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#### Resolved’ entails that what is done through fiat is the passing legislation

LSA ‘5 [Louisiana State Legislature; 2005; Governing body of the state of Louisiana; Louisiana State Legislature, “Legislative Glossary,” <https://www.legis.la.gov/legis/Glossary.aspx>]

Resolution

A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution uses the term "resolved". Not subject to a time limit for introduction nor to governor's veto. (Const. Art. III, §17(B) and House Rules 8.11, 13.1, 6.8, and 7.4 and Senate Rules 10.9, 13.5 and 15.1)

**USfg should is about whether or not the government is desirable**

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The Proposition of Policy: Urging Future Action

In policy propositions, each topic contains certain key elements, although they have slightly different functions from the comparable elements of value-oriented propositions.

1. An agent to do the acting—“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is usually the subject of the sentence.

2. The verb should—the first part of a verb phrase that urges an action.

3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action through governmental means.

4. A specification of directions or a limitation of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce.

Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

When you agree to accept the negative side, you actually enter into a contract to offer sufficient reasons for an audience to reject the affirmative’s arguments.

#### …and means the three branches

U.S. Legal ’16 [U.S. Legal; 2016; Organization offering legal assistance and attorney access; U.S. Legal, “United States Federal Government Law and Legal Definition,” <https://definitions.uslegal.com/u/united-states-federal-government/>]

The United States Federal Government is established by the US Constitution. The Federal Government shares sovereignty over the United Sates with the individual governments of the States of US. The Federal government has three branches: i) the legislature, which is the US Congress, ii) Executive, comprised of the President and Vice president of the US and iii) Judiciary. The US Constitution prescribes a system of separation of powers and ‘checks and balances’ for the smooth functioning of all the three branches of the Federal Government. The US Constitution limits the powers of the Federal Government to the powers assigned to it; all powers not expressly assigned to the Federal Government are reserved to the States or to the people.

#### Substantial is material

Words and Phrases, 2 (Words and Phrases Permanent Edition, “Substantial,” Volume 40A, p. 448-486 October 2002, Thomson West)

Ala. 1909. “Substantial” means “belonging to substance; actually existing; real; \* \* \* not seeming or imaginatary; not illusive; real; solid; true; veritable.” – Elder v. State, 50 So. 370, 162 Ala. 41.

#### “By at least” means the core requirement for topical action is the USFG expanding the scope of its core antitrust laws.

Brower ’66 [John M; June 3; Justice on the Supreme Court of Nebraska; Westlaw, “Schmeckpeper v. Panhandle Co-op. Ass'n,” 180 Neb. 352]

1234 A review of the cases discussed and those cited which \*359 are not discussed indicates that the ordinary and usual meaning of the term ‘at least’ is expressive of a minimum and implies the possibility of more. Its definition in Webster's New Third International Dictionary, Unabridged (1961), we have cited. As set out in 7 C.J.S. 1965, quoted in Barron v. Green, supra, however, in certain instances it does have a different meaning taken from the context in which it occurs, and under particular circumstances it is held to be equivalent to ‘at most’ or ‘not to exceed’ as contended by the plaintiff. We, however, think the usual and ordinary meaning should first be applied to the phrase as it is used in section 21—1302, R.R.S.1943. If that is done the intent of the Legislature clearly appears to mean that a minimum surplus equal to 20 percent of the capital was to be accumulated as therein provided and that more might be provided. We do not think the usual and ordinary meaning of ‘at least’ should be set aside by judicial construction when the context of the statute and the circumstances before the court do not require it. ‘A statute is not to be read as if open to construction as a matter of course. Where the words of a statute are plain, direct, and unambiguous, no interpretation is needed to ascertain the meaning. It is not within the province of a court to read a meaning into a statute that is not warranted by the legislative language. Neither is it within the province of a court to read anything plain, direct, and unambiguous out of a statute.’ Bachus v. Swanson, 179 Neb. 1, 136 N.W.2d 189.

#### “Its” means the aff must expand federal laws.

Updegrave ’91 [W.C.; August 19; Supreme Law.org, “Explanation of ZIP Code Address Purpose,” <http://www.supremelaw.org/ref/zipcode/updegrav.htm>]

More specifically, looking at the map on page 11 of the National ZIP Code Directory, e.g. at a local post office, one will see that the first digit of a ZIP Code defines an area that includes more than one State. The first sentence of the explanatory paragraph begins: "A ZIP Code is a numerical code that identifies areas within the United States and its territories for purposes of ..." [cf. 26 CFR 1.1-1(c)]. Note the singular possessive pronoun "its", not "their", therefore carrying the implication that it relates to the "United States" as a corporation domiciled in the District of Columbia (in the singular sense), not in the sense of being the 50 States of the Union (in the plural sense). The map shows all the States of the Union, but it also shows D.C., Puerto Rico and the Virgin Islands, making the explanatory statement literally correct.

#### Those laws are Sherman, FTC, and Clayton.

Pfaffenroth ’21 [Sonia K, Justin P Hedge, and Monique N Boyce; July 1; Partner at Arnold and Porter, Former Deputy Assistant Attorney General for Civil and Criminal Operations for the Antitrust Division of the US Department of Justice; Counsel at Arnold and Porter; Senior Associate at Arnold and Porter; Mondaq, “United States: A Comparison Of Proposed Antitrust Legislation In 2021: Federal And New York State,” https://www.mondaq.com/unitedstates/antitrust-eu-competition-/1086194/a-comparison-of-proposed-antitrust-legislation-in-2021-federal-and-new-york-state#:~:text=At%20the%20federal%20level,%20there,;1%20(2)%20the%20Federal]

At the federal level, there are three core antitrust laws: (1) the Sherman Act, in which Section 1 outlaws "every contract, combination, or conspiracy in [unreasonable] restraint of trade," and Section 2 outlaws any "monopolization, attempted monopolization, or conspiracy or combination to monopolize";1 (2) the Federal Trade Commission Act, which prohibits "unfair methods of competition" and "unfair or deceptive acts or practices";2 and (3) Section 7 of the Clayton Act, which prohibits mergers and acquisitions where the effect "may be substantially to lessen competition, or to tend to create a monopoly."3 Criminal violations of the Sherman Act carry a maximum penalty of a $100 million fine for corporations, and a maximum penalty of 10 years in prison and a $1 million fine for individuals. A prevailing plaintiff in a civil suit can recover treble damages and attorneys' fees. But federal law currently does not provide for civil penalties when the government brings an antitrust case, only injunctive relief.

#### “Expanding” those laws sets a burden of materially altering them.

Hatter ’90 [Terry J Jr; March 20; January District Court Judge at the Central District of California; Westlaw, “In re Eastport Assocs.,” 114 B.R. 686]

Second, Eastport asserts that the presumption against retroactivity does not apply because the amendment was intended only as a clarification of existing law. Where an amendment to a statute is remedial in nature and merely serves to clarify existing law, no question of retroactivity is involved and the law will be applied to pending cases. City of Redlands v. Sorensen, 176 Cal.App.3d 202, 211, 221 Cal.Rptr. 728, 732 (1985). The evidence in this case, however, does not support the conclusion that the amendment to section 66452.6(f) was simply a clarification of preexisting law. The Legislative Counsel's Digest specifically states that “[t]he bill would expand the definition of development moratorium.” Senate Bill 186, Stats.1988, ch. 1330, at 3375 (emphasis added). Since the Legislative Counsel is a state official required by law to analyze pending legislation, it is reasonable to presume that the Legislature amended the statute with the intent and meaning expressed in the Counsel's digest. People v. Martinez, 194 Cal.App.3d 15, 22, 239 Cal.Rptr. 272, 276 (1987). By its ordinary meaning, the term “expand” indicates a change in the law, rather than a restatement of existing law. In light of the Counsel's comment, Eastport's argument is unpersuasive.

#### Expanding their “scope” means broadening their legal reach.

Parsons ’14 [Honorable Donald F Jr; February 18; Vice Chancellor of the Court of Chancery of Delaware; Westlaw, “Vichi v. Koninklijke Philips Electronics, N.V.,” 85 A.3d 725]

As an initial matter, I reject the proposition that the determination of who can invoke a choice of law provision must precede the analysis of the provision's validity and scope. The “scope” of a choice of law provision refers to how broadly or narrowly that provision applies and includes the question of whether the provision created enforceable rights in third parties.310 The only case Philips N.V. cites in support of its assertion that Delaware law should govern whether it can invoke the choice of law clause merely stands for the proposition that a Delaware court will apply its own conflict of laws rules to determine which jurisdiction's substantive law will govern the claims before it.311 As noted previously, under Delaware conflict of laws rules, the scope of a valid choice of law provision is determined by the law of the selected jurisdiction—in this case, England.

#### 1. Debatability

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

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

#### 2. Competition—They have introduced the 1ac into a sphere where the neg has to rejoin and someone must lose,

#### either a) there’s no value to negation, in which case the aff is just undebatably good which means there’s no good reason to waste time debating it here and only a risk that it’s a moral hazard or unfair, or

#### b) there IS a value to negation, in which case we should maximize that process, while switch side and a TVA access enough inroads their content

#### Criticisms of form are impossible because they’re still doing debate, but content is solved and turned by limits

#### They don’t meet any words—interps are yes/no and pedantry is the way to avoid our offense, and extra-T links. Debate is inevitable—

#### 1. all impacts turns are being triggered to some extent now, so they lack uniqueness while ours are linear, and

#### 2. absent *textual* counter-definitions they auto-lose because the judge only has jurisdiction to affirm or negate the resolution as it appears on their ballot

AT: Exclusion/criticism of prefs

#### Analogies between limits and violent exclusion are faulty—argumentative exclusion is inevitable, but topicality ensures it occurs around reciprocal lines.

Anderson, 6—Andrew W. Mellon Professor of Humanities and English at Brown University (Amanda, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, 281-290, dml)

My recent book, The Way We Argue Now, has in a sense two theses. In the first place, the book makes the case for the importance of debate and argument to any vital democratic or pluralistic intellectual culture. This is in many ways an unexceptional position, but the premise of the book is that the claims of reasoned argument are often trumped, within the current intellectual terrain, by appeals to cultural identity and what I gather more broadly under the rubric of ethos, which includes cultural identity but also forms of ethical piety and charismatic authority. In promoting argument as a universal practice keyed to a human capacity for communicative reason, my book is a critique of relativism and identity politics, or the notion that forms of cultural authenticity or group identity have a certain unquestioned legitimacy, one that cannot or should not be subjected to the challenges of reason or principle, precisely because reason and what is often called "false universalism" are, according to this pattern of thinking, always involved in forms of exclusion, power, or domination. My book insists, by contrast, that argument is a form of respect, that the ideals of democracy, whether conceived from a nationalist or an internationalist perspective, rely fundamentally upon procedures of argumentation and debate in order to legitimate themselves and to keep their central institutions vital. And the idea that one should be protected from debate, that argument is somehow injurious to persons if it does not honor their desire to have their basic beliefs and claims and solidarities accepted without challenge, is strenuously opposed. As is the notion that any attempt to ask people to agree upon processes of reason-giving argument is somehow necessarily to impose a coercive norm, one that will disable the free expression and performance of identities, feelings, or solidarities. Disagreement is, by the terms of my book, a form of respect, not a form of disrespect. And by disagreement, I don't mean simply to say that we should expect disagreement rather than agreement, which is a frequently voiced—if misconceived—criticism of Habermas. Of course we should expect disagreement. My point is that we should focus on the moment of dissatisfaction in the face of disagreement—the internal dynamic in argument that imagines argument might be the beginning of [End Page 281] a process of persuasion and exchange that could end in agreement (or partial agreement). For those who advocate reconciling ourselves to disagreements rather than arguing them out, by contrast, there is a complacent—and in some versions, even celebratory—attitude toward fixed disagreement. Refusing these options, I make the case for dissatisfied disagreement in the final chapter of the book and argue that people should be willing to justify their positions in dialogue with one another, especially if they hope to live together in a post-traditional pluralist society.

