# R6 jack howe neg

## 1NC

### 1NC - T

#### The aff should defend governmental action

#### “Resolved:” refers to a legislative debate.

Louisiana State Legislature 16, “Glossary of Legislative Terms,” http://www.legis.state.la.us/glossary2.htm

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)

#### Failing to defend topical action decimates the quality of debate for two reasons—

#### 1. Competitive equity—any alternative to our model of the topic as a baseline for discussion wrecks it—it’s impossible to negate alternative frameworks with the ground allocated to us by the parameters of the resolution

#### 2. Truth testing—they moot the role of the negative which is to force the aff to defend their core assumptions—allowing affs to reframe the debate around their terms makes engagement impossible

#### 3. Clash – letting the aff pick the topic skews the balance of prep to unpredictable literature bases and ensures that our research is always irrelevant.

#### Switch side debate is preferable and solves – they literally criticize the WTO

#### The TVA solves – Read the aff as an impact of the implementation of a plan that reaffirms things like the COVAX initiative - solves enough of their offense for a risk of ours to outweigh

#### Drop the debater for deterrence and skewing negative prep

#### Fairness is a voter – debate is a game and is the terminal impact to debate.

#### Competing interps on T – You have to win that your interp is net better, which cultivates better grounds for clash. Reasonability dissolves the brightline for T because it says we can be “almost” topical.

### NC – NC

#### The standard is maximizing expected net well-being.

#### Prefer for actor specificity

#### A] Aggregation – every policy benefits some and harms others, which also means side constraints freeze action.

#### B] Pleasure and pain are intrinsically valuable. People consistently regard pleasure and pain as good reasons for action, despite the fact that pleasure doesn’t seem to be instrumentally valuable for anything.

Moen 16 [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281] SJDI

Let us start by observing, empirically, that **a widely shared judgment about intrinsic value and disvalue is that pleasure is intrinsically valuable and pain is intrinsically disvaluable.** **On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues.** This inclusion makes intuitive sense, moreover, for **there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have.** “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative.2 **The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values.** If you tell me that you are heading for the convenience store, **I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so**, not merely for the sake of going to the convenience store, but **for the sake of achieving something further that you deem to be valuable.** You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” **If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good.**3 As Aristotle observes**: “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.**”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that **pleasure and pain are both places where we reach the end of the line in matters of value.**

#### C] Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first.

#### High magnitude, low probability first

Bostrom 13 [(Nick, Philosopher and professor (Oxford), Ph.D. (LSOE), director of The Future of Humanity Institute and the Programme on the Impacts of Future Technology), “Existential Risk Prevention as Global Priority,” Global Policy, Vol 4, Issue 1, http://www.existential-risk.org/concept.html] TDI

The maxipok rule 1.1. Existential risk and uncertainty An existential risk is one that threatens the premature extinction of Earth-originating intelligent life or the permanent and drastic destruction of its potential for desirable future development (Bostrom 2002). Although it is often difficult to assess the probability of existential risks, there are many reasons to suppose that the total such risk confronting humanity over the next few centuries is significant. Estimates of 10-20% total existential risk in this century are fairly typical among those who have examined the issue, though inevitably such estimates rely heavily on subjective judgment.1 The most reasonable estimate might be substantially higher or lower. But perhaps the strongest reason for judging the total existential risk within the next few centuries to be significant is the extreme magnitude of the values at stake. Even a small probability of existential catastrophe could be highly practically significant (Bostrom 2003; Matheny 2007; Posner 2004; Weitzman 2009). Humanity has survived what we might call natural existential risks for hundreds of thousands of years; thus it is prima facie unlikely that any of them will do us in within the next hundred.2 This conclusion is buttressed when we analyze specific risks from nature, such as asteroid impacts, supervolcanic eruptions, earthquakes, gamma-ray bursts, and so forth: Empirical impact distributions and scientific models suggest that the likelihood of extinction because of these kinds of risk is extremely small on a time scale of a century or so.3 In contrast, our species is introducing entirely new kinds of existential risk — threats we have no track record of surviving. Our longevity as a species therefore offers no strong prior grounds for confident optimism. Consideration of specific existential-risk scenarios bears out the suspicion that the great bulk of existential risk in the foreseeable future consists of anthropogenic existential risks — that is, those arising from human activity. In particular, most of the biggest existential risks seem to be linked to potential future technological breakthroughs that may radically expand our ability to manipulate the external world or our own biology. As our powers expand, so will the scale of their potential consequences — intended and unintended, positive and negative. For example, there appear to be significant existential risks in some of the advanced forms of biotechnology, molecular nanotechnology, and machine intelligence that might be developed in the decades ahead. The bulk of existential risk over the next century may thus reside in rather speculative scenarios to which we cannot assign precise probabilities through any rigorous statistical or scientific method. But the fact that the probability of some risk is difficult to quantify does not imply that the risk is negligible. Probability can be understood in different senses. Most relevant here is the epistemic sense in which probability is construed as (something like) the credence that an ideally reasonable observer should assign to the risk's materializing based on currently available evidence.4 If something cannot presently be known to be objectively safe, it is risky at least in the subjective sense relevant to decision making. An empty cave is unsafe in just this sense if you cannot tell whether or not it is home to a hungry lion. It would be rational for you to avoid the cave if you reasonably judge that the expected harm of entry outweighs the expected benefit. The uncertainty and error-proneness of our first-order assessments of risk is itself something we must factor into our all-things-considered probability assignments. This factor often dominates in low-probability, high-consequence risks — especially those involving poorly understood natural phenomena, complex social dynamics, or new technology, or that are difficult to assess for other reasons. Suppose that some scientific analysis A indicates that some catastrophe X has an extremely small probability P(X) of occurring. Then the probability that A has some hidden crucial flaw may easily be much greater than P(X).5 Furthermore, the conditional probability of X given that A is crucially flawed, P(X|¬A), may be fairly high. We may then find that most of the risk of X resides in the uncertainty of our scientific assessment that P(X) was small (figure 1) (Ord, Hillerbrand and Sandberg 2010).

### 1NC – SCOTUS CP

SCOTUS CP:

#### States except the United States ought to reduce intellectual property protections for medicines in the member nations of the World Trade Organization.

#### The United States Federal Judiciary ought to rule that intellectual property protections for medicines are unconstitutional.

#### Solves and they can do it – empirical influence over medicine

Capone 20 [Connie Capone, writer for MDLinx, September 3, 2020. “Court rulings that changed medicine” [https://www.mdlinx.com/article/court-rulings-that-changed-medicine/147FEf8WGxGdBQI4b8HG7u Accessed 8/27](https://www.mdlinx.com/article/court-rulings-that-changed-medicine/147FEf8WGxGdBQI4b8HG7u%20Accessed%208/27) //gord0]

What happens when technology firms, insurance companies, healthcare systems, and even the US government encroach on medical practice? In short, the courts get involved. Court decisions have frequently ruled on medical ethics and shaped healthcare policy. Landmark Supreme Court cases and lower court rulings have set the tone on medical ethics and shaped healthcare policy. Here are five such cases that made their mark on medicine. Vizzoni v. Mulford-Dera, 2019 In this case, the Superior Court of New Jersey Appellate Division upheld a trial court [decision](https://www.ama-assn.org/practice-management/sustainability/new-jersey-court-weighs-whether-non-patient-can-sue-physician) to dismiss a malpractice lawsuit after the family of a New Jersey woman who was killed during a car-bicycle accident sued the driver’s psychiatrist for medical negligence. The psychiatrist had been treating the driver, Barbara Mulford-Dera, for psychological conditions, and when Mulford-Dera struck and killed the cyclist, she had been taking a prescription medication that she allegedly did not know made it dangerous to drive. The bicyclist’s family maintained that the psychiatrist should have disclosed the potentially harmful effects of driving while under the influence of the prescribed psychotropic medication. But the trial court dismissed the case, ruling that it was not medical negligence. In an amicus brief, the American Medical Association warned that expanding physician legal obligations to the general public would have profound negative implications for medical professionals. State of Washington v. US Department of Health and Human Services, 2019 In this case, a federal judge in Washington issued a nationwide injunction blocking a series of proposed abortion restrictions. The restrictions, issued by the Trump administration, would have barred federally funded family planning facilities from advising or assisting patients seeking an abortion. Facilities backed by federal funding under the Title X program, including Planned Parenthood, were already prohibited from using those funds to perform abortions, but under this so-called “gag rule,” they would no longer be able to say or do anything to assist patients who were seeking an abortion, including referring them for abortion procedures. The rule was promulgated in March 2019 by the Department of Health and Human Services, and blocked by a federal judge the following month. In support of the injunction against the proposed plan, Washington state Attorney General Bob Ferguson [said](https://www.governor.wa.gov/news-media/updated-statements-inslee-and-ag-ferguson-regarding-judges-national-injunction-ruling) that it “ensures that clinics across the nation can remain open and continue to provide quality, unbiased healthcare to women.” National Federation of Independent Business v. Sebelius, 2012 In a Supreme Court ruling, a key provision in the Affordable Care Act (ACA), passed by Congress in 2010, was upheld. The ACA, created during the Obama administration, contained an individual mandate that required all Americans to buy health insurance or pay a tax penalty. It also required states to expand their Medicaid programs or risk losing federal funding. The court upheld the individual mandate on American citizens but rejected the provision to withhold federal funding from states that didn’t expand Medicaid, ruling that state participation in the program would be voluntary. “The Affordable Care Act’s requirement that certain individuals pay a financial penalty for not obtaining health insurance may reasonably be characterized as a tax,” Chief Justice John Roberts wrote in the [ruling](https://www.law.cornell.edu/supremecourt/text/11-393#writing-11-393_OPINION_3). “Because the Constitution permits such a tax, it is not our role to forbid it, or to pass upon its wisdom or fairness.”

