**The aff’s approach to international patent law is a strategy the international capitalist empire employs to ensure the supremacy and colonial power of industrialized countries while leaving developing ones suffering. Their constant fine-tuning of IP-Law through the WTO ensures developing countries are never in a position to gain influence, ensuring the domination of the empire. Knezevic 07,**

Intellectual Property or Intellectual Poverty? Between Colonialism and Empire in the Context of AIDS and Public Health Crises

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**The central utilitarian claim from the pro-patent corporate lobby** as voiced by Resnik and Kettler among others – **that any downgrading of patent protection leads to less R&D and is** therefore **contrary to the interests of all humanity**; that without patents, important R&D simply would not get done at all by anyone – **amounts to moral blackmail, and presents** the poor **urban sufferers of the AIDS epidemic in Africa with a false choice: hegemony or death**. **Either enforce our patents, Big Pharma claims, or there will be no more medicines**. **This is clearly not the case prima facie, and it is still not the case following a careful analysis**. **Piracy**, as discussed above, **is the very mechanism that has enabled industrialized countries to develop their industries, and for many poor developing countries faced with the immediacy of public health crises it has been the primary means of survival** thus far, as they have themselves contended. **This is not merely a historical contingency—it is part of the very notion of of legal patents as a policy tool**. As Hardt and Negri put it, [my italics]“juridical concepts...always refer to something other than themselves. Through the evolution and exercise of right, they point toward the material condition that defines their purchase on social reality.”79 Moreover, “**every juridical system is in some way a crystallization of a specific set of values, because ethics is part of the materiality of every juridical foundation**.”80 **The juridical concept of a patent,** too, **cannot even in law be anything more than the sum of ethical, moral and political justifications** and rationalizations that animate it, **combined with the historical and political mechanisms that develop, evolve, and put it into practice**. Thus when Sterckx (2000) argues that a lower level of patent protection is 81 justified by national priorities at a lower stage of economic development ,this should not be read as merely a plea for an ethical treatment of patent enforcement or for an ethical concession to the poor in waiver of a legal norm. The idea (perhaps unwittingly for Sterckx) goes to the very core of the juridical notion of patent and may effectively turn the tables on Big Pharma and the industrialized world: **by attempting to impose global norms and values on developing countries through the international** (inter-governmental) **trade arena and ignoring their own history, industrialized countries are not merely conducting an unethical hegemonic project, they are in fact violating the very juridical notion of what it means to hold a patent as evidenced overwhelmingly by at least two centuries of state policy and practice, norm-generation, adjustment, and political discussion**. **When the ethical/political foundation on which a juridical norm is built begins to crumble, the substance of the claimed juridical right disintegrates along with it**. As Schüklenk and Ashcroft argue in more euphemistic terms, “**intellectual property rights are designed to promote innovation in the public interest...where they contravene the public interest, the justification for their enforcement in that context is removed**.”82 **The ethical debate over the enforcement of patents** in developing countries faced with the AIDS crisis and similar public health crises, this essay argues (in what may be seen as a Dworkinian turn), **is a debate over the very meaning of the notion of patent**. Multinational pharmaceutical corporations and the governments of **industrialized countries have misconstrued this meaning**. This is **especially the case given the obvious relevance of general international law to the subject-matter – enforcing pharmaceutical patents through international trade law – where state practice83 is crucial to determining valid and applicable legal norms**, and international human rights are acquiring greater importance. In fact, as a matter of international law it has been explicitly stated that “any intellectual property regime that makes it more difficult for a State party to comply with its core obligations in relation to health, food, education, especially, or any other right set out in the Covenant, is inconsistent with the legally binding obligations of the State party.”84 **The corporate-industrialized world nexus project in pushing the global IP agenda with a view to adopt a “common standard”85 or “one size fits all”86 model for patents regardless of the field of technology (in this case medicine) or socio-economic circumstances in question (AIDS epidemic in Africa) is not only hypocritical but dangerous,** and not just to immediate public health concerns. **It constitutes an attempt to sever the juridical notion of patent from its material historical source** – to deprive us of the language to articulate the un-ethics of the situation. **It seeks to monopolize the very language and thought-processes that permit us to ethically and effectively question the ‘rational’ decision-making of world leaders and corporations**. This is what Hardt and Negri refer to (in a reading of Foucault) as a ‘bio**politics’ of control, which permeates below the level of consciousness to the bios in order to manipulate** 87 [T]he problem of the new juridical apparatus is presented to us in its most immediate figure: a global order, a justice, and a right that are still virtual but nonetheless apply to us...**our internal moral disposition...tends to be determined by the ethical, political, and juridical categories of Empire...The means of the private and individual apprehension of values are dissolved**: with the appearance of Empire, we are confronted no longer with the local 89 This latter tension represents most faithfully the precise tension between the position of developing nations and that of industrialized nations in relation to pharmaceutical patents. **It is the tension between an adaptive conception that is modified as it is historically and socio-economically contextualized or ‘locally mediated’ – and on the other hand a conception that is in juristic terms rigid and by claiming for itself ‘concrete universality’ extinguishes all contextualized conceptions**. This tendency of the very limits of what we are capable of thinking. The sentiment is echoed in the comment cited above by Spiegel regarding the ‘Cuba taboo’ – a conspicuous silence which reflects an “inclination to narrow the boundaries of what are deemed to be possible approaches”88 to public health. Out of this universalized silence, the global order of ‘Empire’ unfolds [my italics]: [T]he problem of the new juridical apparatus is presented to us in its most immediate figure: a global order, a justice, and a right that are still virtual