One example of the trumping of argument by ethos is the form that was taken by the late stage of the Foucault/Habermas debate, where an appeal to ethos—specifically, an appeal to Foucault's style of ironic or negative critique, often seen as most in evidence in the interviews, where he would playfully refuse labels or evade direct answers—was used to exemplify an alternative to the forms of argument employed by Habermas and like-minded critics. (I should pause to say that I provide this example, and the framing summary of the book that surrounds it, not to take up airtime through expansive self-reference, but because neither of my respondents provided any contextualizing summary of the book's central arguments, though one certainly gets an incremental sense of the book's claims from Bruce Robbins. Because I don't assume that readers of this forum have necessarily read the book, and because I believe that it is the obligation of forum participants to provide sufficient context for their remarks, I will perform this task as economically as I can, with the recognition that it might have carried more weight if provided by a respondent rather than the author.)

The Foucauldian counter-critique importantly emphasizes a relation between style and position, but it obscures (1) the importance or value of the Habermasian critique and (2) the possibility that the other side of the debate might have its own ethos to advocate, one that has precisely to do with an ethos of argument, an ideal of reciprocal debate that involves taking distance on one's pre-given forms of identity or the norms of one's community, both so as to talk across differences and to articulate one's claims in relation to shared and even universal ideals. And this leads to the second thesis of the book, the insistence that an emphasis on ethos and character is interestingly present if not widely recognized in contemporary theory, and one of the ways its vitality and existential pertinence makes itself felt (even despite the occurrence of the kinds of unfair trumping moves I have mentioned). We often fail to notice this, because identity has so uniformly come to mean sociological, ascribed, or group identity—race, gender, class, nationality, ethnicity, sexuality, and so forth. Instances of the move toward character and ethos include the later Foucault (for whom ethos is a central concept), cosmopolitanism (whose aspiration it is to turn universalism into an ethos), and, more controversially, proceduralist ethics and politics (with its emphasis on sincerity and civility). Another version of this attentiveness to ethos and character appears in contemporary pragmatism, with its insistence on casualness of attitude, or insouciance in the face of [End Page 282] contingency—recommendations that get elevated into full-fledged exemplary personae in Richard Rorty's notion of the "ironist" or Barbara Herrnstein Smith's portrait of the "postmodern skeptic." These examples—and the larger claim they support—are meant to defend theory as still living, despite the many reports of its demise, and in fact still interestingly and incessantly re-elaborating its relation to practice. This second aspect of the project is at once descriptive, motivated by the notion that characterology within theory is intrinsically interesting, and critical, in its attempt to identify how characterology can itself be used to cover or evade the claims of rational argument, as in appeals to charismatic authority or in what I identify as narrow personifications of theory (pragmatism, in its insistence on insouciance in the face of contingency, is a prime example of this second form). And as a complement to the critical agenda, there is a reconstructive agenda as well, an attempt to recuperate liberalism and proceduralism, in part by advocating the possibility, as I have suggested, of an ethos of argument.

Robbins, in his extraordinarily rich and challenging response, zeroes in immediately on a crucial issue: who is to say exactly when argument is occurring or not, and what do we do when there is disagreement over the fundamentals (the primary one being over what counts as proper reasoning)? Interestingly, Robbins approaches this issue after first observing a certain tension in the book: on the one hand, The Way We Argue Now calls for dialogue, debate, argument; on the other, its project is "potentially something a bit stricter, or pushier: getting us all to agree on what should and should not count as true argument." What this point of entry into the larger issue reveals is a kind of blur that the book, I am now aware, invites. On the one hand, the book anatomizes academic debates, and in doing so is quite "debaterly." This can give the impression that what I mean by argument is a very specific form unique to disciplinary methodologies in higher education. But the book is not generally advocating a narrow practice of formal and philosophical argumentation in the culture at large, however much its author may relish adherence to the principle of non-contradiction in scholarly argument. I take pains to elaborate an ethos of argument that is linked to democratic debate and the forms of dissent that constitutional patriotism allows and even promotes. In this sense, while argument here is necessarily contextualized sociohistorically, the concept is not merely academic. It is a practice seen as integral to specific political forms and institutions in modern democracies, and to the more general activity of critique within modern societies—to the tradition of the public sphere, to speak in broad terms. Additionally, insofar as argument impels one to take distance on embedded customs, norms, and senses of given identity, it is a practice that at once acknowledges identity, the need to understand the perspectives of others, and the shared commitment to commonality and generality, to finding a way to live together under conditions of difference.

More than this: the book also discusses at great length and from several different angles the issue that Robbins inexplicably claims I entirely ignore: the [End Page 283] question of disagreement about what counts as argument. In the opening essay, "Debatable Performances," I fault the proponents of communicative ethics for not having a broader understanding of public expression, one that would include the disruptions of spectacle and performance. I return to and underscore this point in my final chapter, where I espouse a democratic politics that can embrace and accommodate a wide variety of expressions and modes. This is certainly a discussion of what counts as dialogue and hence argument in the broad sense in which I mean it, and in fact I fully acknowledge that taking distance from cultural norms and given identities can be advanced not only through critical reflection, but through ironic critique and defamiliarizing performance as well. But I do insist—and this is where I take a position on the fundamental disagreements that have arisen with respect to communicative ethics—that when they have an effect, these other dimensions of experience do not remain unreflective, and insofar as they do become reflective, they are contributing to the very form of reasoned analysis that their champions sometimes imagine they must refuse in order to liberate other modes of being (the affective, the narrative, the performative, the nonrational). If a narrative of human rights violation is persuasive in court, or in the broader cultural public sphere, it is because it draws attention to a violation of humanity that is condemned on principle; if a performance jolts people out of their normative understandings of sexuality and gender, it prompts forms of understanding that can be affirmed and communicated and also can be used to justify political positions and legislative agendas.

Robbins claims that I violate my own ideal of dialogue by failing to engage those who, according to him, are "[my] most significant antagonists": Jean-François Lyotard and Jacques Rancière. But it is simply not true that I fail to address the fundamental concerns that neither of these thinkers owns in any absolute sense. I might have addressed their work particularly (there are significant differences between them), and I think the example of Rancière is a particularly fruitful one, especially given his own critique of sociological reductionism (and identity politics), and his universalism, which shares affinities with the forms of poststructuralist universalism (notably, Etienne Balibar's) that I address in the third chapter of my book. But the relevant issues of incommensurability of language games or cultural perspectives, and the question of intractable or "hardwired" exclusion, are adduced and repeatedly critiqued throughout the book, across a range of disciplines. The debate between the accommodationist position of Thomas McCarthy and the universalist position of Habermas addresses these issues straight on, and the discussion of Habermas clearly maps out the two main alternatives to his position as (1) incommensurable perspectives and (2) overlapping consensus. The analysis of Satya Mohanty and Martha Nussbaum is also directly relevant: Mohanty situates his project with respect to a well-known and parallel debate in anthropology represented by the opposed positions of Ernest Gellner and Talal Asad. My emphasis on the newer discussions of accommodation, [End Page 284] rather than the incommensurability theorists (e.g., Lyotard), is meant to argue for the Habermasian position against its newer and more interesting challengers, and I also wanted the book to move beyond the parochial reference points of literary and cultural studies to engage relevant work in political theory and political philosophy. And of course I do discuss the work of many influential theorists and literary critics who oppose the approach I take in the book generally. But I'm not going to reproduce my complete range of references: readers are free to decide for themselves how comprehensive and various the theoretical landscape is in my book. But I will say in response to Robbins that my "primary antagonist" considered as a position rather than a set of proper names is consistently present in the book, and taken on in a number of different ways.

There is a deeper issue at play in Robbins's invocation of Lyotard and Rancière, especially given where his discussion of what he calls my "argumentative normativity" ends up. On the one hand, Robbins wants to say that the argument I am taking up is no longer relevant, that "thankfully" literary critics have moved past the critique of Enlightenment. On this account I am sadly unaware that my earlier books have actually had some influence, and seem to be stuck in an agonistic position that has no traction, and that at this point constitutes a regression toward a naively pro-Enlightenment position that is likely to invite—and that at some level deserves to invite—a strong reiteration of the critique of Enlightenment. The moves need to be replayed in slow motion here to discover exactly what is going on, since the argument is quite kinetic, and involves a dubious framing of my own project. It is certainly the case that in diagnosing the state of academic argument in the humanities today, I invoke, as one of the contributing factors, the excesses involved in the critique of Enlightenment. It is not the only factor I invoke, but it is certainly adduced as a major contributing factor to the denigration of reason, critical distance, and formal argument. I do agree with Robbins that there are many critics challenging the critique of Enlightenment. There are also, as it happens, many critics who have walked away from the debate to do other things. But it remains the case, as Robbins's own response makes clear, that the stronger version of the critique has a kind of staying power, particularly as a way of asserting political pedigree in the last instance. Indeed, Robbins must insist that I resurrect a version of the very form of Enlightenment that was once the whipping boy of poststructuralism, in order to himself reintroduce a high-stakes political allegory that will imagine cultural criticism to be an immediate actor in the current international political landscape.

Let's first examine the claim that my book is "unwittingly" inviting a resurrection of the "Enlightenment-equals-totalitarianism position." How, one wonders, could a book promoting argument and debate, and promoting reason-giving practices as a kind of common ground that should prevail over assertions of cultural authenticity, somehow come to be seen as a dangerous resurgence of bad Enlightenment? Robbins tells us why: I want "argument on my own terms"—that [End Page 285] is, I want to impose reason on people, which is a form of power and oppression. But what can this possibly mean? Arguments stand or fall based on whether they are successful and persuasive, even an argument in favor of argument. It simply is not the case that an argument in favor of the importance of reasoned debate to liberal democracy is tantamount to oppressive power. To assume so is to assume, in the manner of Theodor Adorno and Max Horkheimer, that reason is itself violent, inherently, and that it will always mask power and enforce exclusions. But to assume this is to assume the very view of Enlightenment reason that Robbins claims we are "thankfully" well rid of. (I leave to the side the idea that any individual can proclaim that a debate is over, thankfully or not.) But perhaps Robbins will say, "I am not imagining that your argument is directly oppressive, but that what you argue for would be, if it were enforced." Yet my book doesn't imagine or suggest it is enforceable; I simply argue in favor of, I promote, an ethos of argument within a liberal democratic and proceduralist framework. As much as Robbins would like to think so, neither I nor the books I write can be cast as an arm of the police.

Robbins wants to imagine a far more direct line of influence from criticism to political reality, however, and this is why it can be such a bad thing to suggest norms of argument. Watch as the gloves come off:

Faced with the prospect of submitting to her version of argument—roughly, Habermas's version—and of being thus authorized to disagree only about other, smaller things, some may feel that there will have been an end to argument, or an end to the arguments they find most interesting. With current events in mind, I would be surprised if there were no recourse to the metaphor of a regular army facing a guerilla insurrection, hinting that Anderson wants to force her opponents to dress in uniform, reside in well-demarcated camps and capitals that can be bombed, fight by the rules of states (whether the states themselves abide by these rules or not), and so on—in short, that she wants to get the battle onto a terrain where her side will be assured of having the upper hand.