#### The Courts are key --- reaffirming judicial supremacy is necessary to check back on majoritarian power and preserve a system of checks and balances --- that prevents the collapse of democracy

Redish and Heins 16 [Martin Redish, Louis and Harriet Ancel Professor of Law and Public Policy, Northwestern University School of Law. Matthew Heins, B.A. 2009, University of Southern California; J.D. 2015, Northwestern University School of Law. “Premodern Constitutionalism.” April 15, 2016. https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=3651&context=wmlr]

The argument Kramer and others advance is not only normatively unpersuasive, it is also logically untenable in light of the structural Constitution and the basic premises of American constitutionalism. As we explained in Part I, the traditionalist view understands the value of countermajoritarian checking as a political mechanism for enshrining skeptical optimism, which can be readily deduced from the Constitutions structural design. Our constitutionalism is thus principally concerned with facilitating democracy while promoting rule of law values and protecting minorities.296 The reality is that any argument that temporary majorities or the governmental bodies that are directly accountable to those majorities are either more capable or more suitable arbiters of constitutional meaning ignores the careful framework for promoting these values that was etched into our supreme law at the constitutional convention. Our proclaimed unflagging commitment to due process of law, the existence of a supreme document ratified by supermajoritarian movement and subject to formal alteration only through a supermajoritarian process, and our provision of a politically insulated judiciary are all brightly flashing signals that our system understands the importance of speed bumps to slow majorities down. Popular constitutionalism seems to forget or intentionally ignore all of this. 297 Mark Tushnets case against judicial supremacy directly takes on Larry Alexanders and Frederick Schauers defense of judicial review.298 Alexander and Schauer assert that without judicial supremacy we would have a system of interpretive anarchy on our hands.299 The role of the Supreme Court, say Alexander and Schauer, is to provide a single authoritative interpreter to which others must defer, to serve the settlement function of the law. 300 Tushnet responds that when it declares that Congress has overstepped its bounds, the Court justifies its behavior using the selfinterestedness of the Congress: Congress is self-interested when it defines the scope of its own power. Members of Congress have an interest in maximizing their own power by expanding their sphere of power and responsibilities. Any decision [Congress] make[s], no matter how fully deliberated, will be shaped, and perhaps distorted, by this self-interest. 301 But this is an objection equally available to those who would question the Courts version of judicial supremacy, because the judiciary is just as apt to act self-interestedly and expand its own power.302 This position runs directly contrary to the basic principles underlying the structural Constitution. Tushnets argument essentially ignores the fact that the judiciary was built to be (1) limited in active power, and (2) countermajoritarian, staffed by insulated judges with salary and tenure protections. With the exception of issues surrounding its own powers, the judiciary is uniquely positioned to serve as the neutral adjudicator that can settle disputes as to the boundaries between executive and legislative, as well as federal and state branches. More importantly, if the judiciary were not tasked with settling the boundaries of majoritarian power, there would be no countermajoritarian check at all, and the Constitution would essentially be meaningless. And even as to its own power, the Courts authorityunlike that of Congress or the Presidentis confined to a passive role, awaiting cases to adjudicate.303 It therefore makes sense to give the Court final say as to its own constitutional power in order to protect its countermajoritarian role.304 Under a regime of judicial supremacy, the judiciary is no more capable of aggrandizement than is Congress. Professor Tushnet looks to City of Boerne v. Flores to show how the Court gives deference to Congress and assumes laws are constitutional because Congress has a duty to support the Constitution, but the Court does not give deference to congressional redefinitions of its own power because Congress is self-interested.305 But, he argues, the Court is no less self-interested because every institution with both power and the ability to aggrandize it will seek to expand or enhance that power.306 Both of Professor Tushnets proof points are flawed. The Court is no more empowered to engage in self-aggrandizement than is Congress, considering that Congress is arguably capable of simply stripping the federal courts of jurisdiction (within constitutional limits) whenever it chooses.307 Why would it be, under Tushnets theory, that the Framers would devise a constitutional system in which the Congress could be trusted to determine the scope of its own power, disregarding judicial pronouncements of the limits of that power, and then could strip the courts of jurisdiction to hear any challenges to such self-aggrandizement? Tushnet has effectively written Article III out of the Constitution. And although he focuses his attention on the fact that the Court is no more a single authoritative interpreterthan is Congressor maybe even less singular, because each individual voice is so much more meaningful on the Court308Tushnet forgets that Congress represents hundreds of millions of people and is, at some level, subject to their momentary preferences. What makes the Court uniquely capable of serving as the final voice of constitutional interpretationthe single authoritative interpreter that Alexander and Schauer describe and that the Framers envisioned is that it is insulated from such political pressure.309 Arguing that judicial supremacy distorts legislation, Professor Tushnet suggests that without it, Congress would act more responsibly in interpreting and abiding by the Constitution.310 For example, in the context of flag burning, he contends that judicial supremacy problematically prevented Congress from doing what its members and the people wantednamely, passing an effective law against the burning of the American flag.311 But that is exactly the point. Presumably by the exact same reasoning, it could have been argued that during the McCarthy era, the judiciary should not have been allowed to prevent the majority from doing what it wanted to do namely, suppress left-wing dissenters. The entire purpose of our structural Constitution is to embed Founding-era American skeptical optimism and force the majority, if it wishes to circumvent those fundamental truths, to garner enough supermajoritarian support to change them. If the American people are so concerned with flag burning, it is a good thing to require them to amend the Constitution formally, by means of the prescribed supermajoritarian process312to render constitutional those state or federal laws that ban it. If burning the flag is a method of expression, and laws forbidding it are contrary to the First Amendment because of their communicative impact, the people may amend the Constitution to declare thatflag-burning laws are an exception to the Amendments general coverage.313 Tushnet believes that lawmakers may apply their own conception of the Constitution if they are conscientious and if their interpretation is reasonable, 314 but this begs the question: Who is to decide whether a lawmaker has conscientiously considered and reasonably interpreted the Constitution? The lawmaker himself? Our constitutional democracy cannot survive such constant, momentary, self-interested reinterpretation. Tushnet says it is wrong to assume that members of Congress are inherently incapable of interpreting the Constitution.315 But the traditionalist view of American constitutionalism in no way stands for the position that Congress is incapable of properly exercising interpretive authority. To the contrary, we both hope and assume that Congress is doing just that in deciding whether to enact legislation. The Constitution does not in any way prohibit the majoritarian branches from ever exercising interpretive authority; in fact, as Professor Paulsen discusses with great alacrity, each and every politically accountable member of the federal government takes an oath to support the Constitution.316 Congress might be undereducated about the Constitution, and it might be that Congress would improve without the judiciary as a backstop, especially if given the same kind of institutional support that the executive receives in its endeavors of constitutional interpretation, such as the Solicitor Generals Office and the Department of Justices Office of Legal Counsel. 317 But this misses the point entirely. The problem is not that Congress is bad at constitutional interpretationit is that because of its inherently majoritarian nature, Congress is structurally incapable of effectively policing majoritarian threats to the values and dictates embodied in the countermajoritarian Constitution. This is especially true when Congress itself creates those threats. Thus, our structural Constitution does not envision Congress as the final interpreter, and for good reason. The peoples elected representatives exist to advance the current and future interests of their constituents; the courts exist to ensure that those current and future legislative and policy choices adhere to foundational principles embodied in the nations countermajoritarian supreme law.

#### Democratic backsliding causes extinction.

Kendall-Taylor 16 [Andrea; Deputy national intelligence officer for Russia and Eurasia at the National Intelligence Council, Senior associate in the Human Rights Initiative at the Center for Strategic and International Studies in Washington; “How Democracy’s Decline Would Undermine the International Order,” CSIS; 7/15/16; <https://www.csis.org/analysis/how-democracy%E2%80%99s-decline-would-undermine-international-order>/] Justin

It is rare that policymakers, analysts, and academics agree. But there is an emerging consensus in the world of foreign policy: threats to the stability of the current international order are rising. The norms, values, laws, and institutions that have undergirded the international system and governed relationships between nations are being gradually dismantled. The most discussed sources of this pressure are [the ascent of China](http://nationalinterest.org/feature/how-china-sees-world-order-15846) and other non-Western countries, Russia’s assertive foreign policy, and the diffusion of power from traditional nation-states to nonstate actors, such as nongovernmental organizations, multinational corporations, and technology-empowered individuals. Largely missing from these discussions, however, is the [specter of widespread democratic decline](http://www.journalofdemocracy.org/article/facing-democratic-recession). Rising challenges to democratic governance across the globe are a major strain on the international system, but they receive [far less attention](http://www.iiss.org/en/publications/survival/sections/2016-5e13/survival--global-politics-and-strategy-april-may-2016-eb2d/58-2-03-boyle-6dbd) in discussions of the shifting world order.

In the 70 years since the end of World War II, the United States has fostered a global order dominated by states that are liberal, capitalist, and democratic. The United States has promoted the spread of democracy to strengthen global norms and rules that constitute the foundation of our current international system. However, despite the steady rise of democracy since the end of the Cold War, over the last 10 years we have seen dramatic reversals in respect for democratic principles across the globe. [A 2015 Freedom House report](https://freedomhouse.org/sites/default/files/01152015_FIW_2015_final.pdf) stated that the “acceptance of democracy as the world’s dominant form of government—and of an international system built on democratic ideals—is under greater threat than at any point in the last 25 years.”

Although the number of democracies in the world is at an all-time high, there are a number of [key trends](file:///C:\Users\PMeylan\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\5V2CJVRN\160715_KendallTaylor_DemocracysDecline_Commentary.docx#http://www.journalofdemocracy.org/article/democracy-decline) that are working to undermine democracy. The rollback of democracy in a few influential states or even in a number of less consequential ones would almost certainly accelerate meaningful changes in today’s global order.

Democratic decline would weaken U.S. partnerships and erode an important foundation for U.S. cooperation abroad. [Research demonstrates](file:///C:\Users\PMeylan\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\5V2CJVRN\160715_KendallTaylor_DemocracysDecline_Commentary.docx#http://cmp.sagepub.com/content/18/1/49.abstract) that domestic politics are a key determinant of the international behavior of states. In particular, democracies are more likely to form alliances and cooperate more fully with other democracies than with autocracies. Similarly, authoritarian countries have established mechanisms for cooperation and sharing of “worst practices.” An increase in authoritarian countries, then, would provide a broader platform for coordination that could enable these countries to overcome their divergent histories, values, and interests—factors that are frequently cited as obstacles to the formation of a cohesive challenge to the U.S.-led international system.

Recent examples support the empirical data. Democratic backsliding in Hungary and the hardening of Egypt’s autocracy under Abdel Fattah el-Sisi have led to enhanced relations between these countries and Russia. Likewise, democratic decline in Bangladesh has led Sheikh Hasina Wazed and her ruling Awami League to seek closer relations with China and Russia, in part to mitigate Western pressure and bolster the regime’s domestic standing.

