the basis for measuring the object of taxation. However, the tax base is not just a parameter. It is a parameter expressed in certain tax units, i.e. the tax base is the size (value) of the object of taxation in units of taxation. Since the tax base and the procedure for determining they are established for each tax separately, the task of the legislator is to select from the set of possible parameters of the object of taxation the most optimal and then determine the procedure for calculating the tax base in relation to a specific tax. It is rather often, such parameters coincide for different taxes, but the tax bases are always calculated differently (Babin & Vakaryuk: 2018).

Most often, in practice, a cost (money) parameter is used. The value (monetary) parameter has VAT. Physical parameters represent a variety of physical characteristics, including area, volume, power, mass, etc. Water and transport taxes are an example (Babin & Vakaryuk: 2018, pp. 21-40). Today, the definition of the tax base for personal property tax based on the cadastral value of real estate remains one of the topical issues.

It is also disputable to establish a date with which the cadastral value, revised according to the results of the contest, is valid. In accordance with Article 403 of the Tax Code, in the event of the change of the cadastral value of the property object, according to the decision of Commission on consideration of disputes on results of definition of cadastral cost or judgment of any court, a new information about the cadastral value is taken into account when determining the tax base, starting with the tax period in which the relevant application has been submitted. Given the fact that the taxpayer actually learns about the tax base and tax liability upon receipt of a tax notice (i.e., in the new fiscal period), this provision requires adjustments (Shestak & Volevodz: 2019). The tax base is determined with the help of the methods that include: direct, indirect, conditional, lump-sum. For example, to calculate the profit tax, a direct method is used, which means measuring the tax base based on objectively existing and documented indicators.

The process of levying taxes will be effective only when the tax base accurately characterizes and determines the object of taxation. At the same time, the dependence between financial indicators and tax liabilities should be taken into account. The reliability, completeness of the collected and processed by the tax authorities with the help of digital technologies will allow improving the applicable tax forms in future. In order to ensure this process, it is necessary to harmonize tax and accounting legislation. On the one hand, the methodological approach to calculating the tax base based on accounting data requires the formation of accounting data with a greater degree of objectivity. On the other hand, the tax legislation must take into account the specifics of the formation of accounting indicators when choosing the limitations and norms that determine the method of calculating the tax base. In conditions of development of digital economy it will allow ordering algorithms of data processing and access to such data.

#### 4. POLITICAL SUPPORT---the perm deflates the political foundation of progressive taxation.

Crane ’16 [Daniel; July 2016; Associate Dean for Faculty and Research and Frederick Paul Furth, Sr. Professor of Law at the University of Michigan; Cornell Law Review, “Antitrust and Wealth Inequality,” vol. 101]

A further complication relates to the political effects of changes in the levels of market power and market concentration. Work in economics and political science suggests that the political demand for higher tax rates increases as market concentration increases. 156 If so, systematic enforcement of the antitrust laws to ensure competitive markets could, over time, translate into lower electoral demand for progressive income taxation and eventually translate into a reduction in marginal rates and lower incidences of redistribution through governmental taxation and spending. That, in turn, could have very significant regressive effects, since progressive taxation and income redistribution have much more direct progressive effects than antitrust enforcement has (if any).

In sum, the trust-busting prescription to cure wealth inequality is highly speculative, at best. Economy-wide, the wealth distribution effects of anticompetitive conduct and remediation through antitrust enforcement are too ambiguous, attenuated, and dynamically interactive to permit the sort of broad claims commonly advanced in the monopoly regressivity thesis.

#### 5. SHIRKING---the IRS will scale back if there’s also a prohibition. That guts the credibility of the tax.

Sacher ’19 [Seth and John Yun; Summer 2019; PhD in Economics from the University of Maryland; Professor at the Antonin Scalia Law School at George Mason University; George Mason Law Review, “Twelve Fallacies of the "Neo-Antitrust" Movement,” vol. 26]

IX. Fallacy Nine: Neo-Antitrust Proposals Can Be Efficiently Implemented Through the Existing Regulatory and Legal Framework

As noted above, expanding the scope of antitrust into new areas beyond the confines of the relevant market, or even beyond the economic field to concerns such as environmental quality, will have costs for competition agencies as their resources become stretched more thinly. However, to the extent such areas already are, or should be, the concern of other governmental bodies or other areas of law, a number of additional harms can result beyond those relevant to the competition agency itself.

The primary harm is simply waste, as multiple agencies actively study and intervene in the exact same things. Nevertheless, there are numerous other concerns. For example, "overdeterrence" can result if competition agencies get involved in areas that are the province of regulatory agencies, or handled through other means, such as contracting, as is often the case with privacy concerns. 148While proponents of neo-antitrust seem to be primarily concerned with issues of underdeterrence, the potential for overdeterrence is broadly recognized in both the legal and economic realms and the costs can be very real. 149

Overdeterrence is somewhat related to the issue of false positives, and both have similar effects. However, whereas false positives go more to the issue of the incorrect detection of a violation, overdeterrence goes more to the issue of the chilling effects from overly harsh punishment for a particular practice. It is also the case that by imposing a second level of review, which may be less accurate than the primary level, the likelihood of false positives is increased when competition agencies step into the areas already covered by regulators or other areas of the law.

Another key argument for limiting the role of competition agencies in non-competition issues is that other regulators may be led to believe that they can shirk their responsibilities. In a sense, this may mitigate some of the concerns with overdeterrence stated above. That is, if the regulator believes the competition agency will handle matters on its behalf, it may not start an investigation or impose a penalty. However, this is hardly an argument for allowing competition agencies to get involved in such matters because this essentially impairs the effectiveness of the regulatory regime. This can be particularly harmful in less developed nations with emergent antitrust and regulatory institutions. 150

On the other hand, with respect to detailed industry-specific knowledge, the regulatory agency may have informational advantages over the competition authority. (In the case of regulated industries, industry-specific knowledge often relates to a particular firm.) Thus, the competition agency will often not be adding to the expertise of the regulator and could also be undermining the legitimacy of both agencies. 151

### Perm: Do CP---2NC

#### ‘Prohibitions’ are an edict that forbids by law.

Mueller ’15 [Kimberly; February 25; Judge on the United States District Court California Eastern District; United States District Court for the Eastern District of California, “Peña v. Lindley,” Lexis]