but nonetheless apply to us...our internal moral disposition...tends to be determined by the ethical, political, and juridical categories of Empire...The means of the private and individual apprehension of values are dissolved: with the appearance of Empire, we are confronted no longer with the local mediations of the universal but with a concrete universal itself. Empire to extinguish and erase context and ‘local mediation’ is not directed merely at the Other – **the industrialized world which here is the agent of empire seeks to expunge its own context and history from the record, too, so long as the order that is universalized is the one it dominates at present**. The characteristic of Empire is that it is “formed not on the basis of force but on the basis of the capacity to present force as being in the service of right and peace.”90 **The only truly effective means to resist this process of Empire then is to deny it its ethical foundation by insisting on history**, both that of the developed and developing world, and in particular the complicity of the former in the plight of the latter, for example: Besides introducing new diseases, European colonial incursions created devastating ecological changes in Africa. Mining, plantation agriculture, irrigation schemes, and drainage ditches created good habitats for malaria- bearing mosquitoes. As Africans died from smallpox and famine, cultivated areas returned to bush, promoting the spread of tsetse flies... That, in short, is the sort of thing European ‘transfer of technology’ to Africa achieved in the 19th and early 20th century. Hunter goes on to note some further examples, among them this: it took until the 1960s to rid the Serengeti plain of the rinderpest virus brought there by the British and Italians in the 1880s, by which time most of the native domestic cattle and wild ungulates on which the Masai population depended were dead. From 1880 to 1933 the population of the Belgian Congo declined from around 40 million to 9.25 million. In another French colony it went from 20 million to 2.5 million in the space of 20 years, 1911-1931. On the heels of these ravages, “Western medicine matured at just the right time to be used as a ‘tool of empire’.”92 This configuration, it seems, persists today in what Hardt and Negri call the new ‘imperial paradigm’, which has migrated from “disciplinary society to a society of control.”93 It is the latter that operates at the level of bios, which rather than merely employing physical coercion, attempts to regulate from afar our very thought processes “to narrow the boundaries of what are deemed to be possible approaches.”94 **What is taking place here is the transition to an order wherein the agents of Empire need not instruct colonial subjects what to do or coerce them to it, but are able to ensure that goals are carried out merely by limiting the horizons of thought.** **It is clear that industrialized countries have taken every opportunity to adapt their patent systems and evolve them according to their immediate socio-economic or public health needs in different epochs**. **Developing countries should be allowed to do the same, especially given the historical complicity of developed countries in their demise and in the retardation of their development**. **The global model imposed by industrialized countries cannot serve the immediate public health needs of the developing world**. In this process and particularly in dealing with existing public health crises such as the AIDS epidemic, Cuba provides the best existing model for developing countries to learn from, given both its success and the country’s socio- economic identity with other developing countries, and there is no reason why this model could not be implemented without replicating its political environment. Over this entire complex, however, looms the hegemonic global order of Empire, with the industrialized world as agent, seeking to universalize its own conception. **In order to resist this universalizing process, developing countries should insist as a matter of right on managing their own public health networks matched by suitable patent regimes crafted to their immediate needs (i.e. compulsory licenses, import of generics) – rather than accepting the universalising imposition in return for ad hoc donations and other aid as a matter of charity or good will**. **Developing nations** should, in other words, **reject ad hoc utilitarian approaches of enforcing patents unconditionally at the service of the industrialized world designed to alleviate their suffering** but never allow them to stand on their own two feet, **leaving them always a step behind and at the mercy of corporate and international donors**. They should continue to assert their moral rights in the face of the global pharmaceutical lobby and insist on their unfettered discretion to determine the existence of health crises on their territories and design patent regimes appropriate to their immediate needs. They should implement “social and organizational priorities” shown to produce results toward the “social production of health” simultaneously investing (socially and financially) in their public health networks and in publicly financed institutions to conduct R&D programs crafted to their concerns, guided by public health needs and motives and not profit possibilities**. The attainment of public health goals is financially well within their reach merely by the implementation of appropriate policies**, as discussed above. This of course raises a number of issues relating to the willingness of African officials and governments to deal with the AIDS crisis in an effective way, and the various cultural and political 96 obstacles to this, however that this only makes the compendium of obstacles to the resolution of the AIDS crisis more complex;97 by removing the global obstacles (stringent pharmaceutical patent protection) and reducing the crisis to the level of national politics, the immediate technical responsibility is placed on the shoulders of leaders who in most cases are in one way or another politically accountable to the very populace afflicted by the epidemic, rather than on the shoulders of corporate executives thousands of miles away who answer primarily to shareholders. Thus if there is unwillingness among African politicians and elites to engage effectively with the epidemic (as some writers suggest), a more systematically ethical and less profit- oriented approach to patent enforcement by industrialized countries would be much more likely to expose this unwillingness and eliminate such politicians. **So long as industrialized countries insist on a ‘common standard’, they will remain the main scapegoat.** If they believe it to be in their interest to produce a greater confluence of norms relating to intellectual property, they should work from the opposite end to where they are now – by investing in the public health networks of developing countries with a view to making them sustainable and self-sufficient both in providing for immediate health needs and conducting R&D in the long term; that is, by working toward a ‘common standard’ in public health rather than in patent protection, for the former would in turn produce greater confluence in patent systems.