Although none of these burgeoning relationships has developed into a highly unified partnership, democratic backsliding in these countries has provided a basis for cooperation where it did not previously exist. And while the United States certainly finds common cause with authoritarian partners on specific issues, the depth and reliability of such cooperation is limited. Consequently, further democratic decline could seriously compromise the United States’ ability to form the kinds of deep partnerships that will be required to confront today’s increasingly complex challenges. Global issues such as climate change, migration, and violent extremism demand the coordination and cooperation that democratic backsliding would put in peril. Put simply, the United States is a less effective and influential actor if it loses its ability to rely on its partnerships with other democratic nations.

A slide toward authoritarianism could also challenge the current global order by diluting U.S. influence in critical international institutions, including the [United Nations](https://www.washingtonpost.com/opinions/christopher-walker-authoritarian-regimes-are-changing-how-the-world-defines-democracy/2014/06/12/d1328e3a-f0ee-11e3-bf76-447a5df6411f_story.html) , the World Bank, and the International Monetary Fund (IMF). Democratic decline would weaken Western efforts within these institutions to advance issues such as Internet freedom and the responsibility to protect. In the case of Internet governance, for example, Western democracies support an open, largely private, global Internet. Autocracies, in contrast, promote state control over the Internet, including laws and other mechanisms that facilitate their ability to censor and persecute dissidents. Already many autocracies, including Belarus, China, Iran, and Zimbabwe, have coalesced in the “Likeminded Group of Developing Countries” within the United Nations to advocate their interests.

Within the IMF and World Bank, autocracies—along with other developing nations—seek to water down conditionality or the reforms that lenders require in exchange for financial support. If successful, diminished conditionality would enfeeble an important incentive for governance reforms. In a more extreme scenario, the rising influence of autocracies could enable these countries to bypass the IMF and World Bank all together. For example, the Chinese-created Asian Infrastructure and Investment Bank and the BRICS Bank—which includes Russia, China, and an increasingly authoritarian South Africa—provide countries with the potential to bypass existing global financial institutions when it suits their interests. Authoritarian-led alternatives pose the risk that global economic governance will become [fragmented and less effective](http://www.tandfonline.com/doi/abs/10.1080/00396338.2016.1161899?journalCode=tsur20#.V2H3MRbXgdI).

Violence and instability would also likely increase if more democracies give way to autocracy. [International relations literature](https://www.foreignaffairs.com/articles/china/1995-05-01/democratization-and-war) tells us that democracies are less likely to fight wars against other democracies, suggesting that interstate wars would rise as the number of democracies declines. Moreover, within countries that are already autocratic, additional movement away from democracy, or an “authoritarian hardening,” would increase global instability. Highly repressive autocracies are the most likely to experience state failure, as was the case in the Central African Republic, Libya, Somalia, Syria, and Yemen. In this way, democratic decline would significantly strain the international order because rising levels of instability would exceed the West’s ability to respond to the tremendous costs of peacekeeping, humanitarian assistance, and refugee flows.

Finally, widespread democratic decline would contribute to rising anti-U.S. sentiment that could fuel a global order that is increasingly antagonistic to the United States and its values. Most autocracies are highly suspicious of U.S. intentions and view the creation of an external enemy as an effective means for boosting their own public support. Russian president Vladimir Putin, Venezuelan president Nicolas Maduro, and Bolivian president Evo Morales regularly accuse the United States of fomenting instability and supporting regime change. This vilification of the United States is a convenient way of distracting their publics from regime shortcomings and fostering public support for strongman tactics.

Since 9/11, and particularly in the wake of the Arab Spring, Western enthusiasm for democracy support has waned. Rising levels of instability, including in Ukraine and the Middle East, fragile governance in Afghanistan and Iraq, and sustained threats from terrorist groups such as ISIL have increased Western focus on security and stability. U.S. preoccupation with intelligence sharing, basing and overflight rights, along with the perception that autocracy equates with stability, are trumping democracy and human rights considerations.

While rising levels of global instability explain part of Washington’s shift from an historical commitment to democracy, the nature of the policy process itself is a less appreciated factor. Policy discussions tend to occur on a country-by-country basis—leading to choices that weigh the costs and benefits of democracy support within the confines of a single country. From this perspective, the benefits of counterterrorism cooperation or access to natural resources are regularly judged to outweigh the perceived costs of supporting human rights. A serious problem arises, however, when this process is replicated across countries. The bilateral focus rarely incorporates the risks to the U.S.-led global order that arise from widespread democratic decline across multiple countries.

Many of the threats to the current global order, such as China’s rise or the diffusion of power, are driven by factors that the United States and West more generally have little leverage to influence or control. Democracy, however, is an area where Western actions can affect outcomes. Factoring in the risks that arise from a global democratic decline into policy discussions is a vital step to building a comprehensive approach to democracy support. Bringing this perspective to the table may not lead to dramatic shifts in foreign policy, but it would ensure that we are having the right conversation.

### 1NC – DA

#### Biotech is the new frontier; America is ahead but China is dangerously close

Gupta 6/11 [Gaurav Gupta, Biotech Investor, Founder of Ascendant BioCapital, a life science investment firm based in New York. Previously, Gaurav worked at OrbiMed Advisors, and served as a resident in neurological surgery at Columbia University Medical Center. He has co-authored over a dozen articles in peer-reviewed journals, filed a patent on a device for use in spine surgery, and edited a book on the technical and ethical implications of using tissue engineered products in the operating room. Dr. Gupta obtained his M.D. from the Stanford University School of Medicine, where he was a Paul and Daisy Soros Fellow, and B.S. and M.S.E. in biomedical engineering from Johns Hopkins University, where he was a Charles R. Westgate Scholar.) “As Washington Ties Pharma’s Hands, China Is Leaping Ahead” Barron’s Magazine: Commentary, China., 6/11/2021] RM

There should be no doubt that we are living at the dawn of a golden age of biomedical innovation. The American scientific engine that produced Covid-19 vaccines in record time was fueled by a convergence of advances in genomics, biomarkers, data science, and manufacturing years in the making. The first Food and Drug Administration approvals of a host of new product formats—oligonucleotide, bispecific, oncolytic virus, CAR-T, and lentivirus/AAV—all took place within the last decade. These represent an unprecedented expansion of the armamentarium that physicians have at their disposal to treat and cure disease. In the last few years, [47% of all new medicines](https://www.efpia.eu/media/554521/efpia_pharmafigures_2020_web.pdf) were invented by U.S. biopharma companies, with [homegrown startups](https://www.cbo.gov/publication/57126) driving the majority of innovation. The bulk of the remainder were developed by foreign companies specifically for the U.S. market.

An indirect benefit of these trends is that most novel therapeutics undergo clinical development and early commercial launch here in the U.S. The rest of the world understands that the American patient has earlier and broader access to groundbreaking therapies via these mechanisms. Indeed, the past decade is filled with examples of medical “firsts” for American patients: the first cure for Hepatitis C, the first gene therapy for blindness, the first immunotherapy for cancer. Future rewards will be greater still if we preserve our current system of incentivizing and protecting innovation.

The remarkable innovation capacity of our biopharmaceutical industry ought to be a source of national pride. Yet while “Made in America” is the global standard for medicines in development today, misguided policy risks ceding our scientific prowess to other countries in the future. This is particularly true in the case of China, where biotechnology has become a strategic pillar for the health of its people and economy.

From 2016 to 2020, the market capitalization of all Chinese biopharma companies increased exponentially from [$1 billion to over $200 billion](https://www.bloomberg.com/news/articles/2021-03-01/xi-mobilizes-china-for-tech-revolution-to-cut-dependence-on-west). China saw over [$28 billion](https://www.bioworld.com/articles/506978-china-sees-five-year-highs-in-life-sciences-investments-and-partnering) invested in its life sciences sector in 2020, double the previous year’s amount. Returns on China’s investment are already arriving. The FDA approved a drug developed in China for the first time ever in 2019. While China’s innovation capacity currently remains behind America’s, my experiences as a biopharma professional make it clear they are doing everything they can to catch up and catch up fast.

In fact, when I speak to Chinese biotechnology executives, they boast that they can run clinical trials faster than their U.S. counterparts. The danger of misguided policies that disincentivize pharmaceutical innovation in the U.S. is effectively driving that same innovation to China. If we close off the market in the U.S. at the same time that China is opening its market to innovative new products, then we will see companies choose to first launch impactful novel medicines in China, based on clinical trials conducted in China. Because the FDA rarely accepts data generated entirely outside the U.S., this relocation of research capacity will negatively affect Americans’ access to cutting-edge therapies.

The biotechnology field is advancing rapidly. Promising technologies such as targeted protein degradation and gene editing are perhaps not far from being developed into impactful medicines, and the U.S. risks these technologies being mastered by Chinese companies.

It is widely held that allowing China to gain an asymmetric edge in critical technologies such as AI or quantum computing could destabilize the geopolitical balance of power. The same is true of biotechnology. Chinese scientists were the first to edit the genomes of human embryos, in [contravention](https://www.sciencemag.org/news/2019/12/chinese-scientist-who-produced-genetically-altered-babies-sentenced-3-years-jail) of international standards, and the U.S. national security community believes China is [pushing ahead](https://www.nbcnews.com/politics/national-security/china-has-done-human-testing-create-biologically-enhanced-super-soldiers-n1249914) with experimental concepts for biological and cognitive enhancement of soldiers and civilians. American policy should be focused on protecting, rather than undermining, the global dominance of our biotechnology industry.

#### The plan recapitulates IP to China, destroying competitive advantages

WSJ 5/6 [Wall Street Journal Editorial Board, WSJ Opinion Philosophy: “We speak for free markets and free people, the principles, if you will, marked in the watershed year of 1776 by Thomas Jefferson's Declaration of Independence and Adam Smith's “Wealth of Nations.” So over the past century and into the next, the Journal stands for free trade and sound money; against confiscatory taxation and the ukases of kings and other collectivists; and for individual autonomy against dictators, bullies and even the tempers of momentary majorities.” Edited by Paul A. Gigot and Daniel Henninger, “Biden’s Vaccine IP Debacle: His patent heist is a blow to the Covid fight and U.S. biotech.” The WSJ Opinion: Review and Outlook, May 6, 2021] RM

We’ve already criticized President Biden’s bewildering decision Wednesday to endorse a patent waiver for Covid vaccines and therapies. But upon more reflection this may be the single worst presidential economic decision since Nixon’s wage-and-price controls.