The law does not, however, "prohibit[] the commercial sale of firearms." Marzzarella, 614 F.3d at 92 n.8; see also United States v. Barton, 633 F.3d 168, 175 (3d Cir. 2011) (noting Heller's distinction between "regulations" and "prohibitions"). Whereas the "imposi[tion] of conditions and qualifications on the commercial sale of arms" is "presumptively lawful," Heller, 554 U.S. at 627 n.26, the prohibition of commercial sale "would be untenable," Marzzarella, 614 F.3d at 92 n.8, because it would "effect[] a 'destruction of the [Second Amendment] right,'" Peruta, 742 F.3d at 1168 (quoting Heller, 554 U.S. at 629) (emphasis in original). As opposed to "conditions and qualifications," Heller, 554 U.S. at 627, "[a] 'prohibition' does more than merely alter or restrain a person's behavior; it is an edict, decree, or order which forbids, prevents, or excludes," Barton, 633 F.3d at 175 (internal quotation marks omitted); see also Jackson, 746 F.3d at 964 ("[A] ban is not merely regulatory; it prohibits . . . ." (internal quotation marks omitted, emphasis in original)). Thus, categorical prohibitions "go too far." Peruta, 742 F.3d at 1170. In Heller, for example, the Court invalidated the contested law, without subjecting it to constitutional scrutiny, because it was a "complete ban on handguns in the home . . . ." Id. at 1170 (citing Heller, 554 U.S. at 629). Similarly, in Peruta, the court summarily struck down the law in question because it was a "near-total prohibition on keeping [arms] . . . ." Id. In Silvester v. Harris, the subject of plaintiffs' second notice of supplemental authority, a fellow district judge found a ten-day waiting period to purchase a firearm an unconstitutional burden on the rights of those who already owned [\*34] firearms. 41 F. Supp. 3d 927, 2014 U.S. Dist. LEXIS 118284, 2014 WL 4209563, at \*28 (E.D. Cal. Aug. 25, 2014) (discussing longstanding presumptively lawful regulations as discussed in Heller, finding that waiting periods do not qualify, but noting laws "prohibiting the sale of certain types of firearms" may qualify).

#### Tax-based penalties are not a ‘prohibition.’

Gruodis ’16 [Povilas; June 3; Ph.D. and Lecturer at Vilnius University Faculty of Law, Attorney, JD in Law from Vilnius University; Social Transformations in Contemporary Society 2016, “Regulatory Function of the Tax Law: Methodological Origins and Specific Features,” ISSN: 2424-5631]

Abstract

It is common to think that the primary function of the tax law are fiscal which means that tax laws should be effective to collect budgetary income. Modern economics and modern tax law admit that tax law also has regulatory function which can be effectively used to regulate behavior. Every tax norm has strong regulatory impact which cannot be omitted. The regulatory function of the tax law is completely independent and cannot be originated from the fiscal function of the tax law. Tax laws can be very effective regulator and the fiscal function of the tax law is completely unnecessary for regulative purposes. The regulatory function and the regulatory impact of the tax norms are completely different from the regulatory function and regulatory impact of traditional “command and control” legal norms. In this research author analyzes the methodological origins and specific features of the regulatory function and the regulatory impact of the tax norms. As it is opposite to traditional “command and control” legal norms, tax norms can regulate behavior without setting any prohibitions or restrictions to taxpayers. That means that the regulatory function of the tax law are based on specific economically based self regulation mechanism which can be even more effective than traditional legal regulation based on sanctions and restrictions.

#### It's a disincentive but leaves the proscribed activity unprohibited.

Dagan ‘9 [Tsilly; Summer 2009; Faculty of Law at Bar Ilan University, LLM in Taxation from the New York University School of Law, LLB and JD from Tel Aviv University; Virginia Tax Review, “Itemizing Personhood,” vol. 29]

Tax liability produces powerful economic disincentives, which, in turn, entail behavioral consequences. If only commodified transactions are taxed whereas noncommodified activities go untaxed, people will have a marginal preference for the latter. Hence, perhaps paradoxically, tax law can provide an economic incentive for noncommodified activities by not taxing them. Likewise, tax law can create a disincentive for nonmarket activities by taxing them or disallowing expenses associated with them. Since taxation can encourage or discourage nonmarket activities, it can serve as a possible tool in any informed effort to commodify or decommodify certain aspects of our lives.

Unlike the "all or nothing approach" of either allowing or prohibiting exchanges, tax offers a more refined and sensitive tool for regulating commodification. Taxing only market goods, for example, affects commodification by making the relative price of market goods higher than the "price" 32 of the nonmarket benefits. Thus, tax adds a unique form of regulation - tinkering with market prices - to Radin's suggestions as to the various ways in which we might consider commodification a matter of degree. 33 Incentives and disincentives can also be generated by taking into account actual expenses that are paid to support noncommodified attributes (such as housing, childcare, and contributions to charitable associations). In other words, despite the fact that tax is well-anchored in the market realm (or, perhaps, due to this fact), the wide array of tax techniques can be used to create incentives for noncommodified interactions.

### Solvency---2NC

#### Substituting taxes creates an identical effect but solves better by avoiding legal blowback.

Gruodis ’17 [Povilas; June 8; Ph.D. and Lecturer at Vilnius University Faculty of Law, Attorney, JD in Law from Vilnius University; Doctoral Dissertation at Vilnius University, “Tax Norms as a Regulatory Tool of Credit Institutions’ Activities,” <http://talpykla.elaba.lt/elaba-fedora/objects/elaba:22914651/datastreams/MAIN/content>]

3. Regulatory tax laws are a suitable measure for regulation of the credit institutions. While making decisions on certain behaviour model in the credit institutions, the economic arguments usually prevail, and the activity of the credit institutions is relatively insignificantly affected by morals – values. The regulatory impact of the tax laws on the credit institutions is justified by regulation of economic conditions of decision making rather than classifying a certain behaviour as legal or illegal, therefore, the tax laws allow a legislator to regulate the decision making process itself. Certain behaviour model is forbidden by imperative administrative orders by making it illegal with the help of the laws, however, the causes (economic motives) of the illegal behaviour model are not always eliminated, and this weakens the regulatory impact of the administrative orders and reduces their effectiveness. Regulation of the credit institutions by the tax laws, unlike traditional method of legal permissions or prohibitions, allows ensuring the significantly lower extent of forced nature of legal regulation and decreasing the risk of possible legal conflicts.

4. The tax laws might be used both as individual measure for regulation of the credit institutions and as additional measure for regulation of the credit institutions together with the current legal regulation of the credit institutions. Regulation of the credit institutions by the tax laws might significantly improve the possibilities of a legislator to regulate the risky activity of the credit institutions and to ensure the stability of financial sector. The regulatory impact of the tax laws can be better directed towards all activity elements of the credit institutions than the administrative orders, prevailing in regulation of the credit institutions. More accurate regulation allows ensuring constant and easier effect on the financial condition of the credit institutions, and enables to improve the solvency, liquidity and panic resistance indicators. In case of regulating the activity of the credit institutions, the tax laws allows achieving the same regulatory effect as the administrative orders, however, by keeping the variety of the credit institutions and more freedom than in case of regulating the activity of the credit institutions by legal prohibitions and permissions, therefore, the tax laws should be considered as proportional measure of regulation of the credit institutions. What is more, the price of possible error, made by a legislator, will be significantly lower because of the features of the regulatory

### Perm: Other Issues---2NC

#### 2. Specificity----the appeal of taxes cannot be proven in the abstract.

Raskolnikov ’13 [Alex; March 2013; Charles Evans Gerber Professor of Law, Columbia Law School; Cornell Law Review, “Accepting the Limits of Tax Law and Economics,” vol. 98]

The major appeal of this approach is quite obvious: in contrast with the standard optimal income tax theory, the details of the actual tax law and tax enforcement are very much in the picture. 111 If we can determine what should be a deductible business expense or a tax-free fringe benefit using Kaplow's method, we can evaluate any other tax rule as well. The same is true of the structure and magnitude of sanctions.