Let's leave to the side the fact that this is a disowned hypothetical criticism. (As in, "Well, okay, yes, those are my gloves, but those are somebody else's hands they will have come off of.") Because far more interesting, actually, is the sudden elevation of stakes. It is a symptom of the sorry state of affairs in our profession that it plays out repeatedly this tragicomic tendency to give a grandiose political meaning to every object it analyzes or confronts. We have evidence of how desperate the situation is when we see it in a critic as thoughtful as Bruce Robbins, where it emerges as the need to allegorize a point about an argument in such a way that it gets cast as the equivalent of war atrocities. It is especially ironic in light of the fact that to the extent that I do give examples of the importance of liberal democratic proceduralism, I invoke the disregard of the protocols of international adjudication in the days leading up to the invasion of Iraq; I also speak [End Page 286] about concerns with voting transparency. It is hard for me to see how my argument about proceduralism can be associated with the policies of the Bush administration when that administration has exhibited a flagrant disregard of democratic procedure and the rule of law. I happen to think that a renewed focus on proceduralism is a timely venture, which is why I spend so much time discussing it in my final chapter. But I hasten to add that I am not interested in imagining that proceduralism is the sole political response to the needs of cultural criticism in our time: my goal in the book is to argue for a liberal democratic culture of argument, and to suggest ways in which argument is not served by trumping appeals to identity and charismatic authority. I fully admit that my examples are less political events than academic debates; for those uninterested in the shape of intellectual arguments, and eager for more direct and sustained discussion of contemporary politics, the approach will disappoint. Moreover, there will always be a tendency for a proceduralist to under-specify substance, and that is partly a principled decision, since the point is that agreements, compromises, and policies get worked out through the communicative and political process. My book is mainly concentrated on evaluating forms of arguments and appeals to ethos, both those that count as a form of trump card or distortion, and those that flesh out an understanding of argument as a universalist practice. There is an intermittent appeal to larger concerns in the political democratic culture, and that is because I see connections between the ideal of argument and the ideal of deliberative democracy. But there is clearly, and indeed necessarily, significant room for further elaboration here.

There is a way to make Robbins's point more narrowly, which would run something like this: Anderson has a very restricted notion of how argument should play out, or appear, within academic culture, given the heavy emphasis on logical consistency and normative coherence and explicitness. This conception of argument is too narrow (and hence authoritarian). To this I would reply simply that logical consistency and normative coherence and explicitness do not exhaust the possible forms, modes, and strategies of argumentation. There is a distinction to be made between the identification of moves that stultify or disarm argument, and an insistence on some sort of single manner of reasoned argument. The former I am entirely committed to; the latter not at all, despite the fact that I obviously favor a certain style of argument, and even despite the fact that I am philosophically committed to the claims of the theory of communicative reason. I do address the issue of diverse forms and modes of argument in the first and last chapters of the book (as I discuss above), but it seems that a more direct reflection on the book's own mode of argumentation might have provided the occasion for a fuller treatment of the issues that trouble Robbins.

Different genres within academe have different conventions, of course, and we can and do make decisions all the time about what rises to the level of cogency within specific academic venues, and what doesn't. Some of those judgments [End Page 287] have to do with protocols of argument. The book review, for example, is judged according to whether the reviewer responsibly represents the scholarship under discussion, seems to have a good grasp of the body of scholarship it belongs to, and convincingly and fairly points out strengths and weaknesses. The book forum is a bit looser—one expects responsible representation of the scholarship under discussion, but it can be more selectively focused on a key set of issues. And one expects a bit of provocation, in order to make the exchange readable and dramatic. But of course in a forum exchange there is an implicit norm of argument, a tendency to judge whether a particular participant is making a strong or a weak case in light of the competing claims at play. Much of our time in the profession is taken with judging the quality of all manner of academic performance, and much of it has to do with norms of argument, however much Robbins may worry about their potentially coercive nature.

From time to time I myself have wondered whether my book is too influenced by the modes of academe. But when I read a piece of writing like the one that Elspeth Probyn produced, I find myself feeling a renewed commitment to the evaluative norms of responsible scholarship, and to the idea that clearly agreed-upon genres and protocols of fair scholarship benefit from explicit affirmation at times. Probyn's piece does not conform at all to the conventions of the forum response. She may herself be quite delighted that it does not. Robbins may find himself delighted that she represents a viewpoint that does not agree on my (totalitarian) fundamentals of forum responses. But I would simply say that here we do not have fair or reasoned argument, which is one of the enabling procedures of forum exchanges. Indeed, I hear a different genre altogether: the venting phone call to a friend or intimate. In this genre, which I think we are all familiar with, one is not expected or required to give reasons or evidence, as one is in academic argument. Here's how the phone call might go: "Ugh. I have to write a response to this awful book. I agreed to this because I thought the book had an interesting title; it's called The Way We Argue Now. But I can't get through it; it isn't at all what I expected. I find myself alternately bored and irritated. It's so from the center—totally American parochial, and I just hate the style: polemical in a slam-bam-thank-you-ma'am way—really quite mean-spirited. She's so arrogant. And you wouldn't believe the so-called critique of Foucault. I don't know, I think I'm just sick of abstract theory—I mean, aren't we past this? It's so stultifying. I wish there were some way to get out of the commitment. I don't know how I'm ever going to get to it anyway, with all my journalism deadlines." The friend: "That sounds awful. But just use the occasion to write about something else, something you think is important. Write about yourself. Direct attention to a book that you do like. Whatever you do, don't spend too much time on it. And definitely call her out on the American centrism."

Do we really want to overhear this kind of conversation when we turn to the review section of a journal like Criticism? Of what intellectual value is it to know [End Page 288] Probyn's casual reactions to a book she won't bother responsibly to describe or engage, unless of course we accord to Probyn some sort of authority in advance that makes argument unnecessary. That she herself believes in such argument-by-authority is evident when she tells us, "As Stuart Hall would say, along with any undergraduate in my classes, 'A discourse is a group of statements that provide a language for talking about a particular kind of knowledge about a topic.'" This is the extent of Probyn's searing critique of the problem with advocating debate generally. But note that it relies, first, upon the invocation of an authority, Stuart Hall, and then upon the implication that her students have all entirely absorbed her own channeling of that authority. Probyn is entirely unbothered, moreover, that the undergraduates in her classes unblinkingly accept this empty statement without protest or challenge or further inquiry into its aimless specificity.

Probyn's piece is a mixture of affective fallacy, argument by authority, and bald ad hominem. There's a pattern here: precisely the tendency to personalize argument and to foreground what Wendy Brown has called "states of injury." Probyn says, for example, that she "felt ostracized by the book's content and style." Ostracized? Argument here is seen as directly harming persons, and this is precisely the state of affairs to which I object. Argument is not injurious to persons. Policies are injurious to persons and institutionalized practices can alienate and exclude. But argument itself is not directly harmful; once one says it is, one is very close to a logic of censorship. The most productive thing to do in an open academic culture (and in societies that aspire to freedom and democracy) when you encounter a book or an argument that you disagree with is to produce a response or a book that states your disagreement. But to assert that the book itself directly harms you is tantamount to saying that you do not believe in argument or in the free exchange of ideas, that your claim to injury somehow damns your opponent's ideas.

When Probyn isn't symptomatic, she's just downright sloppy. One could work to build up the substance of points that she throws out the car window as she screeches on to her next destination, but life is short, and those with considered objections to liberalism and proceduralism would not be particularly well served by the exercise. As far as I can tell, Probyn thinks my discussion of universalism is of limited relevance (though far more appealing when put, by others, in more comfortingly equivocating terms), but she's certain my critique of appeals to identity is simply not able to accommodate the importance of identity in social and political life. As I make clear throughout the book, and particularly in my discussion of the headscarf debate in France, identity is likely to be at the center of key arguments about life in plural democracies; my point is not that identity is not relevant, but simply that it should not be used to trump or stifle argument.

#### Both switch side and a TVA solve criticisms of capitalism, structural racism, and allow talking about cyberpunk

#### Antitrust law can pose a meaningful counter to systemic racism.

Davis, et al, 21—Center for Law and Ethics, University of San Francisco School of Law (Joshua, with Eric Cramer, Reginald Shearer, and Mark Suter, “Antitrust as Antiracism: Antitrust as a Partial Cure for Systemic Racism (and Other Systemic “Isms”),” The Antitrust Bulletin, OnlineFirst, June 25, 2021, dml)

We usually think of antitrust law as addressing violations of free market norms, not equality norms. The two, however, may be related. Systemic racism (and other systemic “isms”) are about power and its abuse. So is antitrust law. Moreover, antitrust may be able to fill gaps left by antidiscrimination law. In particular:

Individual Entities or Actions Versus Economic Systems: Employment discrimination law tends to focus on when the policies of discrete employers—and especially their discrete acts—result in differential treatment of similarly situated workers. It is most useful, for example, when a specific employer—or, better yet, a specific manager—hires or promotes white people instead of equally or better qualified African Americans. But discrimination law tends to founder when, instead, an entire system is designed in a way that places people of color [POC] at a disadvantage. Antitrust law, in contrast, assesses entire systems. It can and does take into account how an entire market is structured and whether a firm has exploited the structure of a market—or distorted it—to its advantage. It also can evaluate the conduct of multiple firms.

Income Versus Capital: Discrimination law emphasizes income. It offers redress when a protected group receives less compensation than it should. Antitrust law also attends to capital. It can offer relief when those with capital—disproportionately white men—distort markets to harm workers in general—in many industries, disproportionately people of color.

Apples to Apples Versus Apples to Oranges: Discrimination law is designed for apple to apple comparisons—for example, whether similarly situated workers are treated differently. Antitrust law to some extent can make apples to oranges comparisons—for example, assessing whether workers (labor) are being exploited by owners (capital).

Dividing the Pie Versus Enlarging the Pie: Discrimination law can pit workers against each other for limited resources. Antitrust law can increase the resources of workers generally.

Centrist Economic Principles: Antitrust law relies on centrist free market principles. Those may be less controversial than tackling issues of race directly. To be sure, in part for that reason, antitrust laws are limited. They can at best remedy a small portion of the potential wrongs caused by systemic racism. But they can still contribute valuably to racial equality.

This essay will explore antitrust law’s potential and limitations as a tool for dismantling systemic racism (and, by implication, dismantling other systemic “isms”). It will focus in particular on workers and discuss both cases in which antitrust law has fulfilled or may fulfill some of its potential as well as cases in which courts may have missed an opportunity to address systemic racism. We will see that, for the reasons noted above, antitrust law can offer a powerful corrective when, for example, disproportionately white ownership and management of one or more firms distort an entire market to take advantage of a pool of workers containing a disproportionally high percentage of African Americans or other traditionally disadvantaged groups. Part II explores the relationship between systemic racism and economics. Part III compares how antidiscrimination and antitrust doctrine address claims by workers. Part IV provides examples of the use of antitrust litigation on behalf of workers to combat systemic racism. Part V concludes and, in doing so, briefly notes some issues antitrust law raises about how antidiscrimination law might be reframed to address systemic racism more effectively.

II. Systemic Racism and Economics

This section does not attempt to choose between competing definitions of systemic racism. Nor does it attempt to analyze the scope and effect of systemic racism. Rather it identifies some of its likely features, especially the economic ones. The aim is to show that using plausible understandings of systemic racism and its scope, antitrust law has potential as a way to counter it.

A. Systemic Versus Individual

A crucial—if obvious—point about systemic racism is that it is systemic. Racism is not merely the product of individual bias or ill will. Indeed, while this essay focuses on systemic racism in the civil context, it is worth noting that commentators also focus on the shelter and comfort systemic racism has found in America’s criminal justice system.1 Social and economic structures can create or maintain racial inequality. For example, what scholars call “economic apartheid”2 was propagated by “redlining”3 and “white flight”4 from American cities such as Philadelphia and Detroit. Scholars argue that these practices, perpetuated by baked-in racism, have contributed to the sociopolitical environment in which race-based discriminatory outcomes are “the usual way society does business, the common, everyday experience of most people of color” in America.5 Scholars also argue that economic apartheid has reinforced a workforce geographically divided by race.6 American workers, who in large part live and work in racially homogenous spaces, may be unaware of their shared interest in destroying systems of economic imbalances; segregated neighborhoods often lead to segregated social networks, decreasing the opportunities for workers of different races to communicate and discover common ground.7 As we will see in Section III, systemic racism also may contribute to the exploitation of workers of color. In each of these settings, systemic racism, as the name suggests, involves systems. It should not be surprising, then, if efforts to dismantle systemic racism should address systems, and not merely individual entities or actions.8

B. Power Disparities Versus Unequal Treatment of Different Disempowered Groups

Many of the social and economic structures in the United States that perpetuate systemic racism also harm disempowered white people. Critical race theorists have noted that as the United States has taken some steps to root out and prohibit de jure racial oppression in the form of chattel slavery, housing, public accommodations, and employment, racism has been driven underground. De jure racism has given way to race-neutral economic policies that adversely impact the underclass from all races, including whites. Indeed, cynical political leaders arguably have employed race as a means to encourage low-income whites to vote against their own economic interests. For example, politicians have met with success stirring up hostility among indigent white people to social assistance programs by focusing on African Americans as their supposedly undeserving primary beneficiaries.9 However, poor whites face many of the same barriers to increasing their wealth as their minority counterparts.10 Disempowered white people could thus benefit from economic policies, such as aid to needy families, food stamps, government-subsidized healthcare, unemployment insurance, and the like. Yet these government programs are often opposed by the politicians that disempowered white people support.