#### Capitalism causes war, violence, environmental destruction and extinction.

**Robinson 18** (William I., Prof. of Sociology, Global and International Studies, and Latin American Studies, @ UC-Santa Barbara, “Accumulation Crisis and Global Police State” Critical Sociology) RE

Each major episode of crisis in the world capitalist system has presented the potential for systemic change. Each has involved the breakdown of state legitimacy, escalating class and social struggles, and military conflicts, leading to a restructuring of the system, including new institutional arrangements, class relations, and accumulation activities that eventually result in a restabilization of the system and renewed capitalist expansion. The current crisis shares aspects of earlier system-wide structural crises, such as of the 1880s, the 1930s or the 1970s. But there are six interrelated dimensions to the current crisis that I believe sets it apart from these earlier ones and suggests that a simple restructuring of the system will not lead to its restabilization – that is, our very survival now requires a revolution against global capitalism (Robinson, 2014). These six dimensions, in broad strokes, present a “big picture” context in which a global police state is emerging. First, the system is fast reaching the ecological limits of its reproduction. We have already passed tipping points in climate change, the nitrogen cycle, and diversity loss. For the first time ever, human conduct is intersecting with and fundamentally altering the earth system in such a way that threatens to bring about a sixth mass extinction (see, e.g., Foster et al., 2011; Moore, 2015). These ecological dimensions of global crisis have been brought to the forefront of the global agenda by the worldwide environmental justice movement. Communities around the world have come under escalating repression as they face off against transnational corporate plunder of their environment. While capitalism cannot be held solely responsible for the ecological crisis, it is difficult to imagine that the environmental catastrophe can be resolved within the capitalist system given capital’s implacable impulse to accumulate and its accelerated commodification of nature. Second, the level of global social polarization and inequality is unprecedented. The richest one percent of humanity in 2016 controlled over half of the world’s wealth and 20 percent controlled 95 percent of that wealth, while the remaining 80 percent had to make do with just five percent (Oxfam, 2017). These escalating inequalities fuel capitalism’s chronic problem of overaccumulation: the TCC cannot find productive outlets to unload the enormous amounts of surplus it has accumulated, leading to chronic stagnation in the world economy (see next section). Such extreme levels of social polarization present a challenge of social control to dominant groups. As Trumpism in the United States as well as the rise of far-right and neo-fascist movements in Europe so well illustrate, cooptation also involves the manipulation of fear and insecurity among the downwardly mobile so that social anxiety is channeled towards scapegoated communities. This psychosocial mechanism of displacing mass anxieties is not new, but it appears to be increasing around the world in the face of the structural destabilization of capitalist globalization. Extreme inequality requires extreme violence and repression that lend themselves to projects of 21st century fascism. Third, the sheer magnitude of the means of violence and social control is unprecedented, as well as the magnitude and concentrated control over the means of global communication and the production and circulation of symbols, images, and knowledge. Computerized wars, drone warfare, robot soldiers, bunker-buster bombs, a new generation of nuclear weapons, satellite surveillance, cyberwar, spatial control technology, and so forth, have changed the face of warfare, and more generally, of systems of social control and repression. We have arrived at the panoptical surveillance society, a point brought home by Edward Snowden’s revelations in 2013, and the age of thought control by those who control global flows of communication and symbolic production. If global capitalist crisis leads to a new world war the destruction would simply be unprecedented. Fourth, we are reaching limits to the extensive expansion of capitalism, in the sense that there are no longer any new territories of significance to integrate into world capitalism and new spaces to commodify are drying up. The capitalist system is by its nature expansionary. In each earlier structural crisis, the system went through a new round of extensive expansion – from waves of colonial conquest in earlier centuries, to the integration in the late 20th and early 21st centuries of the former socialist countries, China, India and other areas that had been marginally outside the system. There are no longer any new territories to integrate into world capitalism. At the same time, the privatization of education, health, utilities, basic services, and public lands is turning those spaces in global society that were outside of capital’s control into “spaces of capital,” so that intensive expansion is reaching depths never before seen. What is there left to commodify? Where can the system now expand? New spaces have to be violently cracked open and the peoples in these spaces must be repressed by the global police state.