Yet Kaplow's approach is unlikely to help in evaluating the efficiency of actual tax provisions, let alone in reforming them with the aim of achieving the welfare-maximizing regime. The main problems are its level of generality, its information demands, and its indeterminacy.

Kaplow's approach, no doubt, is entirely consistent with welfare economics. In fact, economic analysis of any area of the law may be performed in the same way. Should a particular regulatory regime be strict liability or threshold-based? Should sanctions depend on acts or harms? Should there be something like the RCRA for managing hazardous waste and, if so, should it have the physical barrier requirement described above? To answer each question, we can plug the alternative specifications into the preferred SWF and choose the regime with the higher value. The entire law and economics enterprise may be supplanted by this approach.

The reason this has not happened is obvious: articulating more specific prescriptions has a very strong appeal. Legislators, judges, and administrators may understand the concept of externalities and transaction costs and even have intuitions about their likely magnitude in a particular setting. These policymakers may be fairly confident that in some situations an act-based regime is preferable to a harm-based regime because, for instance, many offenders will be judgment proof if the latter system is chosen. 112 Regulators may even have a reasonably good grasp of the tradeoffs involved in the basic cost-benefit analysis. But no decisionmaker would be moved by an appeal to resolve legal and policy questions by comparing the values of social welfare functions. 113

#### 3. Signalling is zero sum. Simultaneous successful assertion of *prohibition* crowds out signal of a successful tax

Hyman ’14 [David and William Kovacic; November 3; H. Ross and Helen Workman Chair in Law and Professor of Medicine, B.A., M.D., and J.D. from the University of Chicago; Global Competition Professor of Law and Policy, George Washington University Law School and Non-Executive Director, United Kingdom Competition and Markets Authority; GW Law Faculty Publications and Other Works, “Competition Agencies with Complex Policy Portfolios: Divide or Conquer?” no. 631]

Finally, there is legislative divestiture. Perceived failure (especially catastrophic failure) can spur Congress to divest some of an agency’s functions, or fold the entire agency into another institution. So, as detailed below, the Deepwater Horizon oil spill in the Gulf of Mexico resulted in a fundamental reorganization of the Minerals Management Service (“MMS”) in the Department of Interior. The melt-down of the financial markets resulted in the shuttering of the OTS, and transfer of its functions to the OCC. The devastation of New Orleans in the wake of Hurricane Katrina resulted in a reorganization of the Department of Homeland Security.24

In some instances, divestiture is the result of a planned incubation of a new regulatory function, and does not necessarily indicate dissatisfaction with the agency. This was the case with federal securities regulation in the United States. In the 1920s and early 1930s, the FTC used its consumer protection authority to challenge deception in the sale of securities. These cases made the FTC the principal federal entity ensuring honesty in the securities market. The FTC bolstered this role through hearings and reports involving the securities industry and the establishment and operation of public utility holding companies. Although Congress considered assigning responsibility for securities regulation to the FTC, it ultimately used the FTC as a transitional platform for the implementation of the 1933 and 1934 securities statutes, until the Securities and Exchange Commission (“SEC”) was set up. As part of this plan, James Landis served a short tenure with the FTC before moving to the new SEC as a commissioner.

The different ways by which agencies acquire (and sometimes lose) portions of their regulatory portfolio has two distinct implications. First, agencies seem inevitably to acquire multiple functions and purposes, with their precise portfolio of responsibilities changing over time. Whether this multiplicity is the result of deliberate legislative assignment, inadvertence, seizure of newly created policy terrain that emerges as a result of technological dynamism and other forms of industry change, or the periodic divestiture and reallocation of tasks, the reality is that purely single function/purpose agencies are the exception rather than the rule.

Second, agencies will often have actual or potential rivals for control of specific policy making functions. Some agencies share policy areas with other government bodies. In other instances, there is a common boundary, and agencies periodically contest the location of the property line. In still other cases (such as when technological change transforms an industry and its products), the property line shifts. The process is no different than when a deed defines real estate ownership according to the course of a river. A change in the course of the river creates predictable disputes over who owns what.25 Finally, agencies sometimes approach legislators to request ownership of a previously uninhabited policy area or simply seek to expropriate another agency’s portfolio. Secretary of Interior Harold Ickes was notorious for his raids on the territory (both real and regulatory) of other Departments.

Given these dynamics, it would be very useful to know which factors contribute to the success or failure of particular combinations, and the associated trade-offs. Part III turns to this issue.

### AT: Don’t Care---2NC

#### It’s understood by businesses as identical to a prohibition because the penalty for violating the plan is also ultimately financial. The response will be equivalent.

Rixen ’21 [Thomas and Brigitte Unger; July 2021; Ph.D. and Professor at the Otto Suhr Institute for Political Science at the Freie Universität Berlin; Chair of Public Sector Economics at the Utrecht University School of Economics; Regulation and Governance, “Taxation: A Regulatory Multilevel Governance Perspective,” p. 1-2]

Many introductory and foundational texts in the political and administrative sciences present taxation and regulation as distinct instruments of governance (e.g., Lowi 1972; Hood 1986; Knill & Tosun 2012). Regulation is understood as rules proscribing certain behaviors and sanctioning others. It is justified in terms of protecting the public interest and usually takes the form of laws, but may also include standards, principles and norms (cf. Levi-Faur 2011: pp. 4–6). In contrast, taxation works through the medium of money and shapes individual behavior through material incentives that leave actors leeway to act according to their individual cost–benefit calculations. While this distinction certainly makes sense, it collapses if one steps back to take a broader perspective. First, like regulation, taxation is based on laws, standards, principles, and norms. Tax law is backed by sanctions threats and (ultimately) state coercion. It is legitimized by reference to the public interest. Second, while the primary objective of taxes – with the important exception of environmental and sin or health taxes – may be to raise revenues, they discourage the taxed activity and thus shape individuals' or firms' behavior, that is, they have regulatory impacts (Barnett & Yandle 2004). Likewise, while the primary purpose of regulation is to proscribe certain behaviors, they can be understood as implicit taxes (Posner 1971). “From the standpoint of the affected individual or firm, all regulations are taxes and all taxes regulate” (Barnett & Yandle 2004, p. 217). Another reason why regulation and taxation are often seen as distinct is that regulation is conceived as a dynamic process, in which regulators and regulated are engaged in a continuous, personal interchange, whereas taxation is seen as a “static, stultified, coercive, and impersonal exchange” that consists merely in handing over money (Braithwaite 2007, p. 3). As Braithwaite and her colleagues have shown (Special issue of Law & Policy, vol. 29, issue 1, 2007), this juxtaposition has never held empirically. In contrast, tax systems at the national, regional, and global level are dynamic regulatory systems and they can and should be studied as that.