Similarly, legal protections for union organizing, on their face, affect the economic well-being of all workers. However, there is a good argument that the rights of Americans to unionize have been undermined by racism. For example, from 1932 until 1964, the Democratic Party lost a significant portion of its base because of its liberal wing’s push for minority civil and economic rights.11 A stark example can be found in the politics surrounding labor union rights in the late 1940s. Republicans and conservative southern Democrats created a coalition to pass the Taft-Hartley Act over President Truman’s veto—restricting the power and activities of labor unions.12 The bipartisan coalition’s efforts to pass the Act were a direct response to the labor movement’s “Operation Dixie.”13 Operation Dixie was a concerted effort by the Congress of Industrial Organizations to unionize the Southern textile industry, which was predominately helmed by African Americans.14 Racialized animus and Jim Crow laws prevented Operation Dixie from becoming a reality. Unions have long been seen as promoting economic equality.15 While there is evidence that much of the support for the law was racially motivated,16 its race-neutral language limits the rights of all union workers, irrespective of race. In this way, the background motivation of racism behind fundamental American institutions and laws can harm not only people of color but all disempowered people.

As a result, efforts to combat racism may struggle if they rely solely on the evidence that similarly situated people are treated differently based, for example, on the color of their skin. Systemic racism may have the intent and effect of causing disproportionate economic harm to people of color. Nevertheless, the mechanisms by which it operates can appear colorblind. Given that people of color are disproportionately represented among the poor and jobless, policies that disfavor those groups can reflect the operation of systemic racism. Yet efforts to detect and remedy racism by focusing on differential treatment of low-income white people and low-income people of color will miss this underlying racialized dynamic. A more fundamental effort may be necessary that takes on power disparities that result from systemic racism.

C. Capital Versus Income

Scholars, at least in the United States, have pointed to a gap in capital, more so than income, as a consequence of systemic racism.17 To be sure, the “distribution of wealth and income is highly skewed in general and along [racialized] lines.”18 However, the correlation between “capital”19 and race is much stronger than the correlation between income and race.20 We do not mean to dismiss the importance of the income gap. Nor do we deny that it may result in part from the capital gap. Financial investments—including in education and in business ventures—can enhance income. As the saying goes, it takes money to make money. We acknowledge that the lack of both disposable income and capital place African Americans at a significant disadvantage and can create a vicious cycle, in which they continue to fall behind other groups economically.21 Further, we recognize that enhancing income may be the most promising way to increase the financial capital of people of color over time.22

The gap in wealth, however, poses a particularly formidable problem for addressing systemic racism. It can be relatively obvious when people of color receive lower pay than white people for the same work, especially when they receive compensation from the same business. It is harder to detect, however, when racism contributes to the allocation of funds between those with capital—say, the owners and executives at a business—and those without capital—the workers. For a legal regime to tackle systemic racism, it may need to address when those with capital exploit those without it and not just when those with capital treat white workers better than workers of color.

D. Benefits to Disempowered Nonminorities

For the reasons discussed above, efforts to ameliorate systemic racism can benefit white people too. To the extent that systemic racism involves the exploitation of people lacking capital, for example, corrective measures may improve the situation not only of people of color but also of the most vulnerable whites.23 That could be a good in itself. It also could help with political support. One of the challenges for eliminating systemic racism is that disempowered white people can perceive it as a threat.24 If the pie has a fixed size, and people of color get more of it, white people would seem inevitably to get less. Cutting up a pie is what game theorists call a zero-sum game. But reducing systemic racism could increase the pie available to all disempowered people.25 If so, the interests of disempowered people of color can align with the interests of disempowered white people. That can suggest a less divisive metaphor—a rising tide lifts all boats.

III. Comparing Employment Discrimination and Antitrust Laws as Applied to Workers

This essay focuses on the possibility of ameliorating the effects of systemic racism through antitrust litigation on behalf of workers. It takes as a useful point of comparison such efforts as pursued through employment discrimination and antitrust laws. Of course, there is no need for a binary choice. Employment discrimination lawsuits can work in tandem with antitrust lawsuits toward a common goal. Nor is there a competition between the two. The goal of the essay is not to show that antitrust is a better tool for taking on systemic racism than antidiscrimination law. We do not claim it is. Still, antitrust laws may hold some important advantages in some contexts, especially given some of the crabbed ways in which the courts have interpreted employment discrimination laws in recent years.

From this perspective, antitrust laws have five potential advantages over employment discrimination laws:

Individual Employers and Actions Versus Systems: Employment discrimination laws tend to focus on individual employers and, increasingly, on individual employment decisions, whereas antitrust laws focus on systemic effects in a market as a whole.

Income v. Capital: Employment discrimination law focuses on disparities in pay. Antitrust law can address harms that flow from disparities in capital.

Apples to Apples Versus Apples to Oranges: Employment discrimination laws generally compare how workers in a protected group are treated with how other workers are treated. In contrast, antitrust laws address economic imbalances between, on one hand, workers as a whole and, on the other hand, ownership and management.

Dividing the Pie Versus Enlarging the Pie: Employment discrimination generally addresses how to allocate a firm’s pay whereas antitrust law can increase the total compensation firms pay to workers.26

Centrist Economic Principles: Antitrust law tends to rely on relatively popular and uncontroversial free market principles. Antidiscrimination laws depend on notions of racial equality that have become fraught as the nation finds itself embroiled in “culture wars.”

A. Individual Employers and Actions Versus Systems

Courts have interpreted employment discrimination laws to emphasize individual employment decisions—or at most individual employers—at the expense of assessing the discriminatory impact of market structures or other larger systems. That has limited the effectiveness of employment discrimination law at combatting systemic racism.27

Antitrust laws, in contrast, focus on larger economic systems, including entire markets. They can reach beyond the boundaries of a single employer or firm to address a multitude of market actors, even across different levels of the supply chain. For example, both government and private enforcement actions against illegal “no poach” or wage-fixing agreements address anticompetitive conduct across multiple employers that can affect entire markets or types of workers.28 Similarly, the “reasonable interchangeability” standard widely employed by courts and economists to define product and labor markets can extend the analysis of relevant harms beyond the workers for a single firm.29 Further, antitrust litigation is capable of targeting conduct that extends beyond, and upstream from, the terms or manner of employment. Targeted conduct can include, for example, mergers or acquisitions that create market power over workers or agreements among competitor employers that reduce the relative leverage that workers have versus management.30 Antitrust laws can also consider a broader range of detrimental effects flowing from challenged conduct than employment laws might, including effects experienced beyond an individual or group of complainants or outside the boundaries of a particular employer. Antitrust actions can address wage, price, quality, and output effects market-wide.31 They take into account how different firms can interact to subvert competition on the whole.

B. Income Versus Capital

Employment discrimination law focuses on differences in pay, for example, between people of color and white people. As noted above, however, the greater disparity pertains to capital. Systemic racism often involves those with capital—disproportionately white people—exploiting those without capital—disproportionately people of color.32 Antitrust laws can be used to rectify some of these situations, even if the exploitation is not only of people of color but also of white people.

C. Apples to Apples Versus Apples to Oranges

Employment discrimination laws generally use as a benchmark the treatment of workers not in a protected group.33 For example, under Title VII, the use of a “comparator”34 can be a powerful tool to prove discrimination.35 Employment discrimination claims generally succeed only if workers in a protected group are treated worse than similarly situated workers not in the protected group. Under employment discrimination laws, the comparison is in that sense apples to apples.

Systemic racism, however, can manifest as poor treatment of all workers by owners and management—treatment that may be motivated by race and that may have disproportionate effects on people of color but that does not operate by treating disempowered white people better than their peers. That limits employment discrimination law’s ability to address the poor treatment of all workers, including when systemic racism is the root cause of the mistreatment. Employment discrimination law is not designed to compare apples to oranges—workers to capital.

Antitrust laws, in contrast, can redress wrongs that occur because ownership or management uses improper means to exploit workers as a whole—people of color and white people alike. Antitrust views worker harms through the lens of relevant labor markets in which management are buyers and workers are sellers of their labor or human capital.36 The relevant effects and harms are to workers as a whole, not necessarily to one group of workers in contrast to another. When systemic racism sweeps in white workers as victims, antitrust law may thus have an advantage over employment discrimination law.

D. Dividing the Pie Versus Enlarging the Pie

Without meaning to criticize employment discrimination law, we can acknowledge that it can create tensions between workers. The gains of some workers can come at the expense of others.37 Often, as a practical matter, the size of the proverbial pie is fixed. Employment discrimination law addresses how to divide it.

Antitrust law, on the other hand, can increase the size of the proverbial pie. It can obtain compensation for the underpayment of all workers. It can also end practices that artificially decrease the compensation firms pay to workers. Antitrust law, then, may pit workers against those who pay them—just as employment discrimination law does—but it may avoid dividing workers from each other.

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#### Capitalism is sustainable---recent data proves we’re entering the golden age