In one fell swoop he has destroyed tens of billions of dollars in U.S. intellectual property, set a destructive precedent that will reduce pharmaceutical investment, and surrendered America’s advantage in biotech, a key growth industry of the future. Handed an American triumph of innovation and a great soft-power opportunity, Mr. Biden throws it all away.

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India and South Africa have been pushing to suspend patents at the World Trade Organization for months. They claim that waiving IP protections for Covid vaccines and therapies is necessary to expand global access, but their motivation is patently self-interested.

Both are large producers of generic drugs, though they have less expertise and capacity to make complex biologics like mRNA vaccines. They want to force Western pharmaceutical companies to hand over IP free of charge so they can produce and export vaccines and therapies for profit. Their strategy has been to shame Western leaders into surrendering with the help of Democrats in the U.S.

But suspending IP isn’t necessary to expand supply and will impede safe vaccine production. The global vaccine supply is already increasing rapidly thanks to licensing agreements the vaccine makers have made with manufacturers around the world.

Pfizer and BioNTech this week said they aimed to deliver three billion doses this year, up from last summer’s 1.2 billion estimate. Moderna increased its supply forecast for this year to between 800 million and a billion from 600 million. AstraZeneca says it has built a supply network with 25 manufacturing organizations in 15 countries to produce three billion doses this year.

AstraZeneca and Novavax have leaned heavily on manufacturers in India to produce billions of doses reserved for lower-income countries. But India has restricted vaccine exports to supply its own population. IP simply isn’t restraining vaccine production.

Busting patents also won’t speed up production, since it would take months for these countries to set up new facilities. Competition will increase for scarce ingredients, and less efficient manufacturers with little expertise would make it harder for licensed partners to produce vaccines.

There’s also the problem of safety. Johnson & Johnson has experienced quality problems at an Emergent plant making its vaccines, and that’s in Baltimore. Imagine the potential problems with unlicensed producers in, say, Malaysia or Brazil. If vaccines made there have complications, confidence in licensed vaccines could plummet too. And who would Pfizer and Moderna sue to get their reputations back?

The economic self-damage is also hard to fathom. The U.S. currently has a competitive advantage in biotech and biologics manufacturing, which could be a growing export industry. Waiving IP protections for Covid vaccines and medicines will give away America’s crown pharmaceutical jewels and make the U.S. and world more reliant on India and China for pharmaceuticals.

Moderna has been working on mRNA vaccines for a decade. Covid represents its first success. Ditto for Novavax, which has been at it for three decades. Small biotech companies in the U.S. have been studying how to create vaccines using nasal sprays, pills and patches.

Thanks to Mr. Biden, all this could become the property of foreign governments. Licensing agreements allow developers to share their IP while maintaining quality control. Breaking patents and forcing tech transfers will enable China and low-income countries to manufacture U.S. biotech products on their own.

China’s current crop of vaccines are far less effective than those in the West, but soon Beijing might be able to purvey Pfizer knock-offs. The U.S. has spent years deploring China’s theft of American IP, and now the Biden Administration may voluntarily let China could reap profits from decades of American innovation.

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Instead of handing over American IP to the world, Mr. Biden could negotiate bilateral vaccine agreements and export excess U.S. supply. If Mr. Biden wants to increase global supply safely, the U.S. could spend more to help the companies produce more for export. Then the jobs would go to Americans. We thought this was the point of the production deal Mr. Biden negotiated between J&J and Merck.

Alas, this President seems to be paying more attention these days to Elizabeth Warren, Bernie Sanders, Alexandria Ocasio-Cortez and Nancy Pelosi. They think vaccines and new drugs can be conjured by government as a public good with no incentive for risk-taking or profit. This really is destructive socialism.

Mr. Biden ought to listen to Angela Merkel. Pfizer’s partner BioNTech is a German firm, and the German Chancellor said Thursday that she opposes the WTO heist: “The protection of intellectual property is a source of innovation and it must remain so in the future.”

At least IP is safe in Germany. Mr. Biden has sent a signal around the world that nobody’s intellectual property is safe in America.

#### China uses biotech offensively—uncertainty means you should err negative

Kania and Vonrndick 19 [Elsa Kania is an Adjunct Senior Fellow with the Technology and National Security Program at the Center for a New American Security. She is also a Ph.D. candidate in Harvard University’s Department of Government. Her views are her own. Wilson VornDick consults on national security, emerging technologies, and China for Duco and Rane.) “Weaponizing Biotech: How China's Military Is Preparing for a 'New Domain of Warfare'” Defense One, Commentary, China, Biowarfare, 8/14/2019] RM

We may be on the verge of a brave new world indeed. Today’s advances in biotechnology and genetic engineering have exciting applications in medicine — yet also alarming implications, including for military affairs. China’s national strategy of military-civil fusion (军民融合) has highlighted biology as a priority, and the People’s Liberation Army could be at the forefront of expanding and exploiting this knowledge.

The PLA’s keen interest is reflected in strategic writings and research that argue that advances in biology are contributing to changing the form or character (形态) of conflict. For example:

In 2010’s War for Biological Dominance (制生权战争), Guo Jiwei (郭继卫), a professor with the Third Military Medical University, emphasizes the impact of biology on future warfare.

In 2015, then-president of the Academy of Military Medical Sciences He Fuchu (贺福初) argued that biotechnology will become the new “strategic commanding heights” of national defense, from biomaterials to "brain control" weapons. Maj. Gen. He has since become the vice president of the Academy of Military Sciences, which leads China’s military science enterprise.

Biology is among seven "new domains of warfare" discussed in a 2017 book by Zhang Shibo (张仕波), a retired general and former president of the National Defense University, who concludes: “Modern biotechnology development is gradually showing strong signs characteristic of an offensive capability,” including the possibility that “specific ethnic genetic attacks” (特定种族基因攻击) could be employed.

The 2017 edition of Science of Military Strategy (战略学), a textbook published by the PLA’s National Defense University that is considered to be relatively authoritative, debuted a section about biology as a domain of military struggle, similarly mentioning the potential for new kinds of biological warfare to include “specific ethnic genetic attacks.”

These are just a few examples of an extensive and evolving literature by Chinese military scholars and scientists who are exploring new directions in military innovation.

Following these lines of thinking, the PLA is pursuing military applications for biology and looking into promising intersections with other disciplines, including brain science, supercomputing, and artificial intelligence. Since 2016, the Central Military Commission has funded projects on military brain science, advanced biomimetic systems, biological and biomimetic materials, human performance enhancement, and “new concept” biotechnology.

Gene Editing

Meanwhile, China has been leading the world in the number of trials of the CRISPR gene-editing technology in humans. Over a dozen clinical trials are known to have been undertaken, and some of these activities have provoked global controversy. It’s not clear whether Chinese scientist He Jiankui, may have received approval or even funding from the government for editing embryos that became the world’s first genetically modified humans. The news provoked serious concerns and backlash around the world and in China, where new legislation has been introduced to increase oversight over such research. However, there are reasons to be skeptical that China will overcome its history and track record of activities that are at best ethically questionable, or at worst cruel and unusual, in healthcare and medical sciences.

But it is striking how many of China’s CRISPR trials are taking place at the PLA General Hospital, including to fight cancer. Indeed, the PLA’s medical institutions have emerged as major centers for research in gene editing and other new frontiers of military medicine and biotechnology. The PLA’s Academy of Military Medical Sciences, or AMMS, which China touts as its “cradle of training for military medical talent,” was recently placed directly under the purview of the Academy of Military Science, which itself has been transformed to concentrate on scientific and technological innovation. This change could indicate a closer integration of medical science with military research.

In 2016, an AMMS doctoral researcher published a dissertation, “Research on the Evaluation of Human Performance Enhancement Technology,” which characterized CRISPR-Cas as one of three primary technologies that might boost troops’ combat effectiveness. The supporting research looked at the effectiveness of the drug Modafinil, which has applications in cognitive enhancement; and at transcranial magnetic stimulation, a type of brain stimulation, while also contending that the “great potential” of CRISPR-Cas as a “military deterrence technology in which China should “grasp the initiative” in development.

AI + Biotech

The intersection of biotechnology and artificial intelligence promises unique synergies. The vastness of the human genome — among the biggest of big data — all but requires AI and machine learning to point the way for CRISPR-related advances in therapeutics or enhancement.

In 2016, the potential strategic value of genetic information led the Chinese government to launch the National Genebank (国家基因库), which intends to become the world’s largest repository of such data. It aims to “develop and utilize China’s valuable genetic resources, safeguard national security in bioinformatics (生物信息学), and enhance China’s capability to seize the strategic commanding heights” in the domain of biotechnology.

The effort is administered by BGI, formerly known as Beijing Genomics Inc., which is Beijing’s de facto national champion in the field. BGI has established an edge in cheap gene sequencing, concentrating on amassing massive amounts of data from a diverse array of sources. The company has a global presence, including laboratories in California and Australia.

U.S. policymakers have been concerned, if not troubled, by the company’s access to the genetic information of Americans. BGI has been pursuing a range of partnerships, including with the University of California and with the Children’s Hospital of Philadelphia on human genome sequencing. BGI’s research and partnerships in Xinjiang also raise questions about its linkage to human rights abuses, including the forced collection of genetic information from Uighurs in Xinjiang.

There also appear to be links between BGI’s research and military research activities, particularly with the PLA’s National University of Defense Technology. BGI’s bioinformatics research has used Tianhe supercomputers to process genetic information for biomedical applications, while BGI and NUDT researchers have collaborated on several publications, including the design of tools for the use of CRISPR.

Biotech’s Expansive Frontier

It will be increasingly important to keep tabs on the Chinese military’s interest in biology as an emerging domain of warfare, guided by strategists who talk about potential “genetic weapons” and the possibility of a “bloodless victory.” Although the use of CRISPR to edit genes remains novel and nascent, these tools and techniques are rapidly advancing, and what is within the realm of the possible for military applications may continue to shift as well. In the process, the lack of transparency and uncertainty of ethical considerations in China’s research initiatives raise the risks of technological surprise.