#### Global capitalism lays the foundation for extreme income inequality by giving the advantage in hiring to multinational corporations. Fukuda 10,

Fukuda, Yasuo. "WTO regime as a new stage of imperialism: Decaying capitalism and its alternative." *World Review of Political Economy* 1.3 (2010): 485.

Turning to the issue of standards of living in local communities, here **the bleak side of corporate globalization is on full display**. Corporate **globalization has created a divided society, distinguished by rising levels of poverty among those at the lower end of the economic spectrum**. **In the US**, which is the most unequal society among the OECD, **the Gini coefficient** (which measures household income inequality) **has risen almost constantly since the late 1960s**. Presently, **the top 20 percent of US households possess 47.3 percent of total household income** (2007) **and 84.7 percent of net assets** (2004) (Wolff 2001; Mishel et al. 2008/2009). This level of inequality is the result of considerable income gaps between capital and labor; management and the rank-and-file; standard and non-standard forms of employment; and large companies and subcontractors. **It is the activities of monopoly capital which have caused the widening of these gaps**. Moreover, **multinational corporations have developed so-called downsizing policies**, **replacing standard employees with their non-standard counterparts**. Such **downsizing has drastically changed the make-up of society**. **These changes have transformed what was once basically a cooperative society into one which is markedly divided**. Furthermore, **this policy of downsizing is itself the result of corporate globalization in two key ways**. **One is a shift in the power balance toward multinational corporations; the other is the intensification of global competition among multinationals**. Large **multinational firms benefit from a wide range of selection-capacity in deciding where to locate facilities**, **including the ability to outsource production abroad**. On the other hand, **it is very difficult for workers to cross national borders in search of better employment opportunities**; workers must seek jobs within their respective region. **This difference in the flexibility of capital against labor gives capital the upper hand in regards to negotiated labor contracts.** Deregulation of labor markets further advantages management over labor. Therefore, neo-liberal policies in the labor market affect the power balance between management and labor in just the same way as a collapse of trade unions. For just the same logic as in the labor market, the power balance has undergone a steady shift toward monopoly capital and away from small to medium-sized firms. **Corporate globalization has also widened the per capita income gap between the north and the south, exacerbating the south’s poverty**. While the number of people living on less than $1.25 per day decreased between 1981 and 2005, **the number of people living on less than $2 per day rose considerably** over the same period. After the collapse of the housing bubble in 2008, around 1 billion people now face chronic hunger and starvation. Poverty in developing countries often has a historical context, such as estate ownership or civil war. Still, **neo-liberal policies have made it much more difficult for developing countries to address issues of poverty** within their borders (Oxfam 2002; UNCTAD 2004: 189).