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The past 30 years have seen immense progress in improving the quality of life for much of humanity. Extreme poverty — the number of people living on less than $1.90 per day — has fallen by nearly two-thirds, from 1.9 billion to around 650 million. Life expectancy has risen in most of the world, along with literacy and access to education, while infant mortality has fallen. Despite perceptions to the contrary, the average person born today is likely to have access to more opportunities and have a better quality of life than at any other point in human history. Much of this increase in human wellbeing has been propelled by rapid economic growth driven largely by state-led industrial policy, particularly in poor-to-middle income countries. However, this growth has come at a cost: between 1990 and 2019, global emissions of CO2 increased by 56%. Historically, economic growth has been closely linked to increased energy consumption — and increased CO2 emissions in particular — leading some to argue that a more prosperous world is one that necessarily has more impacts on our natural environment and climate. There is a lively academic debate about our ability to “absolutely decouple” emissions and growth — that is, the extent to which the adoption of clean energy technology can allow emissions to decline while economic growth continues. Over the past 15 years, however, something has begun to change. Rather than a 21st century dominated by coal that energy modelers foresaw, global coal use peaked in 2013 and is now in structural decline. We have succeeded in making clean energy cheap, with solar power and battery storage costs falling 10-fold since 2009. The world produced more electricity from clean energy — solar, wind, hydro, and nuclear — than from coal over the past two years. And, according to some major oil companies, peak oil is upon us — not because we have run out of cheap oil to produce, but because demand is falling and companies expect further decline as consumers increasingly shift to electric vehicles. The world has long been experiencing a relative decoupling between economic growth and CO2 emissions, with the emissions per unit of GDP falling for the past 60 years. This is the case even in countries like India and China that have been undergoing rapid economic growth. But relative decoupling alone is inadequate in a world where global CO2 emissions need to peak and decline in the next decade to give us any chance at limiting warming to well below 2℃, in line with Paris Agreement targets. Thankfully, there is increasing evidence that the world is on track to absolutely decouple CO2 emissions and economic growth — with global CO2 emissions potentially having peaked in 2019 and unlikely to increase substantially in the coming decade. While an emissions peak is just the first and easiest step towards eventually reaching the net-zero emissions required to stop the world from continuing to warm, it demonstrates that linkages between emissions and economic activity are not an immutable law, but rather simply a result of our current means of energy production. In recent years we have seen more and more examples of absolute decoupling — economic growth accompanied by falling CO2 emissions. Since 2005, 32 countries with a population of at least one million people have absolutely decoupled emissions from economic growth, both for terrestrial emissions (those within national borders) and consumption emissions (emissions embodied in the goods consumed in a country). This includes the United States, Japan, Mexico, Germany, United Kingdom, France, Spain, Poland, Romania, Netherlands, Belgium, Portugal, Sweden, Hungary, Belarus, Austria, Bulgaria, El Salvador, Singapore, Denmark, Finland, Slovakia, Norway, Ireland, New Zealand, Croatia, Jamaica, Lithuania, Slovenia, Latvia, Estonia, and Cyprus. Figure 1, below, shows the declines in territorial emissions (blue) and increases in GDP (red). To qualify as having experienced absolute decoupling, we require countries included in this analysis to pass four separate filters: a population of at least one million (to focus the analysis on more representative cases), declining territorial emissions over the 2005-2019 period (based on a linear regression), declining consumption emissions, and increasing real GDP (on a purchasing power parity basis, using constant 2017 international $USD). We chose not to include 2020 in this analysis because it is not particularly representative of longer-term trends, and consumption and territorial emissions estimates are not yet available for many countries. There is a wide range of rates of economic growth between 2005-2019 among countries experiencing absolute decoupling. Somewhat counterintuitively, there is no significant relationship between the rate of economic growth and the magnitude of emissions reductions within the group. While it is unlikely that there is not at least some linkage between the two factors, there are plenty of examples of countries (e.g., Singapore, Romania, and Ireland) experiencing both extremely rapid economic growth and large reductions in CO2 emissions. One of the primary criticisms of some prior analyses of absolute decoupling is that they ignore leakage. Specifically, the offshoring of manufacturing from high-income countries over the past three decades to countries like China has led to “illusory” drops in emissions, where the emissions associated with high-income country consumption are simply shipped overseas and no longer show up in territorial emissions accounting. There is some truth in this critique, as there was a large increase in emissions embodied in imports from developing countries between 1990 and 2005. After 2005, however, structural changes in China and a growing domestic market led to a reversal of these trends; the amount of emissions “exported” from developed countries to developing countries has actually declined over the past 15 years. This means that, for many countries, both territorial emissions and consumption emissions (which include any emissions “exported” to other countries) have jointly declined. In fact, on average, consumption emissions have been declining slightly faster than territorial emissions since 2005 in the 32 countries we identify as experiencing absolute decoupling. Figure 2, below, shows the change in consumption emissions (teal) and GDP (red) between 2005 and 2019. There is a pretty wide variation in the extent to which these countries have reduced their territorial and consumption emissions since 2005. Some countries — such as the UK, Denmark, Finland, and Singapore – have seen territorial emissions fall faster than consumption emissions, while the US, Japan, Germany, and Spain (among others) have seen consumption emissions fall faster. Figure 3 shows reductions in consumption and territorial emissions for each country, with the size of the dot representing the size of the population in 2019. Absolute decoupling is possible. There is no physical law requiring economic growth — and broader increases in human wellbeing — to necessarily be linked to CO2 emissions. All of the services that we rely on today that emit fossil fuels — electricity, transportation, heating, food — can in principle be replaced by near-zero carbon alternatives, though these are more mature in some sectors (electricity, transportation, buildings) than in others (industrial processes, agriculture).

#### Market based policies lead to innovation and technological development that solve warming

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Together, science and capitalism built the modern world. But across the political spectrum, both are under attack. If we are to solve our greatest challenges, including climate change, we have to deploy the power of these twin engines of civilization. The best available research confirms the existence of human-driven climate change, including the rapid pace of global warming. Leading scientists’ predictions of temperature rise have been largely accurate. In the three decades since NASA climate scientist James Hansen first warned Congress that global warming had begun, the U.S. and other nations have poured billions of tons of carbon dioxide and methane into the atmosphere, and the planet has continued to warm. Most climate models predicted warming above the mid-20th-century average of about 1 degree Celsius by 2016. They were right. Atmospheric scientists predicted increased frequency of extreme-heat events, and they were right, too. Scientists also predicted warming would be most apparent in East Asia and the Arctic, and it is. These results aren’t surprising, given that they are based on many independent data sets. Measurements are collected by towers, buoys, aircraft, satellites and more, and are assessed by thousands of scientists world-wide. It’s a sign of the reliability of this research that the insurance industry, with trillions in liability at stake, uses it to determine financial models. Most businesses can’t afford to have “political” opinions about climate change. For companies facing potential impacts from climate trends, to deny warming would be like [Macy’s](https://quotes.wsj.com/M) pretending online shopping isn’t disrupting retail. Unfortunately, skeptics have fostered doubt about climate change by misrepresenting the research. Some have [claimed](http://blogs.edf.org/climate411/2018/07/18/hansen-was-right-marking-an-anniversary-by-misleading-the-public/?mod=article_inline) that Mr. Hansen’s models failed to predict temperatures accurately, but these evaluations use measurements based on major calibration errors. Researchers critical of mainstream climate science also have expressed doubt about the growing intensity of extreme-weather events, which in fact are more intense than they were 30 years ago, due to warmer oceans and other climate-related factors. And many have suggested that the rise of global temperature has paused or plateaued recently, though reliable records show this isn’t the case. Onetime climate skeptic Jerry Taylor, a former vice president of the Cato Institute, changed his views when he reread Mr. Hansen’s testimony and realized its predictions were “spot on.” Arguments about climate science may be useful for politicians looking to whip up voters, but misinformation doesn’t help us plan to protect future economic growth. [Citigroup](https://quotes.wsj.com/C) estimates the cost of unchecked climate change will be in the tens of trillions. The president of the Reinsurance Association of America says global warming could bankrupt his industry. Even fossil-fuel companies like [Exxon Mobil](https://quotes.wsj.com/XOM) and Shell have expressed the urgent need to manage the risks of climate change. This brings us back to capitalism. Climate change is a byproduct of the prosperity created by the market economy, but the market similarly can be an engine to generate cost-effective solutions. Clean-energy technologies such as wind and solar power already have developed immensely in the past two decades. Public policy that puts a price on carbon emissions would speed the adoption of clean energy by exposing the market to the costs this pollution puts on society. This will accelerate adoption of and private investment in clean-energy technologies. Though climate change presents American industries a daunting challenge, market-based policies can unleash innovation from investors, inventors and entrepreneurs, who will work to build a more prosperous and safer future. Working with accurate scientific facts and the right incentives, the market will find winning solutions.

#### Transition wars cause extinction

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Should the United States experience a severe economic contraction during the second term of President Bush, the American people will likely support politicians who advocate further restrictions and controls on our market economy – guaranteeing its strangulation and the steady pauperization of the country. In Congress today, Sen. Edward Kennedy supports nearly all the economic dogmas listed above. It is easy to see, therefore, that the coming economic contraction, due in part to a policy of massive credit expansion, will have serious political consequences for the Republican Party (to the benefit of the Democrats). Furthermore, an economic contraction will encourage the formation of anti-capitalist majorities and a turning away from the free market system. The danger here is not merely economic. The political left openly favors the collapse of America’s strategic position abroad. The withdrawal of the **U**nited **S**tates from the Middle East, the Far East and Europe would catastrophically impact an international system that presently allows 6 billion people to live on the earth’s surface in relative peace. Should anti-capitalist dogmas overwhelm the global market and trading system that evolved under American leadership, the planet’s economy would contract and untold millions would die of starvation. Nationalistic totalitarianism, fueled by a politics of blame, would once again bring war to Asia and Europe. But this time the war would be waged with mass destruction weapons and the United States would be blamed because it is the center of global capitalism. Furthermore, if the anti-capitalist party gains power in Washington, we can expect to see policies of appeasement and unilateral disarmament enacted. American appeasement and disarmament, in this context, would be an admission of guilt before the court of world opinion. Russia and China, above all, would exploit this admission to justify aggressive wars, invasions and mass destruction attacks. A future financial crash, therefore, must be prevented at all costs.

## Off

Heg da

#### Primacy prevents great-power conflict — multipolar revisionism fragments the global order and causes nuclear war.

Brands & Edel, 19 — Hal Brands; PhD, Henry A. Kissinger Distinguished Professor of Global Affairs at the Johns Hopkins School of Advanced International Studies. Charles Edel; PhD, Senior Fellow and Visiting Scholar at the United States Studies Centre at the University of Sydney. (“The Lessons of Tragedy: Statecraft and World Order;” Ch. 6: Darkening Horizon; Published by *Yale University Press*; //GrRv)

Each of these geopolitical challenges is different, and each reflects the distinctive interests, ambitions, and history of the country undertaking it. Yet there is growing cooperation between the countries that are challenging the regional pillars of the U.S.-led order. Russia and China have collaborated on issues such as energy, sales and development of military technology, opposition to additional U.S. military deployments on the Korean peninsula, and naval exercises from the South China Sea to the Baltic. In Syria, Iran provided the shock troops that helped keep Russia’s ally, Bashar al-Assad, in power, as Moscow provided the air power and the diplomatic cover. “Our cooperation can isolate America,” supreme leader Ali Khamenei told Putin in 2017. More broadly, what links these challenges together is their opposition to the constellation of power, norms, and relationships that the U.S.-led order entails, and in their propensity to use violence, coercion, and intimidation as means of making that opposition effective. Taken collectively, these challenges constitute a geopolitical sea change from the post-Cold War era.

The revival of great-power competition entails higher international tensions than the world has known for decades, and the revival of arms races, security dilemmas, and other artifacts of a more dangerous past. It entails sharper conflicts over the international rules of the road on issues ranging from freedom of navigation to the illegitimacy of altering borders by force, and intensifying competitions over states that reside at the intersection of rival powers’ areas of interest. It requires confronting the prospect that rival powers could overturn the favorable regional balances that have underpinned the U.S.-led order for decades, and that they might construct rival spheres of influence from which America and the liberal ideas it has long promoted would be excluded. Finally, it necessitates recognizing that great-power rivalry could lead to great-power war, a prospect that seemed to have followed the Soviet empire onto the ash heap of history.

Both Beijing and Moscow are, after all, optimizing their forces and exercising aggressively in preparation for potential conflicts with the United States and its allies; Russian doctrine explicitly emphasizes the limited use of nuclear weapons to achieve escalation dominance in a war with Washington. In Syria, U.S. and Russian forces even came into deadly contact in early 2018. American airpower decimated a contingent of government-sponsored Russian mercenaries that was attacking a base at which U.S. troops were present, an incident demonstrating the increasing boldness of Russian operations and the corresponding potential for escalation. The world has not yet returned to the epic clashes for global dominance that characterized the twentieth century, but it has returned to the historical norm of great-power struggle, with all the associated dangers.

Those dangers may be even greater than most observers appreciate, because if today’s great-power competitions are still most intense at the regional level, who is to say where these competitions will end? By all appearances, Russia does not simply want to be a “regional power” (as Obama cuttingly described it) that dominates South Ossetia and Crimea.37 It aspires to the deep European and extra-regional impact that previous incarnations of the Russian state enjoyed. Why else would Putin boast about how far his troops can drive into Eastern Europe? Why else would Moscow be deploying military power into the Middle East? Why else would it be continuing to cultivate intelligence and military relationships in regions as remote as Latin America?