### 1NC – DA

#### Biotech R&D is set for high growth and investment now

NASDAQ 8/9 [NASDAQ is a stock market index that includes almost all stocks listed on the Nasdaq stock exchange. Along with the Dow Jones Industrial Average and S&P 500, it is one of the three most-followed stock market indices in the United States. This article was written by NASDAQ contributors and published on CNBC. The editorial staff of CNBC did not contribute to the creation of this study.) “Why the Nasdaq Biotechnology Index is poised for a run of sustainable growth” CNBC, NASDAQ, 8/9/2021, <https://www.cnbc.com/advertorial/2021/08/09/why-the-nasdaq-biotechnology-index-is-poised-for-a-run-of-sustainable-growth-.html>] RM

Between the recent bio innovation success stories in the battle against Covid-19 and the technology-driven advances ushering in new efficiencies for research and development (R&D), **the biotech industry has never been more relevant**.

As home to more than 265 companies, the pioneering Nasdaq Biotechnology Index (NBI) has long been committed to providing healthcare’s innovators with access to the capital they need to keep moving forward. Now, investors have access to the Index’s companies through a new ETF, the Invesco Nasdaq Biotechnology ETF (IBBQ).

Launched in 1993, in the wake of the original “biotech revolution” led by the discovery of recombinant DNA, NBI® remains the most representative index in the space. In fact, 98% of all U.S. listed biotech companies are listed on Nasdaq. When considering the massive growth taking place in the sector, it’s no surprise that NBI has outperformed both the S&P 500 (SPX) and Health Care Select Sector Index (IXVTR) in certain market environments.

According to Mark Marex, Index R&D Senior Specialist for Nasdaq who recently compiled an in-depth report on the NBI, global events and digital acceleration have contributed to the Index’s recent strong performance; and Nasdaq’s dedication to maintaining a true benchmark for technology-driven healthcare innovation has provided a framework for growth.

Building the ideal benchmark

Given the existence of pureplay biotech firms, hybrid biopharmaceutical companies, and less R&D-intensive pharmaceutical manufacturers, creating a single benchmark that truly captures the biotech sector and the symbiotic relationships among its players is no easy task.

One of the unique aspects of NBI, versus biotech-focused indexes created by other index providers, is its subsector classifications split between Biotechnology and Pharmaceuticals. As of June 30, 2021, ICB (FTSE Russell’s Industry Classification Benchmark) classified 222 NBI companies as Biotechnology and 47 as Pharmaceuticals. The resulting split by index weight is approximately 65% and 35%, respectively, which illustrates the major difference between the two groups: Pharmaceutical companies tend to be much larger than Biotechnology firms.

This split within a single index provides advantages for investors: While offering some exposure to more established pharmaceutical companies, it also includes R&D-heavy biotech firms that over time may transition into biotech-driven pharma companies. That’s exactly what happened this year when NBI’s largest company, Amgen (AMGN / $144Bn), was reclassified by ICB from Biotechnology to Pharmaceuticals. By retaining firms as they straddle the two classifications over the course of their lifecycle, NBI presents potential growth advantages when compared with index providers that focus rigidly on one classification versus the other.

Home to world-changing breakthroughs

Nasdaq’s vision for the Index has served it well, **both in terms of its longevity and its current role as a champion of the companies paving the way for a post-pandemic world through their technological advances and life-saving treatments**. The broad reach of NBI constituents across multiple fronts in the fight against Covid-19, for example — from diagnosis to vaccines and treatment —demonstrates the strength of its core approach.

NBI companies including Gilead and Regeneron made headlines for their successes during the pandemic with antiviral therapeutics and antibody-based therapeutics for high-risk patients. But it’s the stunning success of m-RNA vaccine technology from Moderna and BioNTech, two NBI companies, that most clearly showcase the home run potential among the biotech entrepreneurs in the space.

And while NBI is currently up 8.2% YTD on a price-return basis (as of June 30) **versus a broader market gain of 14.4% by SPX**, the S&P Biotechnology Select Industry Index (SPSIBI) is down 3.7%.

It’s worth noting that in 2020, NBI outperformed SPX with a price gain of 25.7% versus 16.3%, respectively. This shows the resilience of the NBI and the inherent strength of its current mix of companies.

The possibilities of accelerated R&D

As a whole, the life-changing work being done by NBI constituents requires enormous amounts of R&D. In 2020, R&D expenses for the entire group totaled $68.5Bn, nearly 31% of these companies’ revenue totals. Two-thirds of NBI’s firms reported R&D expenses that exceeded their revenues

For several NBI companies, however, these massive investments provided tangible benefits in the fight against Covid-19. Undoubtedly, years of back-end work and minimal profits ultimately helped deliver the very products that are now driving historic returns. Psychologically, their breakthroughs demonstrated the enormous potential of science and technology to serve humankind.

Looking ahead, **revolutions in Mapping and Engineering processes, boosted by rapid advancements in Machine Learning and Artificial Intelligence, are fostering a true fusion of Biology and Technology that could transform the traditionally costly and labor-intensive R&D function**. Some research estimates these advances could reduce the failure rate of drugs by up to 45% and shorten drug trials by up to 50%. The result could be even more breakthroughs, performed much more efficiently, greatly increasing the returns on biopharmaceutical R&D.

Even a conservative interpretation of the above numbers would significantly reduce R&D costs and boost the market capitalization of therapeutics companies from the current $2Tn up to $9Tn as soon as 2024, according to estimates from ARK Financial.

Meanwhile, increasingly cost-effective human genomics could revolutionize several other industries, from agriculture to biofuels.

By any measure, there is much to be excited about across the spectrum of biotech — especially coming out of a global pandemic. And while no person, nor index, can truly predict what the future holds, chances are strong that companies sitting within NBI will have a hand in leading the way.

“**For investors**, the Index already serves as a fascinating lens through which to view human society’s scientific and technological advancements,” says Mark Marex. “To me, it’s very exciting to ponder what the researchers, scientists, and business leaders in this space will accomplish next.”

#### IPR protections are key to sustain healthcare investments and manufacturing. Independently, it’s key to broader vaccine production.

Roberts 6/25/21 [James M. Roberts is a Research Fellow for Economic Freedom and Growth at the Heritage Foundation. Roberts' primary responsibility as one of The Heritage Foundation's lead experts in economic freedom and growth is to edit the Rule of Law and Monetary Freedom sections of [Index of Economic Freedom](https://www.heritage.org/index/). An influential annual analysis of the economic climate of countries throughout the world, the Index is co-published by Heritage and The Wall Street Journal.) “Biden’s OK of Global Theft of America’s Intellectual Property is Wrong, Dangerous.” 6/25/2021, The Heritage Foundation, Commentary—Public Health] RM

Last month, President Biden advocated removing international intellectual property rights (IPR) protections for American-made COVID-19 vaccines.

**Foreign companies may take the president’s policy as a green light to produce reverse-engineered, counterfeit substitutes**.

The best way to prevent and treat new diseases is to ensure that private American pharmaceutical companies continue their innovative research and vaccine production.

Three U.S. companies—Pfizer, Moderna, and Johnson & Johnson—created and manufactured the world’s most effective mRNA COVID vaccines in record time. An increasing majority of Americans have now been inoculated, but much of the developing world remains in desperate need of vaccines. Americans naturally want to help. The question is how.

Last month, President Biden advocated removing international intellectual property rights (IPR) protections for American-made COVID-19 vaccines. This, he said, would help make the vaccines more plentiful and available in needy countries. **It’s a short-sighted approach and doomed to fail.**

Mr. Biden wants to waive the World Trade Organization’s “Trade-Related Aspects of Intellectual Property Rights” (TRIPS) agreement for U.S. vaccines and let foreign countries issue “compulsory licenses“ allowing their domestic pharmaceutical companies to manufacture the medicines without adequately compensating the companies that invented them.

Practically speaking, countries such as India and South Africa are unlikely to manufacture the vaccines. They lack an advanced infrastructure for cold supply-chain distribution and many other crucial resources required by these products’ capital-intensive, state-of-the-art manufacturing process.

But the Biden policy is bad for many other reasons.

Developing breakthrough medications takes tremendous ingenuity and immense financial investments. **It’s an extraordinarily high-risk endeavor, and the prospect of making a profit is what convinces private companies to undertake those risks.**

Signaling that the United States will not fight to defend their intellectual property rights **actively undermines innovation and manufacturing** in American health care and medicines.

It also erodes patient protections by undermining quality control. Foreign companies may take the president’s policy as a green light to produce reverse-engineered, counterfeit substitutes. Already there are reports of ineffective and even dangerous counterfeit COVID-19 vaccines being sold around the world.

Those pushing to break U.S. pharmaceutical patents say they want to do so for altruistic reasons. Consequently, they also insist that the prices for the medications be set far below their actual value.

But history shows us that forcing private companies to provide vaccines at an “affordable price,” regardless of the cost to the companies, actually impedes the manufacture of high-quality vaccines. Moreover, it inhibits the **future development of vaccines** needed to meet as-yet-unknown diseases.

Washington first imposed vaccine price controls as part of Hillary Clinton’s 1993 healthcare-for-all crusade. As the Wall Street Journal later noted, it was a body blow to the U.S. vaccine industry. Ironically, government-decreed prices left the companies unable to produce enough vaccines to meet Mrs. Clinton’s admittedly admirable goal of universal immunization of children. Since then, U.S. firms have largely eschewed the vaccine market because they could not recoup their R&D and manufacturing costs and earn enough profit to fund future innovation.

Ultimately, **compulsory licensing legalizes the theft of intellectual property**. Recognizing this, senators from both sides of the aisle have joined with other government officials and industry leaders to call on the administration to reverse this bad decision.

The U.S. patent protection system has served the nation well since its founding.  **It is and has been a bulwark of American prosperity**, but the strength of that protection has been weakening in the past few decades. **Compulsory licensing contributes to the erosion** of that protection.

As the U.S. and the rest of the world emerge from the pandemic, it is clear that more innovative medicines and vaccines will be needed for future protection from viruses and other emerging biological threats.

**The best way to prevent and treat those new diseases is to ensure that private American pharmaceutical companies continue their innovative research and vaccine production**.

That way, U.S.-manufactured vaccines can be made available to all Americans quickly. And governments can subsidize their export and sale to other countries far more effectively and less expensively than through compulsory licensing schemes.

Meanwhile, let’s hope Mr. Biden listens to the more reasonable and less-agenda driven voices in this debate and reverses course on the TRIPS waiver.

#### COVID was a precursor to deadlier pandemics—vaccine production will determine everything.

Lander 8/4/21 [Eric Lander, President Biden’s Science Advisory and Director of the White House Office of Science and Technology Policy) “Opinion: As bad as Covid-19 has been, a future pandemic could be even worse—unless we act now” 8/4/21, The Washington Post] RM

[Coronavirus](https://www.washingtonpost.com/coronavirus/?itid=lk_inline_manual_3) vaccines can end the current pandemic if enough people choose to protect themselves and their loved ones by getting vaccinated. But in the years to come, we will still need to defend against a pandemic side effect: collective amnesia.