**Tinkering around the edges doesn’t help. Thus the alternative is rejecting the international frame of IPR entirely. Slight adjustments to the current IP system inevitably fail while allowing global regimes to expand their power.**

**Krikorian 21**

Krikorian, Gaelle, Torreerele, Els (UCL Institute for Innovation and published writers) “We Cannot Win the Access to Medicines Struggle Using the Same Thinking That Causes the Chronic Access Crisis” Library of Medicine, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/> June 2021.

Wishing to replicate past successes, health advocates have pushed for broadening the scope of existing solutions to encompass additional diseases and health technologies and to expand the set of “eligible” countries for the exceptions created in earlier years. This has been welcomed by some of the organizations embodying those solutions, as they see it as an opportunity to expand their mandate and scope of activities across disease areas or to new territories and be able to tap into additional funding sources for sustainability. This applies for instance to Gavi, the Coalition for Epidemic Preparedness Innovations, the Global Fund, the Foundation for Innovative Diagnostics, and Unitaid, which positioned themselves as key players in the design, setup, and functioning of ACT-A together with the Gates Foundation and Wellcome. The same players are now advocating for ACT-A’s evolution into a permanent epidemic response infrastructure.[30](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r30) But **the replication and routinization of ad hoc and donor-driven solutions, bringing more and more public health areas under the control of self-declared global health institutions that focus on narrowly defined biomedical solutions, does not necessarily suit all current and future health challenges or take into account existing shortfalls or pitfalls of these mechanisms. It also does not address the governance gaps that exist in many international organizations that function more like untransparent public-private partnerships than institutions whose policies are dictated by public interest**. Because countries’ ability to set priorities and develop an integrated health policy are often hampered and skewed by donor subsidies and their priorities, there are growing voices from “beneficiary” countries calling for increased agency and participation, if not leadership and autonomy, in designing the solutions they deem most fit to promote the health and well-being of their populations—a movement that also includes #DecolonizeGlobalHealth.[31](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r31) **For the ongoing COVID-19 pandemic, it is clear that the established global health architecture is unable—and ill suited—to work out relevant and equitable solutions for the developing world**, as exemplified by ACT-A and its well-intended but so far ineffective COVAX facility, held hostage to supply restrictions by companies and the vaccine nationalism from those who created it in the first place.[32](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r32) Voluntary proposals that keep developing nations captive to the willingness of corporations and wealthy countries to access lifesaving public health tools are being increasingly criticized.[33](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r33) **The political tensions on an IP waiver on COVID-19-related technologies at the World Trade Organization are reopening an old battle that raged during the HIV epidemic 20 years ago between developing countries challenging monopolies on medical technologies and the wealthy countries defending the pharmaceutical corporations located in their countries.**[**34**](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r34) **However, the COVID-19 vaccine scarcity affects people everywhere, rendering the flaws of the monopoly-based yet highly subsidized pharmaceutical economy visible to more people, and making it obvious that limited exceptions to the IP regimes (for a few patents, for one virus, for a few months, and so forth) will not fix the problems. The COVID-19 crisis illustrates the critical role of public contributions in the research, development, production, and deployment of medical innovations for global public health.**[**35**](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r35) **The inequities in vaccine access that we are seeing due to the fact that control over such innovations was left in the hands of a few private companies highlights the colossal unbalance that exists between the public health interest and private profits. They illustrate how public resources are used without adequate checks and balances to ensure public value, and fail to prevent growing inequalities in access, even in the wealthiest countries. Tinkering in the margins of the status quo is unlikely to be successful.