#### They’re value-maximizers who will instantly comply.

Riza ’13 [Limor; 2013; Senior Lecturer of Law, Faculty of Law at Ono Academic College; Houston Business and Tax Law Journal, “Should Tax Law Mind Minority and Monitor Majority: The Case of Undistributed Dividends and the Ability-To-Pay Principle,” vol. 13]

In the first alternative, the paper discussed the set of sections dealing with accumulated earnings. 217 One of the advantages of tax law is attributable to its importance in the decision-making process and in that respect, it is an efficient regulatory mechanism. 218 Tax considerations are fundamental to individuals and entities in making business decisions, and they generally react rather promptly to tax reforms. 219 Tax law is a fundamental consideration taken by taxpayers -- especially business persons -- before and in the course of their activities. 220 Thus, it is plausible to assume that the additional tax imposed on corporations for their accumulation shall induce entities to distribute their earnings. 221 Namely, corporations are induced to distribute dividends to all shareholders; otherwise, they are exposed to additional tax. 222 The accumulated earnings provision taxes corporations on undistributed earnings. 223 This can serve as a tool to minimize the conflict between minority and majority shareholders. Since agents are value maximizers and are part of their corporation, they are induced to reduce the corporation's tax burden. And since eventually corporate tax is borne by individuals (though, not necessarily shareholders), in a highly concentrated corporation a tax imposed on corporations has a larger effect on shareholders than in a corporation with dispersed ownership. As long as the majority shareholders' holdings in the corporation are substantial, they are motivated to escape this extra taxation levied on their corporation. 224 Thus, tax law and corporate law go hand in hand since agents have incentives to reduce their tax burden.

#### The result is a de facto prohibition.

Noked ’17 [Noam; November 2017; Assistant Professor in the Faculty of Law at The Chinese University of Hong Kong; William and Mary Business Law Review, “Can Taxes Mitigate Corporate Governance Inefficiencies?” vol. 9]

It is important to distinguish between corrective taxation that aims to internalize negative externalities, and tax penalties that are used to ensure compliance with a particular rule regardless of the externalities involved. 211 A sufficiently high tax penalty can be used to enforce a de facto ban or obligation. For example, the 30 percent withholding tax imposed on certain payments to non-participating foreign financial institutions under the Foreign Accounting Tax Compliance Act was adopted as a tax penalty to achieve the full cooperation of foreign financial institutions. 212 One consideration that might support using tax penalties rather than a ban is the political ability to legislate these penalties. Another consideration is institutional: which agency should enforce this rule? The IRS is likely to enforce the tax penalty, whereas the SEC is more likely to enforce a ban imposed on publicly traded firms. 213

It is possible that the intercorporate taxation in the United States is a tax penalty that operates as a de facto ban, although it still allows pyramidal structures where the benefits are large enough. A few years ago, Israel adopted a ban on a pyramidal structure with more than two levels. 214 A controlled firm can control no more than one other firm. 215 If the lower firm controls another firm, a court will appoint a trustee to sell the remaining firm. 216 The Israeli legislature considered and rejected following the American model of taxing the intercorporate dividends. 217 It is unclear which model is superior, though it seems that either a ban or a tax penalty that is high enough can achieve similar results.

A corrective tax on pyramidal structures should be set on the negative externality resulting from that structure. 218 The inefficiencies associated with pyramids increase where the gap between voting rights and cash flow rights are larger. 219 Therefore, corrective tax should increase in a similar manner. The current tax rules in the United States impose a higher tax on holdings lower than 20 percent, a lower tax on holdings between 20 and 80 percent, and no tax where the holdings exceed 80 percent. 220 This may serve as a very rough approximation of the negative externalities that increase where the controller's share is lower. One advantage of having these three categories is the simplicity of this rule. However, imposing a similar tax where the holding is 21 percent and where it is 79 percent cannot be justified on corrective grounds, as the externalities should be very different. In addition, imposing a higher tax on intercorporate dividends where there is no effective control--where the holding is lower than 20 percent--would be hard to explain as a corrective measure.

If the negative externality decreases with ownership, the tax on intercorporate dividends can track this relationship by adjusting the tax to the ownership rights. We should find the level of ownership which enables an effective control--for example, 30 percent--and the level of ownership which is high enough to provide sufficient incentives to the owner--for example, 80 percent. If the negative effects decrease linearly, the tax should follow this by decreasing from a high tax rate, where the ownership is 30 percent, to a zero tax rate, where the ownership is 80 percent.

One advantage of optimal corrective taxation over a ban or a tax penalty--that serves as a de facto ban--is that the former does not prevent efficient pyramids, where there is a value-maximizing reason to have a pyramidal structure. 221 However, assessing the accurate negative externalities associated with different pyramidal structures would be very hard. 222 A corrective tax which is too low would result in a social cost from having many inefficient pyramids, whereas a corrective tax which is too high would be a de facto ban. In addition, it may be more politically feasible to adopt a tax, including a tax penalty that is a de facto ban, rather than an outright ban. 223

#### It splits off rents, discouraging the initial behavior AND generating revenue---that solves inequality.

Jarsulic ’19 [Marc, Ethan Gurwitz, and Andrew Schwartz; April 3; Ph.D. in Economics from the University of Pennsylvania, J.D. at the University of Michigan, Senior Fellow, Chief Economist, and Vice President for Economic Policy at the Center for American Progress; JD Candidate at Harvard Law School, Former Policy Analyst for Economic Policy at the Center for American Progress; Senior Policy Analyst for Economic Policy at the Center for American Progress; CAP, “Toward a Robust Competition Policy,” https://www.americanprogress.org/issues/economy/reports/2019/04/03/467613/toward-robust-competition-policy/]

Tax monopoly rents

The aforementioned policies aim to reduce barriers to entry. However, even if all of these policies were implemented successfully, there are large firms currently earning large rents that would likely remain untouched. Firms with significant economies of scale, for example, may be able to defend against new firm entry for sustained periods.

To complement entry-related policies, the authors propose implementing a higher marginal tax on the profits of firms that have accrued high rents over an extended period. Such a tax would have three effects. While it would not break up a firm, it would reduce the flow of economic rents, making these revenues available for public purposes with no harm to efficiency.142 It would also discourage further efforts to enhance market power through actions such as mergers and acquisitions. Moreover, it would diminish the ability of these firms to use their outsize returns to influence political and regulatory outcomes.