Likewise, China is today focused primarily on securing its own geopolitical neighborhood, but its ambitions for tomorrow are clearly much bolder. Beijing probably does not envision itself fully overthrowing the international order, simply because it has profited far too much from the U.S.-anchored global economy. Yet China has nonetheless positioned itself for a global challenge to U.S. influence. Chinese military forces are deploying ever farther from China’s immediate periphery; Beijing has projected power into the Arctic and established bases and logistical points in the Indian Ocean and Horn of Africa. Popular Chinese movies depict Beijing replacing Washington as the dominant actor in sub-Saharan Africa—a fictional representation of a real-life effort long under way. The Belt and Road Initiative bespeaks an aspiration to link China to countries throughout Central Asia, the Middle East, and Europe; BRI, AIIB, and RCEP look like the beginning of an alternative institutional architecture to rival Washington’s. In 2017, Xi Jinping told the Nineteenth National Congress of the Chinese Communist Party that Beijing could now “take center stage in the world” and act as an alternative to U.S. leadership.38

These ambitions may or may not be realistic. But they demonstrate just how significantly the world’s leading authoritarian powers desire to shift the global environment over time. The revisionism we are seeing today may therefore be only the beginning. As China’s power continues to grow, or if it is successful in dominating the Western Pacific, it will surely move on to grander endeavors. If Russia reconsolidates control over the former Soviet space, it may seek to bring parts of the former Warsaw Pact to heel. Historically, this has been a recurring pattern of great-power behavior—interests expand with power, the appetite grows with the eating, risk-taking increases as early gambles are seen to pay off.39 This pattern is precisely why the revival of great-power competition is so concerning—because geopolitical revisionism by unsatisfied major powers has so often presaged intensifying international conflict, confrontation, and even war. The great-power behavior occurring today represents the warning light flashing on the dashboard. It tells us there may be still-greater traumas to come.

The threats today are compelling and urgent, and there may someday come a time when the balance of power has shifted so markedly that the postwar international system cannot be sustained. Yet that moment of failure has not yet arrived, and so the goal of U.S. strategy should be not to hasten it by giving up prematurely, but to push it off as far into the future as possible. Rather than simply acquiescing in the decline of a world it spent generations building, America should aggressively bolster its defenses, with an eye to preserving and perhaps even selectively advancing its remarkable achievements.

#### A receding US deterrent is a catalyst for great-power conflict — decline causes transition wars and miscalculation

Brands & Edel, 19 — Hal Brands; PhD, Henry A. Kissinger Distinguished Professor of Global Affairs at the Johns Hopkins School of Advanced International Studies. Charles Edel; PhD, Senior Fellow and Visiting Scholar at the United States Studies Centre at the University of Sydney. (“The Lessons of Tragedy: Statecraft and World Order;” Ch. 7: Rediscovering Tragedy; Published by *Yale University Press*; //GrRv)

Moreover, if discussions of “international order” can quickly take on an abstract quality, the consequences of collapse—the lives lost or ruptured, the prosperity destroyed, the moral depravities committed—can be frighteningly concrete. Thucydides had it right when he described what happens in such a vacuum of security and morality: “Death thus raged in every shape … there was no length to which violence did not go.”3

This is all indisputably ~~depressing~~, but it should not be the least bit surprising. If it were possible to construct an international system that was truly universal in its appeal; if it were possible to freeze global power relationships at that moment of creation; if it were possible for states to put aside the very human ambitions, emotions, and fears that drive their behavior: then, perhaps, the world could permanently escape the competitive impulses that make international orders impermanent and their demise so traumatic. But none of this has ever been possible. International orders, even the most inclusive ones, create winners and losers because they benefit states unequally. The power balances that underpin a given system shift over time, encouraging new tests of strength. And although the human desire for peace and prosperity is strong, countries also remain motivated by ideological passion, greed, and insecurity.

The most successful orders can mitigate the effects of these dynamics; they can suppress the sources of conflict and upheaval. But they cannot eliminate them entirely.

This point is essential in considering the trajectory of the post-1945 order. It is tempting for individuals in nearly every geopolitical era to believe that their world is somehow different—that it is immune to the dangers of conflict and collapse. It is alluring to think that progress can be self-sustaining, and that liberal principles can triumph even if liberal actors are no longer preeminent. To do so, however, is to fall prey to the same ahistorical mindset that so predictably precedes the fall. Yes, the American order is exceptional in the level of stability, prosperity, and liberal dominance it has provided, and in the level of consent it has generated from countries around the world. Yet it is not so exceptional as to be exempt from the dangers of decline and decay. As the Greeks surely would have realized, in fact, it is precisely when one succumbs to the illusion that tragedy is impossible that tragedy becomes all the more likely.

II

This leads to a second component of a tragic sensibility—an appreciation that tragedy is once again stalking global affairs. The U.S.-led system is undoubtedly strong and resilient in many respects, as shown by the simple fact that it has survived as long as it has. Yet what endured in the past is not destined to endure in the future, and today the structure is groaning as the stresses mount.

Long-standing principles such as nonaggression and freedom of navigation are being undermined from Eastern Europe to the South China Sea. International predators like North Korea and radical jihadist groups are using creative, asymmetric strategies to cause geopolitical disruption out of all proportion to their material power. The democratic wave has receded amid the growing prevalence and power of authoritarianism. Revisionist autocracies are reshaping regional environments in Europe, the Middle East, and East Asia, and waging sophisticated assaults against the political systems and geopolitical positions of their competitors. These countries are building privileged spheres of influence in critical areas of the globe; they are casting ever longer shadows, both strategic and ideological, across the international landscape. Meanwhile, the countries with the most to lose should the current system crack are too often divided and demoralized; their strategic torpor and distraction are creating vacuums that the revisionists are all too happy to fill. The protectors of the post-1945 order seem stuck in neutral, or even reverse, as the attackers push forward. This has historically been a dangerous combination.

Faced with this daunting panorama, some analysts will take refuge in the hope that these challenges will simply exhaust themselves, or that revisionist powers will be satiated once their regional ambitions are fulfilled. Yet most systems tend toward more, rather than less, entropy over time, meaning that more, rather than less, energy is required to stabilize them. And revisionist powers rarely reach some natural point at which their aspirations subside; those aspirations often grow with each success.4 Today, the dissatisfied dictatorships, especially Russia and China, see themselves as being locked in a form of geopolitical conflict with the United States; they are already using force and other types of coercion to chip away at the American order. Should they succeed in claiming regional primacy and reestablishing a spheres-of-influence world, the result would be not to dampen but to inflame international conflict. Competition among the great powers would intensify as hostile spheres rub up against one another; the security of the global commons—the foundation of international prosperity—would be threatened by escalating geopolitical rivalry. The prospects for self-determination and liberalism would fade as small states fall under the sway of stronger, authoritarian neighbors. And crucially, as Daniel Twining notes, regional dominance could serve as a “springboard for global contestation”—for the renewed clashes for systemic dominance that Americans thought they had left behind with the end of the Cold War.5

It is impossible to predict precisely when the pressures on the existing order might become unbearable, or to know how close we are to that critical inflection point at which the dangers metastasize and the pace of decay dramatically accelerates. One can only speculate what the terminal crisis of the system will look like if and when it occurs. What is clear is that the telltale signs of erosion are already ubiquitous and the trend-lines are running in the wrong direction. The first step toward recovery is admitting you have a problem. Having a tragic sensibility requires seeing the world for what it is and where it is going, especially when the outlook is ominous.

III

If the international order is under strain, however, it does not follow that its collapse is unavoidable. Here a third aspect of a tragic sensibility is vital: the ability to reject complacency without falling into fatalism.

Nietzsche defined tragic pleasure as the “reaffirmation of the will to live in the face of death.”6 It was just such a rejection of fatalism—of the belief that the next great global crackup was inevitable—that motivated U.S. policymakers to create the post-1945 order and sustain it through the crises that followed. Today, it is true enough that the grandest aspirations of the post–Cold War era are unlikely to be fulfilled anytime soon. Given the instability and revisionism roiling the international environment, it is simply beyond America’s power—if it was ever possible in the first place—to create a truly global order in which liberal values are universal, geopolitical competition has ceased, and authoritarian rivals have been fully pacified and converted into “responsible stakeholders.” Yet the existing international order, incomplete and threatened as it is, still constitutes a remarkable historical achievement. The creation of a global balance of power that favors the democracies, the prevention of unchecked aggression and intimidation by predatory powers, and the promotion of a prosperous and an integrated world in which liberal values have achieved great prevalence are all triumphs worth preserving. A more reasonable goal, then, would be to defend this existing order against the depredations of those attacking it, and America undoubtedly has the power for this essential undertaking.

#### Existential risks outweigh.

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In this argument, it seems that Parfit is assuming that the survivors of a nuclear war that kills 99% of the population would eventually be able to recover civilisation without long-term effect. As we have seen, this may not be a safe assumption – but for the purposes of this thought experiment, the point stands. What makes existential catastrophes especially bad is that they would “destroy the future,” as another Oxford philosopher, Nick Bostrom, puts it.66 This future could potentially be extremely long and full of flourishing, and would therefore have extremely large value. In standard risk analysis, when working out how to respond to risk, we work out the expected value of risk reduction, by weighing the probability that an action will prevent an adverse event against the severity of the event. Because the value of preventing existential catastrophe is so vast, even a tiny probability of prevention has huge expected value.67

Of course, there is persisting reasonable disagreement about ethics and there are a number of ways one might resist this conclusion.68 Therefore, it would be unjustified to be overconfident in Parfit and Bostrom’s argument.

In some areas, government policy does give significant weight to future generations. For example, in assessing the risks of nuclear waste storage, governments have considered timeframes of thousands, hundreds of thousands, and even a million years.69 Justifications for this policy usually appeal to principles of *intergenerational equity* according to which future generations ought to get as much protection as current generations.70 Similarly, widely accepted norms of sustainable development require development that meets the needs of the current generation without compromising the ability of future generations to meet their own needs.71

However, when it comes to existential risk, it would seem that we fail to live up to principles of intergenerational equity. Existential catastrophe would not only give future generations less than the current generations; it would give them *nothing*. Indeed, reducing existential risk plausibly has a quite low cost for us in comparison with the huge expected value it has for future generations. In spite of this, relatively little is done to reduce existential risk. Unless we give up on norms of intergenerational equity, they give us a strong case for significantly increasing our efforts to reduce existential risks.

1.3. WHY EXISTENTIAL RISKS MAY BE SYSTEMATICALLY UNDERINVESTED IN, AND THE ROLE OF THE INTERNATIONAL COMMUNITY

In spite of the importance of existential risk reduction, it probably receives less attention than is warranted. As a result, concerted international cooperation is required if we are to receive adequate protection from existential risks.

1.3.1. Why existential risks are likely to be underinvested in

There are several reasons why existential risk reduction is likely to be underinvested in. Firstly, it is *a global public good*. Economic theory predicts that such goods tend to be underprovided. The benefits of existential risk reduction are widely and indivisibly dispersed around the globe from the countries responsible for taking action. Consequently, a country which reduces existential risk gains only a small portion of the benefits but bears the full brunt of the costs. Countries thus have strong incentives to free ride, receiving the benefits of risk reduction without contributing. As a result, too few do what is in the common interest.

Secondly, as already suggested above, existential risk reduction is an *intergenerational* public good: most of the benefits are enjoyed by future generations who have no say in the political process. For these goods, the problem is *temporal* free riding: the current generation enjoys the benefits of inaction while future generations bear the costs.

Thirdly, many existential risks, such as machine superintelligence, engineered pandemics, and solar geoengineering, pose an unprecedented and uncertain future threat. Consequently, it is hard to develop a satisfactory governance regime for them: there are few existing governance instruments which can be applied to these risks, and it is unclear what shape new instruments should take. In this way, our position with regard to these emerging risks is comparable to the one we faced when nuclear weapons first became available.

Cognitive biases also lead people to underestimate existential risks. Since there have not been any catastrophes of this magnitude, these risks are not salient to politicians and the public.72 This is an example of the misapplication of the *availability heuristic*, a mental shortcut which assumes that something is important only if it can be readily recalled.