** **The market-based health, pharmaceutical, and medical innovation policies that our governments designed are unable to generate the relevant health technologies and make them available—at an affordable price—to all who need them.** Therefore, we need transparent R&D and access policies and governance that are no longer captive to the current, Western-driven global health order. The design of needs-driven research and production of pharmaceuticals could be organized to deliver health commons, not market commodities, making the best of public capacities and setting up transparent and fair collaboration with the private sector for the public interest.[36](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r36) [Go to:](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/) Conclusion The inability of the current health innovation and access ecosystem to provide equitable access to lifesaving technologies has never been so clear. The conditions that made it possible to develop multiple COVID-19 vaccines in less than a year, while at the same time fostering extreme inequities in access and disregarding human dignity and the right to health, call for transformative change in the pharmaceutical economy. **Reforming R&D, production, and availability of pharmaceuticals in the public interest must rely on the following key elements: Rebalance the power dynamics between public and private actors in the medical innovation ecosystem and redesign the governance of knowledge and financial resources to prioritize the public interest over private and financial interests. This** will require an end-to-end approach to medical innovation and access, as well as full transparency over economic and scientific inputs and outputs throughout the innovation-to-access chain, for which the World Health Assembly’s 2019 transparency resolution is a pivotal starting point.[37](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r37) Establish adequate governance mechanisms for issues ranging from R&D to access that reflect the reality of medical innovation as a collective effort and of public health as a fundamental democratic and human rights matter. Such governance must be participative and inclusive of all concerned actors, including health professionals, users of health systems, civil society groups, governments, other payers and funders, researchers, and industry. For global governance mechanisms, there should be a particular emphasis on Global South representation**. Shape economic, industrial, and financing policies in line with health policies, and design them with the explicit purpose of delivering solutions to address people’s health needs in equitable way**s. Embrace the idea that one size does not fit all. Instead, the diversification, deconcentration, and devolution of health innovation and manufacturing must be catalyzed, allowing for locally and regionally driven solutions adapted to specific health needs and contexts, and fostering countries’ agency, resilience and autonomy in improving the health of their own communities. These elements form a solid basis for a new health innovation ecosystem charged with providing access to health products to the populations who need them, in fulfilment of the rights to health and to the benefits from scientific advancement, which are rooted in the principles of equity, nondiscrimination, and transparency. They can also help shape governance and financing models that are fit for purpose to reach this objective, as well as an economic model that is sustainable for health systems. Importantly, they would change the political economy against which the right to medicines is currently articulated, removing the risk of undermining health equity. Courts in a number of countries have explicitly recognized that human rights impose obligations on states to find solutions to the provision of even high-cost medicines. For example, a high court in India has stated that “no government can wriggle out of its core obligation of ensuring the right of access to health facilities for vulnerable and marginalized section[s] of society … by saying that it cannot afford to provide treatment for rare and chronic diseases.”[38](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/#r38) In conclusion, we need to reassert the purpose of medical innovation so that it aims to improve people’s health outcomes everywhere, including through equitable access to adapted health technologies, and actively shape the innovation ecosystem toward achieving that goal. This will allow us to develop out-of-the-box solutions that revisit the articulation between industrial and health policies, including financing. **Such solutions must also reimagine the governance of medical R&D and access between different public and private actors, and include individual citizens as co-creators of solutions to improve their health**. [Go to:](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8233016/)