The origins of this idea go as far back as to Supreme Court Justice Louis Brandeis, who, in the 1930s, called for “an annual excise tax rapidly progressing in the rate as the total capitalization of the Corporation rises” as a mechanism to restrain the growth of firms.143 Similarly, Judge Richard Posner floated an “excess profits tax” as one of several approaches to rein in natural monopolies. Such a tax, he wrote, “would require the regulated firm to divide its monopoly profits with the public.”144

Firms’ Q values, along with other data, could be used to identify those that are earning measurably sustained rents and set a higher corporate tax rate for these firms.145 For example, when a firm’s Q value is persistently greater than 2, markets are signaling that more than half of the firm’s earnings are from rents. Taxing away such rents would not affect competitive efficiency, and the revenue generated could be used to support public sector projects, which would in turn reduce income inequality.146

#### Extinction.

McLaughlin ’21 [Alex; 2021; Ph.D. and Research Associate at the Centre for the Study of Existential Risk at the University of Cambridge, Leverhulme Doctoral Scholar in Climate Justice at the University of Reading; Centre for the Study of Existential Risk, “Global Justice and Global Catastrophic Risk,” <https://www.cser.ac.uk/research/global-justice-gcr/>]

Many global risks are not exogenous to human civilisation, they are the products of choices and decisions taken (or not taken) at all levels of human society. The backdrop to these decisions is one characterised by global injustice: profound inequality, corruption, and structural discrimination (such as anti-Black racism and White supremacy). The Centre for the Study of Existential Risk is working to understand how issues of distributive, procedural and relational justice at the global level act as drivers of global risk. It is also committed to foregrounding critical perspectives from postcolonialism and anti-racism in its work in this area.

A key focus of our research will be on the creation of better institutions for promoting global justice and responding to global risk concurrently. Who should participate in discussions about governing global catastrophic risks, for instance within intergovernmental organisations, public-private fora, or industry discussions? What are the ways in which the activities of international financial institutions such as multilateral development banks contribute to global risk? What are the systemic interactions between the reinforcement of global inequalities and the exacerbation of global risk within these institutions?

Global injustice as a driver of risk

* Global injustice is not only a direct driver of hazards, like climate change, discriminatory AI systems, and global conflict, it also increases civilizational vulnerabilities and exposures to these hazards:
* Global injustice prevents appropriate risk management actions and policies being taken and affects how risks are perceived, as is the case with industry-funded ‘merchants of doubt’ sowing disinformation on nuclear winter, ozone depletion and climate science.
* It disempowers those at the risk frontlines, such as communities who are most affected by climate change or most at risk from diseases due to poverty, healthcare inequalities and racial descrimination.
* It has led to structural inertia and risk management strategies which protect the interests of the elites who create them. When this is the case, attempts to address global risks can exacerbate rather than alleviate injustices.
* It creates the potential for difficult and unnecessary dilemmas and constraints in achieving the twin goals of human development and the management of global risk, such as in cases where states rely on subsistence emissions to meet basic energy needs.
* Finally, injustice and inequality slow the process of recovery from disasters. This is a key finding of over a century of disaster studies. It is expected that global injustice would create significant barriers to recovery from potential future global catastrophes.

### Solvency---Follow-On---2NC

#### 2. Institutions---it builds broader administrative apparatus with full awareness of businesses---that unlocks the full range of mechanisms, including prohibitions.

Mehrotra ’10 [Ajay; 2010; Professor of Law at the Northwestern Pritzker School of Law, and an Affiliated Professor of History at Northwestern University, PhD, University of Chicago, JD, Georgetown University; Theoretical Inquiries in Law, “The Public Control of Corporate Power: Revisiting the 1909 U.S. Corporate Tax from a Comparative Perspective,” vol. 11]

Prominent among the standard institutional explanations is the historical interaction of politics and business. As a variety of scholars have demonstrated, American statecraft has long been distinguished by its antagonism towards big business. The early arrival of American managerial capitalism in the mid and late 1800s preceded and in some ways compelled the development of the modern regulatory and administrative state. As a result, a unique American divide between private enterprise and public administration began to develop.22 Although antitrust law is generally the policy arena that scholars have explored to substantiate this claim,23 the tensions between American government and big business can also be clearly seen in the evolution of U.S. subnational corporate tax policy and transnational comparisons of corporate tax laws and concepts.

A primary focus on political and economic institutions, however, only explicates part of the story. Institutions do not just suddenly appear. They are created and composed of individuals and groups with specific interests, ideas, and cultural beliefs. And, perhaps more importantly, institutions change and develop over time as they interact with other groups and institutions, and respond to changing historical conditions. Thus, while it is vitally important to examine how institutional frameworks mediate political interests, social ideas, and cultural beliefs, these interests, ideas, and beliefs in turn also shape institutional frameworks.24 Put differently, political, social, and cultural factors are endogenous to institutional explanations of the American approach to taxing business corporations. In the context of the comparative history of corporate tax policy, this means that attending to the historically-determined political interests, social ideas, and cultural beliefs may help explain the American obsession with disciplining large-scale business corporations through the use of punitive tax laws and policies.25

Before turning to the comparative analysis, this Article begins in Part I with a brief summary of the 1909 corporate excise tax, succinctly recapitulating the conventional accounts about the beginnings of American corporate taxation. Part II turns to the subnational story to explain how and why leading American states and commonwealths attempted to tax corporate property under their respective general property taxes; how they searched for alternative corporate taxes; and how even newly-created state income taxes were applied to business corporations. This analysis shows that state-level lawmakers purposefully used tax policy in a punitive manner not only to make corporations more transparent, but also to check the growing power and authority of corporate capital.

Part III is devoted to briefly exploring transnational comparisons between the United States, England, and Germany. It focuses on how differences in the organizational structures of big businesses in the three countries led to variations in political economy that were ultimately expressed in the legal ideas and cultural attitudes toward corporate capitalism. These variations, in turn, shaped the differences in corporate tax laws and policies. Part III begins by contrasting the U.S with Britain. In the latter country, a form of family managerial capitalism and an intertwined public/private sector pervaded British ideas and beliefs to the point that it was often assumed that corporations were simply aggregations of individuals. Consequently, English lawmakers were loath to adopt the American system of corporate taxation, which they did only briefly in the early 1920s and again in the late twentieth century. Part III also investigates Germany, and more particularly the Prussian experience with corporate taxation, to explicate how differing commercial organizational capabilities, business-government relations, and beliefs about corporations interacted with the pressures of fiscal federalism to shape corporate tax policy. Finally, the Article concludes by considering the possible long-term implications of the U.S.’s unique historical role in corporate taxation.