Another cognitive bias affecting perceptions of existential risk is scope neglect. In a seminal 1992 study, three groups were asked how much they would be willing to pay to save 2,000, 20,000 or 200,000 birds from drowning in uncovered oil ponds. The groups answered $80, $78, and $88, respectively.73 In this case, the size of the benefits had little effect on the scale of the preferred response. People become numbed to the effect of saving lives when the numbers get too large. 74 Scope neglect is a particularly acute problem for existential risk because the numbers at stake are so large. Due to scope neglect, decision-makers are prone to treat existential risks in a similar way to problems which are less severe by many orders of magnitude. A wide range of other cognitive biases are likely to affect the evaluation of existential risks.75

## Case

#### The war on drugs stuff proves policy matters and we should discuss how to solve it. Reading a plan saying we should break up antitrust and then reading stories about people who were impacted by it solves their advantage

#### The importance of signification of stories is an illusion – their resignification falls back into governmental algorithms

Rouvroy and Stiegler 2016 (Antoinette Rouvry and Bernard Stiegler, translated by Anaïs Nony and Benoît Dillet, "The Digital Regime of Truth: From the Algorithmic Governmentality to a New Rule of Law\*", La Deleuziana – Online Journal of Philosophy – ISSN 2421-3098 N. 3 / 2016 – Life and Number, [www.ladeleuziana.org/wp-content/uploads/2016/12/Rouvroy-Stiegler\_eng.pdf](http://www.ladeleuziana.org/wp-content/uploads/2016/12/Rouvroy-Stiegler_eng.pdf), mmv)

34. We can claim ‘that’s for the better’ since it is more efficient. But also ‘too bad’ since we lose the possibility to contest the norm. The norm is no longer explicit and is not as explicit as a law and it is no longer contestable. It is no longer contestable in court since there is no longer disobedience and thus it longer need to be interpreted. This is called pre-emption. This is pre-emption and not prevention. This nuance can seem futile but I think it is an important nuance. It is not prediction either. It is a regime of action on the future which is absolutely new, in my opinion. Prevention consists in acting on the causes of phenomena so that we know that these phenomena will happen or will not happen. This is not at all what we are dealing with here in algorithmic governmentality since we have forgotten about causality and we are no longer in a causal regime. It is pre-emption and it consists in acting not on the causes but on the informational and physical environment so that certain things can or cannot be actualised, so that they can or cannot be possible. This is extremely different: it is an augmented actuality of the possible. Reality therefore fills the entire room, reality as actuality. This is a specific actuality that takes the form of a vortex aspiring both the past and the future. Everything becomes actual.

35. We could now ask ourselves where is the place for the concept of truth in relation to all this. I think that the concept of truth has no longer any room. It might depend on how we define truth. If we define truth as regimes of truth as Michel Foucault does – who argued that they were processes that established what we take as true – then there might be some room for truth but the notion of process here is greatly condensed on pure actuality. Regimes of truth in Foucault presuppose a group of devices and institutions. Here, we witness the disappearance of institutions and devices that engaged individuals. Here there is no commitment, there are no longer any committed individuals to produce truth, but there are no longer any constraints either. Maybe we never felt as free as in a regime of algorithmic governmentality. In the Foucauldian hypothesis of regimes of truth, individuals are constrained to raise well-defined acts of truth, as avowal, testimony and so on. These are raised with certain conditions and certain effects. Of course, algorithmic governmentality permits to remove all these encounters: appearance before the law [comparution], avowals, testimonies, everything that uses human language. The language stock has sharply fallen; we are no longer in language. In his book Wrong-Doing, Truth-Telling, a collection of conferences delivered at Leuven University, Foucault describes the avowal as being exactly what the individual uses to become what he or she is, to become what he or she has done. This extremely subjectivising aspect of avowal, of course, we no longer find it.

36. There is no moment for subjectivation, there is no interpellation other than interpellations by machines, by profiles and these are not really interpellations since on contrary, the machine answers in your place. You do not have to report your activities. Besides, we find that in an increasingly number of activities, to report is concomitant with or even fused with the activity in itself. When we participate in research projects, we know that the only thing that we do is producing reports. What disappears is the deferred action.

37. This is why I started my presentation by claiming that there is a crisis of representation, in all its connotations. Representation implies that we present something that has vanished. Testimony is a way to bring back persons that no longer exist. There is a kind of lack or a hiatus. It is precisely this lack or hiatus that constitutes the tragic character of the human. It is also the impossibility to find oneself again in one’s own gestures. Althusser’s autobiography The Future Last a Long Time (1994) is also a melancholic meditation on the fact that he was deprived of a trial that could have allowed him to find himself a posteriori in his own gestures.

38. This afterwardness is what we want. We are caught in this passion of the real for the real, this passion of the actual for the actual – thus the end of representation. Yet, I think that we only have access to the world by all sorts of representations, often these are contradictory, and more importantly it is precisely since we need to represent things that we need something in common, that we need to meet each other. It is precisely because we cannot find ourselves in our own gestures that we need to be called [interpellés] and call each other.

#### Their understanding of debate as spilling in demonstrates their fidelity to the present day carving out of spaces for freedom by radicals -- this produces horizontalist modes of knowledge that lack a platform of organizing