As public health emergencies recede, societies often quickly forget their experiences — and **fail to prepare for future challenges**. For pandemics, such a course would be disastrous.

**New infectious diseases have been emerging at an accelerating pace,** and they are spreading faster.

Our federal government is responsible for defending the United States against future threats. That’s why President Biden has asked Congress to fund his plan to build on current scientific progress to keep new infectious-disease threats from turning into pandemics like covid-19.

As the president’s science adviser, I know what’s becoming possible. For the first time in our history, we have an opportunity not just to refill our stockpiles but also to transform our capabilities. However, **if we don’t start preparing now for future pandemics, the window for action will close.**

Covid-19 has been a catastrophe: The toll in the United States alone is [more than 614,000 lives](https://www.washingtonpost.com/graphics/2020/national/coronavirus-us-cases-deaths/?itid=lk_inline_manual_11) and has been estimated to exceed [$16 trillion](https://jamanetwork.com/journals/jama/fullarticle/2771764), with disproportionate impact on vulnerable and marginalized communities.

But a future pandemic could be even worse — unless we take steps now.

It’s important to remember that the virus behind covid-19 is far less deadly than the 1918 influenza. The virus also belongs to a well-understood family, coronaviruses. It was possible to design vaccines within days of knowing the virus’s genetic code because 20 years of [basic scientific research](https://science.sciencemag.org/content/372/6538/109.full) had revealed which protein to target and how to stabilize it. And while the current virus spins off variants, its mutation rate is slower than that of most viruses.

**Unfortunately, most of the 26 families of viruses that infect humans are less well understood or harder to control**. We have a great deal of work still ahead.

The development of [mRNA vaccine technology](https://www.washingtonpost.com/health/2020/12/06/covid-vaccine-messenger-rna/?itid=lk_inline_manual_17) — thanks to more than a decade of foresighted basic research — was a game-changer. It shortened the time needed to design and test vaccines to less than a year — far faster than for any previous vaccine. And it’s been surprisingly effective against covid-19.

Still, there’s much more to do. We don’t yet know how mRNA vaccines will perform against other viruses down the road. And **when the next pandemic breaks out, we’ll want to be able to respond even faster.**

Fortunately, the scientific community has been developing a bold plan to keep future viruses from becoming pandemics.

Here are a few of the goals we should shoot for:

The capability to design, test and approve safe and effective vaccines within 100 days of detecting a pandemic threat (for covid-19, that would have meant May 2020); manufacture enough doses to supply the world within 200 days; and speed vaccination campaigns by replacing sterile injections with skin patches.

Diagnostics simple and cheap enough for daily home testing to limit spread and target medical care.

Early-warning systems to spot new biological threats anywhere in the world soon after they emerge and monitor them thereafter.

We desperately need to strengthen our public health system — from expanding the workforce to modernizing labs and data systems — including to ensure that vulnerable populations are protected.

And we need to coordinate actions with our international partners, because pandemics know no borders.

These goals are ambitious, but they’re feasible — provided the work is managed with the seriousness, focus and accountability of NASA’s Apollo Program, which sent humans to the moon.

Importantly, these capabilities won’t just prepare us for future pandemics; they’ll also improve public health and medical care for infectious diseases today.

Preparing for threats is a core national responsibility. That’s why our government invests heavily in missile defense and counterterrorism. We need to similarly protect the nation against biological threats, which range from the ongoing risk of pandemics to the possibility of deliberate use of bioweapons.

Pandemics cause massive death and disruption. From a financial standpoint, they’re also astronomically expensive. If, as might be expected from [history](https://www.cfr.org/timeline/major-epidemics-modern-era) and current trends, we suffered a pandemic of the current scale every two decades, the annualized cost would exceed $500 billion per year. Investing a much smaller amount to avert this toll is an economic and moral imperative.

The White House will put forward a detailed plan this month to ensure that the United States can fully prepare before the next outbreak. It’s hard to imagine a higher economic or human return on national investment.

### 1NC – DA

#### The aff violates section 301 of the trade act deeming it illegitimate

Roberts 6/9 [James M. Roberts is Research Fellow for Economic Freedom and Growth in the Center for International Trade and Economics, of the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, at The Heritage Foundation. Gavin Zhao of the Heritage Young Leaders Program assisted in the preparation of this report. June 9, 2021 “Biden’s Wink at Global Theft of U.S. Vaccine Patents Is Bad for America and the World” [https://www.heritage.org/economic-and-property-rights/report/bidens-wink-global-theft-us-vaccine-patents-bad-america-and-the //gord0](https://www.heritage.org/economic-and-property-rights/report/bidens-wink-global-theft-us-vaccine-patents-bad-america-and-the%20//gord0) link is being weird af but it works!]

**\*IPR = Intellectual Property Rights**

The primary U.S. law used to protect American IPR internationally is Section 301 of the Trade Act of 1974.10 Public Law No. 93–618. ﻿ Through that statute, a congressionally mandated “Special 301” report is produced annually through which the United States Trade Representative (USTR) is “to identify foreign countries that deny adequate and effective protection of IPR or fair and equitable market access to U.S. persons that rely on IP protection.”11 A country listed in that report as a priority foreign country (PFC) has been found to engage in or permit onerous and egregious practices. Once a PFC has been so identified, the USTR must open a Section 301 investigation, which may lead to some form of trade sanctions for IPR violations. As the Office of the USTR notes, the Special 301 report documents address (among other things): a wide range of concerns that limit innovation and investment, including: (a) the deterioration in the effectiveness of IP protection and enforcement and overall market access for persons relying on IP in a number of trading partner markets; [and] (b) reported inadequacies in trade secret protection in countries around the world, as well as an increasing incidence of trade secret misappropriation.12 The theft by actors in foreign countries of the trade secrets in patented pharmaceutical products made by American companies constitutes a Special 301 violation. Waiving patent protection also opens the door to the overseas production of *counterfeit* vaccines that could be ineffective—even deadly. As the authors of a study commissioned by the National Institutes of Health report: Counterfeit drugs pose a public health hazard, waste consumer income, and reduce the incentive to engage in research and development and innovation.… [C]ounterfeit drugs may raise concerns among consumers about safety and may reduce patient medication adherence. ﻿ Although the amended TRIPS Article 31bis14)﻿ says that the pharmaceutical companies whose patents have been infringed through compulsory licensing should be remunerated, it leaves the decision as to when and how much compensation should be paid to the patent holders up to the WTO-member government that is demanding the compulsory license. Since the amended TRIPS agreement is vague and does not prescribe a definite timeline or formula to calculate the amount of remuneration, in practice the compulsory licensing amounts to the legalized theft of patent holder’s intellectual property. Bipartisan Opposition to TRIPS Waiver The Biden Administration’s policy is a bad one for many reasons. It signals to the world that the United States will not fight to defend the intellectual property rights of American companies. That means the Administration is *actively* undermining innovation and manufacturing in one of the American economy’s most vital and leading-edge sectors—health care and medicines.

#### Decks executive control

Coffield 81 [Shirley A. Coffield, UNC School of Law, “Using Section 301 of the Trade Act of 1974 as a Response to Foreign Government Trade Actions: When, Why, and How”, 6 N.C. J. INT'L L.381 (1981). [https://scholarship.law.unc.edu/cgi/viewcontent.cgi referer=https://search.yahoo.com/&httpsredir=1&article=1144&context=ncilj](https://scholarship.law.unc.edu/cgi/viewcontent.cgi%20referer=https://search.yahoo.com/&httpsredir=1&article=1144&context=ncilj) //gord0]

Section 301 of the Trade Act of 19741 is the primary U.S. statute providing authority for the President to take action against unfair trade practices of other governments which adversely affect U.S. commerce,either in goods or services. For the most part, the implementation of the statute has focused on attempts to eliminate the acts, practices, or poli-cies of foreign governments that adversely affect U.S. exports. The stat-ute is also used to combat violations of international agreements by foreign governments which may affect imports into the United States as well as exports, and it contains special provisions for the treatment of violations of the MTN agreement on subsidies and countervailingduties.2Section 301 is not a substitute for, nor an alternative to, other U.S. statutes that address specific unfair trade practices, such as the anti-dumping laws,3 the 337 statute,4 or, except under specifically provided procedures, the countervailing duty statute.5 Unlike these statutes, a sec-tion 301 proceeding is not an APA proceeding, and the flexibility pro-vided the President and the United States Trade Representative (USTR)v makes it a more political statute. Section 301 was shaped quite deliber-ately to give the Executive the tools to use diplomatic and economic pres-sure to achieve a more "equitable" world trading system, to the benefit of U.S. commerce. In its amended form, section 301 takes on an expanded and more critical role as the primary statute to enforce U.S. rights under newly negotiated trade agreements as well as under general GATT6 provisions. For this reason, the future use of section 301 will be an important indica-tor of both the United States' commitment to the multilateral trade rules and its ability to resolve trade disputes on a bilateral basis before resort-ing to the more fragile multilateral mechanisms. This article will examine the provisions of sections 301-306 of the Trade Act of 1974, as amended by the Trade Agreements Act of 1979.7The development of this trade action will be reviewed, and the mechan-ics for a private petition will be outlined. Then, the article will describe the petitioner's interface with the Office of the USTR as well as the fed-eral government's roles and objectives. Throughout, practical advice onsensitive areas of the process will be provided to enable the petitioner toprepare a well-conceived strategy to achieve the desired results. Background While the roots of present section 301 may be found in much prior federal legislation,8 the major provisions now present in the statute were first incorporated into legislation in the Trade Act of 1974.9 That legisla-tion gave the President broad authority to retaliate against unreasonable and unjustifiable import restrictions of other countries that affect U.S. commerce. As enacted in 1975, section 301 allows the President to deny or mod-ify the benefits of trade agreement concessions or to impose duties or other import restrictions on the products and services of any country that is found to be unjustifiably'° or unreasonably burdening or restricting U.S. commerce. Congress gave administration of the procedures to the Office of the Special Representative for Trade Negotiations (STR). i2The purpose of section 301 is quite clear: the United States is to use this retaliatory authority vigorously as leverage to get other countries to eliminate unfair trade practices that affect U.S. commerce,'3 including both product exports and services.14 The practices noted in the legisla-tive history as unfair include discriminatory rules of origin, government procurement, licensing systems, quotas, exchange controls, restrictive business practices, discriminatory bilateral agreements, variable levies, border tax adjustments, discriminatory road taxes, horsepower taxes, other taxes which discriminate against imports,15 certain product stan-dards, and many other practices that were documented by the U.S. In-ternational Trade Commission (USITC),'6 and subsidies identified intheir principal forms by the Senate Finance Committee.17