I. REGULATION VERSUS REMITTANCE: THE STANDARD ACCOUNTS OF THE ORIGINS OF THE 1909 CORPORATE TAX

The Tariff Act of 1909 contained a national tax on the legal privilege of doing business in corporate form. More specifically, the law required "every corporation, joint stock company or association, organized for profit and having a capital stock represented by shares" to pay a "special excise tax with respect to the carrying on of doing business."26 The tax was set at an annual flat rate of one percent on net income above $5,000, and even applied to all foreign corporations engaged in business in the United States.27 The multiple legislative rationales behind the 1909 tax have provided modern scholars with sufficient evidence to ascribe different meanings to the origins of the American regime of corporate taxation. Whereas some scholars have focused on the regulatory aspects of the law, others have emphasized how the mechanics of the measure suggest that the tax was aimed mainly at shareholder, not corporate, wealth and power.28

The 1909 tax was not, however, the first national levy on business corporations. From the Civil War to the Spanish-American War, national lawmakers in the late nineteenth century experimented with several temporary corporate taxes. Yet none of these early measures seemed specifically designed to capture the taxpaying ability of corporations qua corporations. The Civil War income tax, for example, applied to business profits, but mainly as an indirect means to tax individual shareholders.29 Similarly, the short-lived 1894 income tax, which was declared unconstitutional the following year,30 imposed a two percent tax on the net income of all corporations, but because dividends from taxable corporations were excluded from shareholder income and because the levy was also imposed on undistributed corporate income, the law was essentially a crude form of withholding—a remittance method for taxing shareholder wealth.31

The 1898 excise tax on the sugar— and oil-producing industries, enacted in response to the funding needs of the Spanish-American War,32 was perhaps the first instance of a national levy imposed on "the occupation or privilege of doing business" in specific industries.33 Yet, in its final form the law operated as a blatant, rifle-shot provision aimed at taxing the gross profits of the American Sugar Refining Company and the Standard Oil Company.34 Thus, even this temporary wartime tax, which was upheld by the U.S. Supreme Court,35 provides ample evidence for the dueling interpretations of the roots of American corporate taxation. On the one hand, the statute’s legislative history and its general application to all sugar and oil refinery businesses, not just corporations, suggest that lawmakers were not singling out corporations as regulatory targets, but rather that they were using the excise levy as a proxy to tax the owners of sugar and oil companies, and hence generate the revenue necessary to prosecute a war.36 On the other hand, if the ultimate targets of the tax were specifically Standard Oil and American Sugar, two of the largest and most powerful industrial corporations in America at the time,37 then perhaps the 1898 excise tax was a forerunner of the legislative attempt to control the wealth and power of corporate capital. Moreover, since the 1898 law did not contain disclosure requirements, lawmakers seemed less concerned about transparency as a form of public control, and more interested in using the levy to curb the growing profits of specific corporations.38 The early versions of American national taxation thus provide mixed guidance on whether the beginnings of U.S. corporate taxation were rooted in regulatory desires or attempts to remit more effectively a shareholder-level tax.

The political and legal context of the 1909 tax itself, similarly, does little to settle the regulation/remittance debate. Like the 1898 tax, the 1909 levy was structured as an excise tax mainly to comply with the constitutional restrictions established by the Court’s invalidation of the 1894 income tax and its support for the 1898 excise tax on sugar and oil production.39 The legislative debates and political rhetoric underpinning the 1909 tax also demonstrate that key lawmakers held conflicting views about the new corporate tax—conflicting views that lend credence to each side of the competing standard historical interpretations.40

The differing interpretations of the 1909 tax can even be seen within single key pronouncements on the need for corporate taxation. Consider, for instance, President William Howard Taft’s June 16th message to Congress recommending the 1909 corporate tax and a constitutional amendment permitting an income tax without apportionment.41 By all accounts, Taft’s leadership and his June congressional message played a pivotal role in the passage of the corporate tax.42 In his message, Taft provided a variety of justifications for the new revenue bill. Citing to a "rapidly increasing deficit," the president called for tariff revision and the adoption of "new kinds of taxation" to help "secure an adequate income" for the growing federal government.43 More specifically, Taft supported the corporate tax both for administrative reasons, as a possible proxy for taxing shareholders, and as a regulatory tool to publicize and expose the abuses of growing corporate power, and thus to control it. For administrative reasons, Taft supported the tax because it imposed "a burden at the source of income at a time when the corporation is well able to pay and when collection is easy."44 As modern scholars have noted, the focus on sources of income and collection ease implies that Taft believed the levy could be an effective indirect means to tax shareholder wealth.45

Other parts of Taft’s message convey a different rationale, one that emphasizes the need for regulatory control of corporations as separate legal entities. At the outset, Taft explained that the levy "is an excise tax upon the privilege of doing business as an artificial entity," and hence "not a direct tax on property." He continued that "another merit of this tax is the federal supervision which must be exercised to make the law effective over the annual accounts and business transactions of all corporations." Taft acknowledged that the corporate form "has been of the utmost utility in the business world," but he also reminded Congress that "substantially all of the abuses and all of the evils which have aroused the public to the necessity of reform were made possible by the use of this very faculty."46

With American society still reeling from a financial panic linked to abuses in the banking industry and an earlier series of corporate scandals in the insurance industry,47 Taft’s address underscored the regulatory potential of a corporate tax. Indeed, the President spelled out how the tax in a "perfectly legitimate and effective" way could help the government, stockholders, and the greater public gain "knowledge of the real business transactions and the gains and profits of every corporation in the country." By making the inner dealings of big businesses more transparent, the corporate tax, Taft insisted, would be a "long step toward that supervisory control of corporations which may prevent a further abuse of power."48 Taft’s sustained emphasis on the public disclosure aspects of the law supports the interpretation of the 1909 corporate tax as a regulatory device.

Like Taft’s message, the congressional debates surrounding the 1909 law evidence multiple justifications for the corporate tax.49 Moreover, the broader legal discourse about the shifting views of corporate personality and the unknown incidence of corporate taxes seemed to provide contending camps with additional, though contradictory, justifications for their respective positions. As the Columbia University philosopher John Dewey noted in 1926, the differing theories of what constituted a corporation were infinitely flexible, reflecting the contingency of abstract concepts. "Each theory,"Dewey succinctly explained, "has been used to serve . . . opposing ends."50

Ultimately, the search for a singular, or even a dominant, explanation for the emergence of the 1909 corporate tax may be not only elusive, but perhaps even counterproductive. After all, tax laws — like nearly all legislation — frequently appeal to a variety of constituencies for a multiplicity of reasons. Just as Baptists and bootleggers could develop a peculiar alliance to support American prohibition, so too populist regulators and rational administrators could come together to back the 1909 corporate tax.51 Lawmakers who harbored hostility towards large-scale business corporations and who viewed these economic organizations as independent legal entities could support the corporate tax as a means toward disciplining capital. At the same time, those who believed that corporations were mere conduits that helped generate economic prosperity could still back the corporate levy as an effective way to collect badly needed revenue from some of the country’s wealthiest individuals. Simply put, regulating corporate power and remitting tax revenue were not necessarily mutually exclusive aims.