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There is a much-recycled and certainly apocryphal tale told of an ethnographer traveling in India. Journeying up and down the Ganges Delta, he encounters a fisherman who claims to know the source of all truth. “The world,” the fisherman explains, “rests upon the back of an elephant.” “But what does the elephant stand on?” the ethnographer asks. “A turtle.” “And the turtle?” “Another turtle.” “And it?” “Ah, friend,” smiles the fisherman, “it is turtles all the way down.” As with most well-circulated apocrypha, it is a parable that lacks a clear provenance, but has a clear moral: that despite our ever-dialectical minds, we will never get to the bottom of things; that, in fact, ***there is nothing*** at the bottom of things. What we define as society is nothing more than a set of locally constructed practices and norms, and what we define as history is nothing more than the passage of one set to the next. Although we might “find the picture of our universe as an infinite tower of tortoises rather ridiculous,” as one reteller admitted, it only raises the question, “Why do we think we know better?” Since the early 1970s we have wondered—with increasing anxiety—why and if we know better. Social scientists, literary critics, philosophers, and jurists have all begun to turn from their particular disciplines to the more general question of interpretation. There has been an **increasing uneasiness with universal categories of thought**; a whispered suspicion and then a commonly held belief that the sum—societies, histories, identities—never amounts to more than its parts. New analytical frameworks have begun to emerge, sensitive to both the pluralities and localities of life. “What we need,” as Clifford Geertz argued, “are not enormous ideas” but “ways of thinking that are responsive to particularities, to individualities, oddities, discontinuities, contrasts, and singularities.” This growing anxiety over the precision of our interpretive powers has translated into a variety of political as well as epistemological concerns. Many have become uneasy with universal concepts of justice and equality. Simultaneous to—and in part because of—the ascendance of human rights, freedom has increasingly become understood as an individual entitlement instead of a collective possibility. The once prevalent conviction that a handful of centripetal values could bind society together has transformed into a deeply skeptical attitude toward general statements of value. If it is, indeed, turtles all the way down, then decisions can take place only on a local scale and on a horizontal plane. There is no overarching platform from which to legislate; only a “local knowledge.” As Michael Walzer argued in a 1985 lecture on social criticism, “We have to start from where we are,” we can only ask, “what is the right thing ***for us*** to do?” This shift in scale has had a significant impact on the Left over the past twenty to thirty years. Socialism, once the “name of our desire,” has all but disappeared; new desires have emerged in its place: situationism, autonomism, localism, communitarianism, environmentalism, anti-globalism. Often spatial in metaphor, they have been more concerned with where and how politics happen rather than at what pace and to what end. Often local in theory and in practice, they have come to represent a shift in scale: from the large to the small, from the vertical to the horizontal, and from—what Geertz has called—the “thin” to the “thick.” Class, race, and gender—those classic left themes—are, to be sure, still potent categories. But they have often been imagined as spectrums rather than binaries, varying shades rather than static lines of solidarity. Instead of society, there is now talk of communities and actor networks; instead of radical schemes to rework economic and political institutions, there is an emphasis on localized campaigns and everyday practices. The critique of capitalism—once heavily informed by intricate historical and social theories—has narrowed. The “ruthless criticism of all,” as Karl Marx once put it, has turned away from exploitative world systems to the pathologies of an over-regulated life. As post-Marxists Ernesto Laclau and Chantal Mouffe declared in 1985, Left-wing thought today stands at a crossroads. The “evident truths” of the past—the classical forms of analysis and political calculation, the nature of the forces in conflict, the very meaning of the Left’s struggles and objectives—have been seriously challenged….From Budapest to Prague and the Polish coup d’état, from Kabul to the sequels of Communist victory in Vietnam and Cambodia, a question-mark has fallen more and more heavily over the whole way of conceiving both socialism and the roads that should lead to it. In many ways, the Left has just been keeping up with the times. Over the last quarter-century, there has been a general fracturing of our social and economic relations, a “multiplication of,” what one sociologist has called, “partial societies—grouped by age, sex, ethnicity, and proximity.” This has not necessarily been a bad thing. Even as the old Left—the vertical Left—frequently bemoaned the growing differentiation and individuation, these new categories did, in fact, open the door for marginalized voices and communities. They created a space for more diversity, tolerance, and inclusion. They signaled a turn toward the language of recognition: a politics more sensitive to difference. But this turn was also not without its disadvantages. Gone was the Left’s hope for an emerging class consciousness, a movement of the “people” seeking greater realms of freedom. Instead of challenging the top-down structures of late capitalism, radicals now aspired to create—what post-Marxists were frequently calling—“spaces of freedom.” If one of the explicit targets of the global justice movement of the late 1990s was the exploitative trade policies of the World Trade Organization, then its underlying critique was the alienating patterns of its bureaucracy: the erosion of spaces for self-determination and expression. The crisis of globalization was that it stripped individuals of their rights to participate, to act as free agents in a society that was increasingly becoming shaped by a set of global institutions. What most troubled leftists over the past three or four decades was not the increasingly unequal distribution of goods and services in capitalist societies but the increasingly unequal distribution of power. As one frequently sighted placard from the 1999 Seattle protests read, “No globalization without participation!” Occupy Wall Street has come to represent the latest turn in this movement toward local and more horizontal spaces of freedom. Occupation was, itself, a matter of recovering local space: a way to repoliticize the square. And in a moment characterized by foreclosure, it was also symbolically, and sometimes literally, an attempt to reclaim lost homes and abandoned properties. But there was also a deeper notion of space at work. Occupy Wall Street sought out not only new political spaces but also new ways to relate to them. By resisting the top-down management of representative democracy as well as the bottom-up ideals of labor movements, Occupiers hoped to create a new politics in which decisions moved neither up nor down but horizontally. While embracing the new reach of globalization—linking arms and webcams with their encamped comrades in Madrid, Tel Aviv, Cairo, and Santiago—they were also rejecting its patterns of consolidation, its limits on personal freedom, its vertical and bureaucratic structures of decision-making. Time was also to be transformed. The general assemblies and general strikes were efforts to reconstruct, and make more autonomous, our experience of time as well as space. Seeking to escape from the Taylorist demands of productivity, the assemblies insisted that decision-making was an endless process. Who we are, what we do, what we want to be are categories of flexibility, and consensus is as much about repairing this sense of open-endedness as it is about agreeing on a particular set of demands. Life is a mystery, as one pop star fashionista has insisted, and Occupiers wanted to keep it that way. Likewise, general strikes were imagined as ways in which workers could take back time—regain those parts of life that had become routinized by work. Rather than attempts to achieve large-scale reforms, general strikes were improvisations, escapes from the daily calculations of production that demonstrated that we can still be happy, creative, even productive individuals without jobs. As one unfurled banner along New York’s Broadway read during this spring’s May Day protests, “Why work? Be happy.” In many ways, the Occupy movement was a rebellion against the institutionalized nature of twenty-first century capitalism and democracy. Equally skeptical of corporate monopolies as it was of the technocratic tendencies of the state, it was ultimately an insurgency against control, against the ways in which organized power and capital deprived the individual of the time and space needed to control his or her life. Just as the vertically inclined leftists of the twentieth century leveraged the public corporation—the welfare state—against the increasingly powerful number of private ones, so too were Occupy and, more generally, the horizontalist Left to embrace the age of the market: at the center of their politics was the anthropological “man” in both his forms—*homo faber* and *homo ludens*—who was capable of negotiating his interests outside the state. For this reason, the movement did not fit neatly into right or left, conservative or liberal, revolutionary or reformist categories. On the one hand, it was sympathetic to the most classic of left aspirations: to dismantle governing hierarchies. On the other, its language was imbued with a strident individualism: a politics of anti-institutionalism and personal freedom that has most often been affiliated with the Right. Seeking an alternative to the bureaucratic tendencies of capitalism and socialism, Occupiers were to frequently invoke the image of autonomy: of a world in which social and economic relations exist outside the institutions of the state. Their aspiration was a society based on organic, decentralized circuits of exchange and deliberation—on voluntary associations, on local debate, on loose networks of affinity groups. If political and economic life had become abstracted in the age of globalization and financialization, then Occupy activists wanted to re-politicize our everyday choices. As David Graeber, one of Occupy’s chief theoretical architects, explained two days after Zuccotti Park was occupied, “The idea is essentially that “the system is not going to save us,” so “we’re going to have to save ourselves.” Borrowing from the anarchist tradition, Graeber has called this work “direct action”: the practice of circumventing, even on occasion subverting, hierarchies through practical projects. Instead of attempting “to pressure the government to institute reforms” or “seize state power,” direct actions seek to “build a new society in the shell of the old.” By creating spaces in which individuals take control over their lives, it is a strategy of acting and thinking “as if one is already free.” Marina Sitrin, another prominent Occupier, has offered another name for this politics—“horizontalism”: “the use of direct democracy, the striving for consensus” and “processes in which everyone is heard and new relationships are created.” It is a politics that not only refuses institutionalization but also imagines a new subjectivity from which one can project the future into the present. Direct action and horizontal democracy are new names, of course, for old ideas. They descend—most directly—from the ideas and tactics of the global justice movement of the 1990s and 2000s. Direct Action Network was founded in 1999 to help coordinate the anti-WTO protests in Seattle; horizontalidad, as it was called in Argentina, emerged as a way for often unemployed workers to organize during the financial crisis of 2001. Both emerged out of the theories and practices of a movement that was learning as it went along. The ad hoc working groups, the all-night bull sessions, the daylong actions, the decentralized planning were all as much by necessity as they were by design. They were not necessarily intended at first. But what emerged out of anti-globalization was a new vision of globalization. Local and horizontal in practice, direct action and democracy were to become catchphrases for a movement that was attempting to resist the often autocratic tendencies of a fast-globalizing capitalism. But direct action and horizontal democracy also tap into a longer, if often neglected, tradition on the left: the anarchism, syndicalism, and autonomist Marxism that stretch from Peter Kropotkin, Emma Goldman, and Rosa Luxemburg to C.L.R. James, Cornelius Castoriadis, and Antonio Negri. If revolutionary socialism was a theory about ideal possibilities, then anarchism and autonomism often focused on the revolutionary practices themselves. The way in which the revolution was organized was the primary act of revolution. Autonomy, as the Greco-French Castoriadis told *Le Monde* in 1977, demands not only “the elimination of dominant groups and of the institutions embodying and orchestrating that domination” but also new modes of what he calls “self-management and organization.” With direct action and horizontal democracy, the Occupy movement not only developed a set of new tactics but also a governing ideology, a theory of time and space that runs counter to many of the practices of earlier leftist movements. Unlike revolutionary socialism or evolutionary social democracy—Marx’s Esau and Jacob—Occupiers conceived of time as more cyclical than developmental, its understanding of space more local and horizontal than structural and vertical. The revolution was to come but only through everyday acts. It was to occur only through—what Castoriadis obliquely referred to as—“the self-institution of society.” The seemingly spontaneous movement that emerged after the first general assemblies in Zuccotti Park was not, then, sui generis but an elaboration of a much larger turn by the Left. As occupations spread across the country and as activists begin to exchange organizational tactics, it was easy to forget that what was happening was, in fact, a part of a much larger shift in the scale and plane of Western politics: a turn toward more local and horizontal patterns of life, a growing skepticism toward the institutions of the state, and an increasing desire to seek out greater realms of personal freedom. And although its hibernation over the summer has, perhaps, marked the end of the Occupy movement, OWS has also come to represent an important—and perhaps more lasting—break. In both its ideas and tactics, it has given us a new set of desires—autonomy, radical democracy, direct action—that look well beyond the ideological and tactical tropes of socialism. Its occupations and general assemblies, its flash mobs and street performances, its loose network of activists all suggest a bold new set of possibilities for the Left: a horizontalist ethos that believes that revolution will begin by transforming our everyday lives. It can be argued that horizontalism is, in many ways, a product of the growing disaggregation and individuation of Western society; that **it is a kind of** free-market leftism: a politics jury-rigged out of the very culture it hopes to resist. For not only does it emphasize the agency of the individual, but it draws one of its central inspirations from a neoclassical image: that of the self-managing society—the polity that functions best when the state is absent from everyday decisions. But one can also find in its anti-institutionalism an attempt to speak in today’s language for yesterday’s goals. If we must live in a society that neither trusts nor feels compelled by collectivist visions, then horizontalism offers us a leftism that attempts to be, at once, both individualist and egalitarian, anti-institutional and democratic, open to the possibilities of self-management and yet also concerned with the casualties born out of an age that has let capital manage itself for far too long. Horizontalism has absorbed the crisis of knowledge—what we often call “postmodernism”—and the crisis of collectivism—what we often call “neoliberalism.” But instead of seeking to return to some golden age before our current moment of fracture, it seeks—for better and worse—to find a way to make leftist politics conform to our current age of anti-foundationalism and institutionalism. As Graeber argued in the prescriptive last pages of his anthropological epic, Debt: The First 5,000 Years, “Capitalism has transformed the world in many ways that are clearly irreversible” and we therefore need to give up “the false choice between state and market that [has] so monopolized political ideology for the last centuries that it made it difficult to argue about anything else.” We need, in other words, to stop thinking like leftists. But herein lies the problem. Not all possible forms of human existence and social interaction, no matter how removed they are from the institutions of power and capital, are good forms of social organization. Although it is easy to look enthusiastically to those societies—ancient or modern, Western or non-Western—that exist beyond the structures of the state, they, too, have their own patterns of hierarchy, their own embittered lines of inequality and injustice. More important, to select one form of social organization over the other is always an act of exclusion. Instituting and then protecting a particular way of life will always require a normative commitment in which not every value system is respected—in which, in other words, there is a moral hierarchy. More problematically, by working outside structures of power one may circumvent coercive systems but one does not necessarily subvert them. Localizing politics—stripping it of its larger institutional ambitions—has, to be sure, its advantages. But without a larger structural vision, it does not go far enough. “Bubbles of freedom,” as Graeber calls them, may create a larger variety of non-institutional life. But they will always neglect other crucial avenues of freedom: in particular, those social and economic rights that can only be protected from the top down. In this way, the anti-institutionalism of horizontalism comes dangerously close to that of the libertarian Right. The turn to previous eras of social organization, the desire to locate and confine politics to a particular regional space, the deep skepticism toward all forms of institutional life not only mirror the aspirations of libertarianism but help cloak those hierarchies spawned from non-institutional forms of power and capital. This is a particularly pointed irony for a political ideology that claims to be opposed to the many injustices of a non-institutional market—in particular, its unregulated financial schemes. Perhaps this is an irony deeply woven into the theoretical quilt of autonomy: a vision that, as a result of its anti-institutionalism, is drawn to all sites of individual liberation—even those that are to be found in the marketplace. As Graeber concludes in *Debt*, “Markets, when allowed to drift entirely free from their violent origins, invariably begin to grow into something different, into networks of honor, trust, and mutual connectedness,” whereas “the maintenance of systems of coercion constantly do the opposite: turn the products of human cooperation, creativity, devotion, love and trust back into numbers once again.” In many ways, this is the result of a set of political ideas that have lost touch with their origins. The desire for autonomy was born out of the socialist—if not also often the Marxist—tradition and there was always a guarded sympathy for the structures needed to oppose organized systems of capital and power. Large-scale institutions were, for thinkers such as Castoriadis, Negri, and C.L.R. James, still essential if every cook was truly to govern. To only “try to create ‘spaces of freedom’ ‘alongside’ of the State” meant, as Castoriadis was to argue later in his life, to back “down from the problem of politics.” In fact, this was, he believed, the failure of 1968: “the inability to set up new, different institutions” and recognize that “there is no such thing as a society without institutions.” This is—and will be—a problem for the horizontalist Left as it moves forward. As a leftism ready-made for an age in which all sides of the political spectrum are arrayed against the regulatory state, it is always in danger of becoming absorbed into the very ideological apparatus it seeks to dismantle. For it aspires to a decentralized and organic politics that, in both principle and practice, shares a lot in common with its central target. Both it and the “free market” are anti-institutional. And the latter will remain so without larger vertical measures. Structures, not only everyday practices, need to be reformed. The revolution cannot happen only on the ground; it must also happen from above. A direct democracy still needs its indirect structures, individual freedoms still need to be measured by their collective consequences, and notions of social and economic equality still need to stand next to the desire for greater political participation. Deregulation is another regulatory regime, and to replace it requires new regulations: institutions that will limit the excesses of the market. As Castoriadis insisted in the years after 1968, the Left’s task is not only to abolish old institutions but to discover “new kinds of relationship between society and its institutions.” Horizontalism has come to serve as an important break from the static strategies and categories of analysis that have slowed an aging and vertically inclined Left. OWS was to represent its fullest expression yet, though it has a much longer back story and still—one hopes—a promising future. But horizontalists such as Graeber and Sitrin will struggle to establish spaces of freedom if they cannot formulate a larger vision for a society. Their vision is not—as several on the vertical left have suggested—too utopian but not utopian enough: in seeking out local spaces of freedom, they have confined their ambitions; they have, in fact, come, at times, to mirror the very ideology they hope to resist. In his famous retelling of the turtle parable, Clifford Geertz warned that in “the search of all-too-deep-lying turtles,” we have to be careful to not “lose touch with the hard surfaces of life—with the political, economic, stratificatory realities within which men are everywhere contained.” This is an ever-present temptation, and one that, in our age of ever more stratification, we must resist.

#### Reducing existential risks is the top priority in any coherent moral theory, not just intent

Plummer, PhD, 15

(Theron, Philosophy @St. Andrews http://blog.practicalethics.ox.ac.uk/2015/05/moral-agreement-on-saving-the-world/)

[There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

# 2NC

## Framework

### 2NC O/V

#### Demands on the state don’t reaffirm its legitimacy

Newman 10 (Saul, Reader in Political Theory at Goldsmiths, U of London, Theory & Event Volume 13, Issue 2)

There are two aspects that I would like to address here. Firstly, the notion of demand: making certain demands on the state – say for higher wages, equal rights for excluded groups, to not go to war, or an end to draconian policing – is one of the basic strategies of social movements and radical groups. Making such demands does not necessarilymean working within the state or reaffirming its legitimacy. On the contrary, demands are made from a position outside the political order, andthey often exceed the question of the implementationof this or that specific measure. They implicitly call into question the legitimacy and even the sovereignty of the state by highlighting fundamental inconsistencies between, for instance, a formal constitutional order which guarantees certain rights and equalities, and state practices which in reality violate and deny them.