#### Exec Flex in all instances creates fluid politics that uniquely solves nuclear terror

Yoo 7, [The one and only John Yoo is Professor of Law at UC-Berkeley, Exercising Wartime Powers, hir.harvard.edu/article/?a=1369 //recut gord0]

Take the threat posed by the Al Qaeda terrorist organization. Terrorist attacks are more difficult to detect and prevent than conventional ones. Terrorists blend into civilian populations and use the channels of open societies to transport personnel, material, and money. Although terrorists generally have no territory or regular armed forces from which to detect signs of an impending attack, WMDs allow them to inflict devastation that once could have been achievable only by a nation-state. To defend itself from this threat, the United States may have to use force earlier and more often than when nation-states generated the primary threats to US national security. The executive branch needs the flexibility to act quickly, possibly in situations wherein congressional consent cannot be obtained in time to act on the intelligence. By acting earlier, the executive branch might also be able to engage in a more limited, more precisely targeted, use of force. Similarly, the least dangerous way to prevent rogue nations from acquiring WMDs may depend on secret intelligence gathering and covert action rather than open military intervention. Delay for a congressional debate could render useless any time-critical intelligence or windows of opportunity. The Constitution creates a presidency that is uniquely structured to act forcefully and independently to repel serious threats to the nation. Instead of specifying a legalistic process to begin war, the Framers wisely created a fluid political process in which legislators would use their appropriations power to control war. As the United States confronts terrorism, rogue nations, and WMD proliferation, we should look skeptically at claims that radical changes in the way we make war would solve our problems, even those stemming from poor judgment, unforeseen circumstances, and bad luck.

### NC – K

#### The aff’s rejection of the specific details of political engagement is not radical but continues the prevailing mode of leftist cynicism that eviscerates our ability to construct alternatives to political domination

Burgum 15 (Samuel, PhD candidate in Sociology at the University of Warwick and has been conducting research with Occupy London since 2012, “The branding of the left: between spectacle and passivity in an era of cynicism,” Journal for Cultural Research, Volume 19, Issue 3)

Rather than the Situationist spectacle, then, I argue that the reason those on the left are rendered post-politically impotent to bring about change is not because we are deceived, but because we enact apathy despite ourselves. In other words, the relationship between the resistive subject and ideology is not one of false consciousness, but one of cynicism: we are not misdirected by shallow spectacles, but instead somehow distracted by our cynical belief that we are being “distracted”. In this section, I begin by outlining the concept of cynicism as it has been theorised by Peter Sloterdijk and Slavoj Žižek. This then leads us to an analysis of the cynical position adopted by Brand’s critics, which I argue actually demonstrates more political problems on the part of the left than those suggested by Brand himself. For Sloterdijk, cynicism is an attitude that emerges right at the centre of the enlightenment project, where, in contrast to a modernist illumination of truth, “a twilight arises, a deep ambivalence” (1987, p. 22). Rather than the promised heightened consciousness of science that would allow us to see the hidden essential truths behind appearances, the very conception of truth as unconcealedness (aletheia)3 instead creates a widespread mistrust and suspicion of every appearance. Subsequently, “a new form of realism bursts forth, a form that is driven by the fear of becoming deceived or overpowered … everything that appears to us could be a deceptive manoeuvre of an overpowering evil enemy” (Sloterdijk, 1987, p. 330). The surface becomes suspect and the subject therefore retreats from all appearances: judging them to be spectacles that are seeking to oppress through falsity. The result is cynicism. Subsequently, this leads Sloterdijk to his well-known paradoxical definition of cynicism as “enlightened false consciousness” which he describes as a “modernized, unhappy consciousness on which enlightenment has laboured both successfully and in vain … it has learned its lessons in enlightenment, but it has not, probably was not able to, put them into practice” (1987, p. 5). In other words, in the search for a higher consciousness behind appearances, the subject is paradoxically “duped” by their very suspicion of being duped. Furthermore, because the subject thinks they “know” that appearances are just a mask, they disbelieve the truth when it does appear. Like the story of the Emperor’s New Clothes, they fancy themselves to know what is right in front of their eyes (that the emperor is nude and vulnerable) yet they choose “not to know” and don’t act upon it (they still act as if the emperor is all-powerful). As such, cynical reason is no longer naïve, but is a paradox of enlightened false consciousness: one knows the falsehood very well, one is well aware of a particular hidden interest hidden behind the ideological universality, but still one does not renounce it. (Žižek, 1989, p. 23) The audience to the parade of power can see that the emperor is not divine – just a fragile human body like the rest of us – yet they cynically choose not to know and objectively retain his aura. They congratulate themselves on “knowing” that Brand is a trivial spectacle, yet they choose to remain apathetic towards his calls for action. As such, the dismissive reaction to Brand reveals a regressive interpassive tendency of the left to subjectively treat ourselves as “enlightened” to authentic politics and yet objectively render ourselves passive. In a kind of defence mechanism, the left believes that it can avoid becoming the dupe of the latest fashion or advertising trend by treating everything as a matter of fashion and advertising, reassuring ourselves as we flip through television channels or browse through the shopping mall that at least we know what’s really going on. (Stanley, 2007, p. 399) The critics disbelieve Brand, distrusting his motives and seeing him as inauthentic, yet they continue to “believe” objectively in their own marginalisation. As such, the cynical left believe they are dismissing shallow spectacle in the direction of a stronger authentic radicalism, yet what their “doing believes” is the maintenance of their apathetic position. More precisely, it maintains the attitudes of left melancholy and anti-populism. The problem of “left melancholy” points towards the forever-delayed search for authenticity on the part of a cynical left that is in mourning. Coined by Walter Benjamin (1998), the concept points towards “the revolutionary who is, finally, attached more to a particular political analysis or ideal – even to the failure of that ideal – than to seizing possibilities for radical change in the present” (Brown, 1999, p. 19). Suffering from a history of defeat and embarrassment, the left persist in a narcissistic identification with failure, fetishising the “good old days” and remaining faithful to lost causes. As Benjamin himself points out, the cynical kernel of this attitude is clear, as “melancholy betrays the world for the sake of knowledge … but in its tenacious self-absorption it embraces dead objects in its consumption in order to redeem them” (1998, p. 157). In other words, the sentiment is a deliberate self-sabotage that takes place even before politics proper has a chance to begin or “the paradox of an intention to mourn that precedes and anticipates the loss of the object” (Žižek, 2001, p. 146). This then leads us to the second problem of leftist cynicism: anti-populism. As a result of melancholia, the left has developed the bad habit of prejudging all instances of popular radical expression (such as Brand’s) as necessarily flawed. However, to return to Dean again, she points out that this aversion to being popular and successful is a defining feature of a contemporary left, who prefer to adopt an “authentic” underdog position in advance than take risks towards political power. As she argues, “we” on the left see “ourselves” as “always morally correct but never politically responsible” (Dean, 2009, p. 6) prepositioned as righteous victims and proud political losers from the outset. What this cynicism towards instances of popular radicalism ultimately means, therefore, is that any concern for authenticity is ultimately a regressive one, a defence mechanism for a left that “as long as it sees itself as defeated victims, can refrain from having to admit is short on ideas” (Dean, 2009, p. 5). Such an attitude means never risking potential failure and residing in the safety of marginal righteousness. It is the contention here, therefore, that both melancholia and anti-populism can be seen in the cynical reaction to Brand’s radicalism. Somewhat ironically, Brand (2013) even recognised these problems himself when he wrote in his New Statesman piece that the right seeks converts while the left seeks traitors … this moral superiority that is peculiar to the left is a great impediment towards momentum … for an ideology that is defined by inclusiveness, socialism has become in practice quite exclusive. Automatically, then, the left denounce Brand and self-proclaimed “radical left-wing thinkers and organisers” bitterly complain how he is getting so much attention for the arguments they have been making for years (for example, Park & Nastasia, 2013). The left maintain distance and label Brand trivial, yet such a distance only renders these critiques even more marginal and prevents them from becoming popular, effective or counter-hegemonic. As Žižek has pointed out, the political issue of cynicism is “not that people ‘do not know what they want’ but rather that cynical resignation prevents them from acting upon it, with the result that a weird gap opens up between what people think and how they act”, adding that “today’s post-political silent majority is not stupid, but it is cynical and resigned” (2011, p. 390). In terms of Brand, this blanket cynical melancholy is typical of the left’s distrust of anything popular, rendering them “like the last men” whose “immediate reaction to idealism is mocking cynicism” (Winlow & Hall, 2012, p. 13). Proponents of a radical alternative immediately adopt caution with the effect of forever delaying change, holding out for that real and authentic (unbranded) struggle and therefore denying it indefinitely.

#### Delinking from colonial pedagogy trades off with the the universal struggle against capital by over-valorizing particular cultural formations

**Chibber 14** – Associate professor of sociology at New York University [Vivek, “Postcolonial Thought’s Blind Alley,” http://www.middle-east-online.com/english/?id=65868]

After a long hiatus, we seem to be witnessing the re-emergence of a global resistance to capitalism, at least in its neoliberal guise. It has been more than four decades since anti-capitalist movements exploded with such force on a global scale. There were brief tremors every now and then that temporarily derailed the neoliberal project. But not like those we have witnessed in Europe, the Middle East and the Americas over the past two years.

But the re-emergence of such movements has revealed that the retreat of the past three decades has exacted a toll. The political resources available to working people are the weakest in decades. The organisations of the left – unions and political parties – have been hollowed out or, worse, have become complicit in the management of austerity. The weakness of the left is not only political or organisational; it **extends to theory**. The political defeats of the past decades have been accompanied by a dramatic churning on the intellectual front. There has not been a flight from radical theory or commitment to a radical intellectual agenda: Self-styled progressive or radical intellectuals are still impressive in number at many universities, at least in North America. It is that the very meaning of radicalism has changed. Under the influence of poststructuralist thinking, the basic concepts of the socialist tradition are considered suspect or rejected outright. The idea that capitalism has a real structure which imposes real compulsions, that class is rooted in real relations of exploitation, or that labour has a real interest in collective organisation – ideas that were the common sense of the left for almost two centuries – are considered hopelessly outdated.