#### The role of the ballot is to vote for the debater that best contests capitalist values. These values are necessary to the global capitalist system but are still contestable by the multitude. Capitalism employs extreme violence to maintain their values corrupting social understandings of it but continued minoritarian resistance of the multitude is key. Southall 10,

Southall, Nicholas. "A multitude of possibilities: the strategic vision of Antonio Negri and Michael Hardt." (2010).

Hardt and Negri‘s (2004:13) explanation of war as a mechanism of containment, where ―**war has become a regime of biopower and a permanent social relation**‖ is challenged by Alex Callinicos (2004: 11) who argues that this is only a trend because ―at least in the 160 advanced capitalist societies, what binds people to the existing order is still much more the ideology of liberal democracy, the benefits that are still to be had through the welfare state, and the material and spiritual comforts offered by consumerism‖. But for Hardt and Negri **there is no tendency towards mediation between the proletariat and capital**. **The now expanded proletariat**, rather than consenting, **is continuously antagonistic, its constituent power countered by repression, terror and global war**. **There is no subordination without coercion as coercion pervades the whole of Empire.** Yet in spite of some of what Hardt and Negri say, this is not a recent development, or evidence of real subsumption, for capital is always founded on violence. ―**The ultimate disciplinary instrument of the world market is, as it has always been, force**. **War is always critical to capitalist control, as a means for extending its circuits over new domains, dividing opposition, and destroying any threat to the operation of the market**‖ (Dyer-Witheford: 1999: 140). In the twentieth century, at least 110 million and possibly 200 million people, most of whom were civilians, died in armed conflicts (Renner: 1999). Yet these are not all the victims of the **constant global class war which causes continual destruction, death and social misery through the organised violence of capital** and its state forms. Vinay Lal (2002: 9, 49) highlights the ―true ‗unknown soldier‘ of the twentieth century‖ as the victim of development. **The violence of the past one hundred years was not confined to warfare, genocide, political insurrection** or other conventional categories, since **development has often been an act of violence involving the killing of millions of people**. Similarly for Linebaugh (2003: 445), **the workplace must be seen as ‗producing death‘ and the ―punishment of capital must include not only the mutilations, homicides, injuries, stress of the office, mine, and mill, it must also include the migrations, the uprootings, the forced confinements**, the slavery of the sex industries that have become planetary phenomena‖. The Midnight Notes Collective (2002) counts as **casualties of war the people who suffer from ill-health and death due to cuts to public health, medical care and occupational and environmental safety because of rising war budgets.** They further highlight how **the violence of continued mass starvation and price rises that put basic requirements beyond the means of many, ―are the denouement of a long war on the 161 people of the planet to eliminate the most elementary right: the right to eat to live**‖ (Federici: 2000; Caffentzis: 2008). **Although the violence of capitalist development is uneven in intensity and scope, it is a continuous, constant presence**. **The victims of the class war are a**n **example and warning to those who resist, refuse and rebel, demonstrating the outcome of capital‘s strategy of decomposition and intensifying global competition rather than cooperation**. Today, capitalism‘s permanent crisis causes an intensification of the daily, global class war. Hardt and Negri recognise that the **class war serves capital and that the ending of class war is a strategic imperative of the proletariat**. The class war is not a war the multitude requires or desires; it is a product of the capitalist system. The multitude‘s class war is simultaneously a war against class and a war against war. The questions of how to fight a ‗war against war‘ and how to end class are at the centre of Hardt and Negri‘s strategic vision for peace as an alternative to class war. As Massimo De Angelis (2007: 42) explains, the problem for alternatives to capital is how conflict can become ―a force for the social constitution of value practices that are autonomous and independent from those of capital‖ (emphasis in original). Discussing class conflict around capitalist labour and value, De Angelis (2005) and David Graeber (2005) point out that **the politics of alternatives to capitalist society lie not in the struggle to appropriate value but in the struggle to establish what value is**. ―Similarly, the ultimate freedom is not the freedom to create or accumulate value, but the freedom to decide (collectively or individually) what it is that makes life worth living‖ (Graeber: 2005: 58). Various types of value are produced, realised, defended or challenged in ―intense social struggle‖ over ―the ability to define what‘s important in life‖ (Graeber: 2005:15). For De Angelis (2005: 70) ―commodity values are about processes of class struggle‖ but if we understand value in general as the importance people give to their action and understand the norms and standards through which people judge this ‗importance‘ as emerging from a continuous interacting process of social 162 constitution, then in conditions in which this process takes the capitalist form Negri‘s claim (that value is beyond measure) simply does not make sense (De Angelis: 2005: 70) But, as De Angelis (2005) himself points out, value cannot be understood ‗in general‘. **The multitude creates a variety of proletarian use values and capitalist norms and standards depend on social controls, which are continually contested**. For Hardt and Negri **the capitalist form is intertwined with the communist form, with class struggle over value occurring throughout society**. Because of the growing antagonism of the communist form within Empire, they argue that **capitalist value is imposed by violence to deal with capitalist crisis**. Harry Cleaver (1979: 83) explains that capitalist crisis appears ―because **capitalist production is not concerned with production as such but with social control through the imposition of work through the commodity-form and thus the realisation of value**‖. For Cleaver (2005: 127) the problem with Hardt and Negri‘s view of value ―is that it separates the concepts of labour as producer of wealth and labour as means of domination, associating only the former with value‖. Cleaver argues that Marx‘s concept of value . . . has always designated primarily the role of labour as undifferentiated capitalist command rather than its production of wealth. Indeed the very distinction between use value and value is that between wealth understood as that which labour produces of use to the working class and that which labour produces of use to capital, i.e. command. **Class relations are relations of struggle not of domination and command**; this is why the contemporary crisis of capitalist value is not a crisis of value in general, but a crisis of value as command and domination. **Economic and political relations are relations of force between capital and labour and capital‘s ability to impose its value is the power to maintain its system**. However, **while capital attempts to repress communist use values, it is also forced to try to assimilate them, because of the unbreakable power of the multitude. But the power of the multitude is not containable and no amount of violence can completely secure capitalist value.**