#### Removing opacity enables aggressive antitrust enforcement.

Geradin ’21 [Damien and Dimitrios Katsifis; October 18; Professor of Competition Law and Economics at Tilburg University and Visiting Professor at University College London and the University of East Anglia; Senior Associate at Geradin Partners; Social Science Research Network, “Strengthening Effective Antitrust Enforcement in Digital Platform Markets,” https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3945004]

2. Asymmetry of information

Another important challenge for antitrust enforcement in digital markets is the considerable asymmetry of information between dominant digital platforms and antitrust agencies.73 Antitrust agencies (and public authorities more generally) lack insight into the numerous and complex algorithms powering the services of digital platforms which oftentimes determine the fate of business users relying on the platform and the prices paid by end users.74

This opacity can make it extremely hard for an antitrust agency to evaluate allegations of self-preferencing involving algorithmic changes, especially in the absence of dedicated technical teams. Antitrust authorities may also have limited insight into the enormous data collection and processing activities of digital platforms and how these may translate in unique informational advantages (e.g., market intelligence) when combined with state-of-the-art predictive algorithms.75 In practice, this means that platforms may engage in various exclusionary – or even collusive – practices right under the nose of regulators,76 which may at best have only anecdotal evidence of wrongdoing and no “hard” data at their disposal.

#### 3. Lobbying---it removes the war chest from the key political barriers to enforcement.

Jarsulic ’19 [Marc, Ethan Gurwitz, and Andrew Schwartz; April 3; Ph.D. in Economics from the University of Pennsylvania, J.D. at the University of Michigan, Senior Fellow, Chief Economist, and Vice President for Economic Policy at the Center for American Progress; JD Candidate at Harvard Law School, Former Policy Analyst for Economic Policy at the Center for American Progress; Senior Policy Analyst for Economic Policy at the Center for American Progress; CAP, “Toward a Robust Competition Policy,” https://www.americanprogress.org/issues/economy/reports/2019/04/03/467613/toward-robust-competition-policy/]

When barriers remain, a monopoly tax can help level the competitive playing field.

Because it may not be possible to reduce barriers for all firms and across all industries—and because changes in fundamental policies, such as antitrust and intellectual property rules, may be difficult and time-consuming to implement—the report also proposes a monopoly tax to reduce the flow of rents to large firms.

Instituting a monopoly tax would have three effects. While such a tax would not directly aid new firm entry, it would reduce the flow of economic rents, making these revenues available for public purposes without harming efficiency. It would also discourage further efforts to enhance market power through actions such as mergers and acquisitions. Moreover, a monopoly tax would diminish the ability of firms with market power to use their outsize returns to influence political and regulatory outcomes.

#### That creates a virtuous cycle of future prohibitions

Manduca ’19 [Robert; 2019; Professor of Sociology at the University of Michigan; The Annals of the American Academy of Political and Social Science, “Antitrust Enforcement as Federal Policy to Reduce Regional Economic Disparities,” vol. 685]

The lack of effective antitrust enforcement over the past 40 years has been a major contributor to economic stagnation in many parts of the country, and a reinvigorated approach to enforcement offers a promising route to help restore prosperity across the country. If implemented carefully, with attention to potential policy feedbacks, a renewed antitrust movement could maintain and expand itself over time.

Policy Feedback Considerations in the Development of New Antitrust Policy

There are several features of antitrust enforcement as a political issue that make it a particularly promising federal regional development policy. These features occur with respect to all of the “three E’s” that Jacob Hacker mentions in his article in this issue (Hacker, this volume). Its bipartisan appeal to voters, potential to attract business support, and logistical ease of enactment make the establishment of a reinvigorated antitrust regime likely to be easier than many other regional development policies. Once established, initial successful antitrust actions are likely to change the politics of the issue in ways that make its entrenchment and expansion more likely. Here I briefly describe these attractive features and potential for policy feedbacks, along with certain strategic recommendations related to sequencing and the use of federalism in the initial establishment phase.

Note that two types of regulatory action form the core of the antitrust toolkit. One is to block proposed mergers, preventing new monopolies from being created. The second is to break up currently existing companies with excess market power into their component parts. Both types of enforcement would benefit from the promising political considerations facilitating the establishment of a renewed antitrust movement. But many of the most promising feedback effects related to the entrenchment and expansion of such a movement will be felt most strongly with the successful breakups of currently existing firms. For this reason, a revitalized antitrust movement should strongly consider pursuing such breakups whenever possible, even though regulators have been hesitant to pursue them in the past (Wu 2018).

Features of antitrust enforcement that make its establishment more likely

Among possible federal regional development policies, reinvigorated antitrust enforcement stands out in several ways that make its establishment as a policy more likely. First, it is salient and familiar to voters. Most voters have encountered monopolies in their daily lives, whether they be airlines, utilities, internet providers, or tech platforms. Almost everyone has had a negative experience with a company too large or omnipresent to avoid in the future. Breaking such companies up offers a response to angry customers who would otherwise not have any way to express their frustration.

Moreover, aggressive antitrust enforcement has a long history in the United States, and it was widely practiced within the lifetimes of many voters. It has been a stated principle of capitalist economics since Adam Smith (Smith 1827), albeit one that has often been honored in the breach. In the United States specifically, antitrust enforcement fits with a longstanding American skepticism toward “bigness” (Lemann 2016; Rosen 2016). Perhaps for these reasons, the current antitrust movement has managed to find support among both liberals and conservatives. A poll conducted in September 2018, for instance, found that 65 percent of Americans—and 54 percent of Trump voters—think the government “should do more to break up corporate monopolies” (Dayen 2018). And leading proponents of antitrust enforcement in Congress and the media are found on both sides of the aisle (Crane 2018).

Perhaps more important than its broad appeal among voters, antitrust enforcement has the potential to attract support, or at least avoid opposition, from a wide range of organized interest groups. Of particular note is the potential for corporate ambivalence on this issue. Unlike many progressive economic policies, many companies—including quite powerful ones—stand to benefit from a reinvigorated antitrust regime. Yelp, for instance, has been a major critic of Google’s abuse of its search monopoly for several years (Dougherty 2017). When AT&T attempted to acquire T-Mobile in 2010, some of the most vocal opposition came from competitor Sprint (Singel 2011), though that did not stop Sprint from initiating its own bid for T-Mobile recently. Even Walmart, the largest retailer in the country, recently joined with other brick and mortar retailers to call on the Federal Trade Commission (FTC) to examine “persistent oligopolies in other parts of the retail system,” specifically singling out the market power of Amazon and Google (Dodge 2019). Companies like these could potentially become strong supporters of specific antitrust enforcement actions or a new antitrust movement in general.

This potential to attract corporate support is a key advantage of antitrust enforcement as a regional development policy. A major question will be whether proponents of the new enforcement regime will be able to secure support, or at least neutrality, from overarching corporate lobbying organizations like the U.S. Chamber of Commerce. As I discuss, choosing initial enforcement targets to maximize the possibility of such support or neutrality is a strategic imperative for the new antitrust movement.

A third advantage of antitrust enforcement relative to many potential federal redevelopment policies is the comparative ease with which it could be enacted. For the most part, the current antitrust movement is calling for better enforcement of laws already on the books, by agencies that already exist. This means that large parts of the policy could be implemented without creating new government entities or requiring large increases in federal spending, and perhaps even without new legislation.

These three features of reinvigorated antitrust enforcement—its widespread support among voters, potential for ambivalence from corporations, and legislative ease of enactment—suggest that it may be easier to establish than many other federal regional development policies. Should initial enforcement actions be successful, they are also likely to entrench the policy and lay the groundwork for further expansion.

Entrenchment and expansion: The finality of breaking up companies

Should initial enforcement actions succeed—and specifically should existing oligopolistic companies be broken apart—they are likely to alter the political landscape in ways that entrench the new antitrust regime and promote future regional development efforts in general.

When a company is successfully split apart, it no longer exists as an independent entity capable of political action. That in itself may remove the single biggest source of potential backlash to a given enforcement action—as Patashnik describes in his contribution to this issue, sometimes the most effective way to reduce backlash is to fragment the organizations most likely to mobilize such backlash (Patashnik, this volume).

The entrenchment effects of breaking up existing monopolies extend beyond their particular enforcement action. Monopoly rents are a key source of political donations, either from the companies themselves or from the individuals who own them (Skocpol and Williamson 2012). Reducing those rents through increased competition will thus decrease the money available to fund future anti-enforcement lobbying.

Beyond reducing the availability of monopoly rents to fund future advocacy, successful enforcement actions may reduce the political clout of targeted industries by changing the number and nature of corporate players. In the case where one company is split horizontally into several competitors, this would occur by increasing the total number of actors that need to be coordinated for industry-wide lobbying, which is likely to make such coordination more difficult. In the case where a company is split vertically into firms that each occupy different stages in the chain of production, the successor firms may have policy interests that directly conflict. Amazon the online market platform and its client Amazon the bookseller are likely to have a tense relationship and might end up on opposite sides of debates about Internet policy.

A particularly promising dynamic, which is plausible though by no means guaranteed, would be if the successor companies created by one round of trustbusting become agitators for the next round. Firms in some cases pursue mergers and acquisitions defensively in response to observed or anticipated consolidation in their own or related industries (Gorton, Kahl, and Rosen 2009; Ahern and Harford 2014). This process can lead to vertical or horizontal merger waves where all tiers of an industry’s supply chain quickly consolidate. If some of these mergers were undone, the resulting smaller companies might push for further antitrust enforcement up or down their supply chain to even the playing field once more. That could create a virtuous cycle in which the successor companies from one enforcement action lobby for the next action.

### Solvency---Offense---2NC

It solves better than the plan:

#### Antitrust is glacial---enforcement takes decades, rendering the initial rule meaningless.

Chopra ’20 [Rohit and Lina Khan; March 2020; Commissioner of the Federal Trade Commission; Academic Fellow at Columbia Law School, Counsel to the Subcommittee on Antitrust, Commercial, and Administrative Law, US House Committee on the Judiciary and Former Legal Fellow at the Federal Trade Commission; University of Chicago Law Review, “The Case for ‘Unfair Methods of Competition’ Rulemaking,” vol. 87]

The current approach to antitrust also makes enforcement highly costly and protracted. In 2012, the American Bar Association (ABA) published the report of a task force that sought to "study ways to control the costs of antitrust litigation and enforcement." 9The task force, the authors explained, was "a response to concerns" about both "the costs imposed on businesses by the American system of antitrust enforcement" and "the length of time required to resolve antitrust issues both in litigation and in enforcement proceedings." 10 Out-of-control costs undermine effective antitrust enforcement by agencies and private litigants, but [\*361] may advantage actors who profit from anticompetitive practices and can treat litigation as a routine cost of business.

Professor Michael Baye and Former Commissioner Joshua Wright have noted that generalist judges may be ill-equipped to independently analyze and assess evidence presented by economic experts. 11 Because determining the legality of most conduct now involves complex economic analysis, courts have effectively "delegate[d] both factfinding and rulemaking to courtroom economists," making courtroom economics "not just inevitable but often dispositive." 12In fact, paid expert testimony now is often "the 'whole game' in an antitrust dispute." 13

Paid experts are a major expense. Some experts charge over $1,300 an hour, earning more than senior partners at major law firms. 14Over the last decade, expenditures on expert costs by public enforcers have ballooned. 15In a system that incentivizes firms to spend top dollar on economists who can use ever-increasing complexity to spin a favorable tale, the eye-popping costs for economic experts can put the government and new market entrants at a significant disadvantage. 16

Another component of the burden is that antitrust trials are extremely slow and prolonged. 17The Supreme Court has criticized antitrust cases for involving "interminable litigation" 18and the "inevitably costly and protracted discovery phase," 19 yielding an antitrust system that is "hopelessly beyond effective judicial supervision." 20That it can easily take a decade to bring an antitrust case to full judgment means that by the time a judge orders a remedy, market circumstances are likely to have outpaced it. 21The same 2012 ABA report suggested that lengthy, costly litigation may be contributing to reduced government-enforcement efforts over time relative to the expansion of the US economy. 22

#### Taxes are dynamic and adaptable, optimizing for evolving market conditions.

Libson ’21 [Adi and Gideon Parchomovsky; February 2021; Assistant Professor at the Bar-Ilan University Faculty of Law; Robert G. Fuller, Jr. Professor of Law at the University of Pennsylvania Law School and Professor of Law at the Hebrew University Faculty of Law; Texas Law Review, “Reversing the Fortunes of Active Funds,” vol. 99]

Our proposal offers three potential advantages over competing mechanisms aimed at bolstering engagements by shareholders. First, tax incentives constitute a far more effective tool for encouraging the growth of active funds and active participation in corporate matters than legislation or regulation that forces passive funds to become active. If a passive fund has no interest in assuming an active role in the management of a company, it is highly doubtful that legal mandates forcing engagement would achieve their desired goal of meaningful engagements. Worse yet, mandatory measures would necessitate significant expenditures on monitoring and enforcement. Tax benefits, by contrast, allow each category of funds, active and passive, to act as it prefers, while maintaining a stable market equilibrium between the two groups. Furthermore, tax instruments are flexible and dynamic. Unlike binary regulatory mechanisms, a tax benefit can be keyed to multiple performance indicators and can be adjusted to fit the changing magnitude of the positive externalities generated by sophisticated investors. 17

Footnote 17:

Louis Kaplow & Steven Shavell, On the Superiority of Corrective Taxes to Quantity Regulation, 4 Am. L. & Econ. Rev. 1, 7-10 (2002) (emphasizing that the price element of taxes provides the government with vital information that can be utilized to optimize the tax instrument). The price element of taxes can also serve as a mechanism for revealing information to the parties. See, e.g., Brian Galle, Tax, Command ... or Nudge?: Evaluating the New Regulation, 92 Texas L. Rev. 837, 848 (2014) (explaining that prices reveal information about the subjective valuations of parties).

End of Footnote 17.