These criticisms of materialism and political economy came out of the poststructuralist milieu, yet they have found a particular, sharp expression in the most recent product of that current: postcolonial theory. Over the past two decades, the Francophone philosophical tradition has not been the flag-bearer for the attack on materialism or political economy but instead – and interestingly – a group of theorists from South Asia and other parts of the global South, the most conspicuous and influential being Gayatri Chakravorty Spivak, Homi Bhabha, Ranajit Guha and the Subaltern Studies Group; also the Colombian anthropologist Arturo Escobar, Peruvian sociologist Anibal Quijano and Argentine literary theorist Walter Mignolo.

Their most common target is Marxist theory, but their ire extends to the Enlightenment tradition itself. Of all the weaknesses of Enlightenment radicalism, what most agitates postcolonial theorists is its universalising tendencies – its claims for the validity of certain categories, regardless of culture and place. Marxism in their analysis is the theory that most pointedly expresses this aspect of the Enlightenment’s deadly intellectual inheritance.

Marxists insist that certain categories such as class, capitalism and exploitation have cross-cultural validity. These categories describe economic practices not just in Christian Europe, but also in Hindu India and Muslim Egypt. For postcolonial theorists, this universalising zeal is deeply problematic – as theory and, just as important, as a guide for political practice. It is rejected as wrong, and because it supposedly deprives actors of the intellectual resources vital for effective political practice. In being misleading, this theory is a questionable guide to action – any theory that is wrong will perform poorly in directing political practice. And the theory refuses to recognise the autonomy and creativity of actors in their particular location. Instead, the universalising theory fits the local and particular into rigid categories derived from European experience. Postcolonial theory presents itself as not just a criticism of the radical enlightenment tradition, but as its replacement.

“The assumption of universalism is a fundamental feature of the construction of colonial power because the ‘universal’ features of humanity are the characteristics of those who occupy positions of political dominance,” explains a widely used text on postcolonial studies. The mechanism through which universalism abets colonial domination is by the elevation of some very specific facts about European culture to the status of general descriptions of humanity, valid on a global scale. Cultures that do not match these specific descriptions are consigned to the status of being backward, needing tutoring in civilisation, incapable of governing themselves. As the text’s editors describe it, the “myth of universality is thus a primary strategy of imperial control ... on the basis of an assumption that ‘European’ equals ‘universal’.”

We see in this argument two of the most commonly held postcolonial theorists’ views. One is a formal, meta-theoretical idea: Claims to universality are suspect because they ignore social heterogeneity; they marginalise any practice or social convention that does not conform to what is being elevated to the universal. The act of marginalisation is an act of suppression, of the exertion of power.

The second view is substantive: Universalisation is complicit with European domination – because in the intellectual world, western theories are dominant. Insofar as they are the frameworks that guide intellectual inquiry, or the theories that inform political practice, they imbue these with an enduring Eurocentrism. The frameworks and theories inherited from the Enlightenment bear the mark of their geographical origin. But the mark is not easily discerned. It operates insidiously, as the hidden premise of these doctrines. The task of postcolonial criticism is to expunge it, by exposing its presence and highlighting its effects.

Hence the hostility to the “grand narratives” associated with Marxism and progressive liberalism. The action these days is in “the fragment,” the marginal, the practices and cultural conventions unique to a particular setting, which cannot be subsumed into a generalised analysis – the “heterogeneities and incommensurabilities” of the local. This is where we are directed to search for political agency.

The hostility to universalising theories has interesting implications. The radical tradition since Marx and Engels has relied on foundational premises for all of its political analysis. The first is that as capitalism expands across the globe, it imposes economic constraints on the actors that come under its sway. As it takes root in Asia, Latin America and Africa, economic production is forced to abide by a common set of rules. The development of regions and the tempo of growth will proceed unevenly, at different rates, with considerable institutional variation. They will not all look the same. But their differences will be worked out in response to a common set of compulsions from the underlying capitalist structure.

It is taken for granted that as capitalism imposes its logic on actors, and exercises its economic and political domination, it will elicit a response from labouring groups, who will resist its depredations to defend their wellbeing. This will be true regardless of their cultural or religious identity. The reason for their resistance is that, whatever the facts about local culture, capitalism assaults basic needs that all people have in common. So just as capitalism imposes a common logic of reproduction across regions, it also elicits a common resistance from labour. Again, the resistance will not take the same form, but the potential for its exercise will be universal because the wellspring that generates it – the workers’ drive to defend their wellbeing – is common across cultures.

These beliefs have been foundational for much of radical analysis and practice for more than a century. But if we accept postcolonial theory’s injunctions against universalism, they must be rejected as unabashedly universalistic. The implications are profound. What is left of radical analysis if we lose capitalism from its theoretical toolkit? How do we analyse the global depression since 2007, or make sense of the drive for austerity that has swept the Atlantic world, if not by tracing the logic of profit-driven economies and the struggle to maximise profits? What do we make of the global resistance to these impositions, when the same slogans can be found in Cairo, Buenos Aires, Madison and London, if not through some universal interests expressed in them? How do we generate any analysis of capitalism without some universalising categories?

The stakes being high, one would think that postcolonial theorists might grant amnesty to concepts like capitalism or class interests. Perhaps these are universalising categories that have some justification, and might escape the charge of Eurocentrism. But not only are these concepts included in the list of offenders, they are singled out as exemplars of all that is suspect in Marxist theory. Gyan Prakash expresses this well in a broadside against Enlightenment (Marxist) thought: “Making capitalism the foundational theme [of historical analyses] amounts to homogenising the histories that remain heterogeneous within it.” Marxists either fail to notice practices and conventions that are independent of capitalist dynamics, or assume that whatever independence they have will soon dissolve. The idea that social formations can be analysed through the lens of their economic dynamics – their mode of production – is not only mistaken, but also Eurocentric and complicit with imperial domination. “Like many other 19th-century European ideas,” Prakash notes, “the staging of the Eurocentric mode-of-production narrative as history should be seen as an analogue of 19th-century territorial imperialism.”

Dipesh Chakrabarty has given this argument structure in his influential book Provincializing Europe. He argues that the idea of a universalising capitalism turns regional histories into variations on a theme. Every country is categorised by the extent to which it conforms with, or departs from, an idealised concept of capitalism, so regional histories are never able to escape from being footnotes to the European experience. The second error Chakrabarty identifies is that the idea of capitalism evacuates all contingency from historical development. Marxists’ faith in the universalising dynamic of capitalism blinds them to the possibility of “discontinuities, ruptures and shifts in the historical process.” Freed from interruption by human agency, the future becomes a knowable entity, drawing toward a determinable end. Universalising assumptions of concepts like capitalism are not just mistaken, but politically dangerous: They disallow non-western societies the possibility of crafting their own futures.

There is no denying that, over the past century, capitalism has spread across the globe, imbricating itself especially in the postcolonial world. And where it has taken root, it must have affected the institutional make-up of those regions; their economies have been transformed by the pressures of capital accumulation, and many of their non-economic institutions have been changed to accommodate its logic. Chakrabarty affirms that capitalism has globalised over the past century, but while he acknowledges its globalisation, he denies that this is tantamount to its universalisation. This allows him to affirm that market dependence has spread to the far corners of the world, whilst denying that the category of capitalism can be used for its analysis.

For Chakrabarty, a properly universalising capitalism is one that subordinates all social practices to its own logic: “No historic form of capital, however global in its reach, can ever be a universal ... [for] any historically available form of capital is a provisional compromise” between its totalising drive and the obduracy of local customs and conventions. In his argument, a universalising capitalism must internalise all social relations to its own logic. It must be a totalising system, which refuses to allow any autonomy to other social relations. Chakrabarty makes it seem as though capitalist managers walk around with political Geiger counters, measuring the compatibility of every social practice with their own priorities.

The more reasonable picture is that capitalists seek to expand their operations, make the best possible returns on their investments, and as long as their operations are running smoothly, do not care about the conventions and mores of the environment. The signal that something needs to be changed comes when aspects of the environment disrupt their operations, by stimulating labour conflict or restricting markets. When that happens, they swing into action, and target the culprit practices. Capitalists would be indifferent to other practices that might well embody other “ways of being in the world.”

We could reject Chakrabarty’s claim that globalisation does not imply universalisation. If the practices that have spread globally can be identified as capitalist, then they have also been universalised. That we can recognise them as distinctively capitalist allows us to pronounce capital’s globalisation. If we can affirm that they are capitalist, and therefore have the properties associated with capitalism, how can we deny their universalisation?

Capitalism spreads to all corners of the world, driven by its insatiable thirst for profits, and in so doing it creates a truly universal history, a history of capital. Postcolonial theorists will often pay lip service to this aspect of global capitalism, even if they deny its substance. What makes them more uncomfortable is the second component of a materialist analysis, which has to do with the sources of resistance. There is no dispute with the idea that as capitalism spreads it meets resistance from workers, peasants fighting for their land and indigenous populations. The celebration of these struggles is a calling card for postcolonial theorists, and in this, they would seem to be of a piece with the more conventional Marxist understanding of capitalist politics. But the similarity is only on the surface. Whereas Marxists have understood resistance from below as an expression of the real interests of labouring groups, postcolonial theory typically shies away from any talk of objective, universal interests. The sources of struggle are taken to be local, specific to the culture of the labouring groups, a product of their location and history, and not the expression of interests linked to universal basic needs.

To see struggles as emanating from material interests is “to invest [workers] with a bourgeois rationality, since it is only in such a system of rationality that the ‘economic utility’ of an action (or an object, relationship, institution) defines its reasonableness.” As Arturo Escobar writes, “with poststructuralism’s theory of the subject we are ... compelled to give up the liberal idea of the subject as a self-bounded, autonomous, rational individual. The subject is produced by [or] in historical discourses and practices in a multiplicity of domains.” Insofar as there is resistance to capitalism, it must be understood as an expression of local and particular conceptions of needs – constructed by geographically restricted histories, and working through a cosmology that resists translation, something that postcolonialist intellectuals posit outside of the universalising narratives of Enlightenment thought.

The question is whether it is unwarranted to assign some universal needs and interests to agents across cultures and time. There is no doubt that, for the most part, the things that agents value and pursue are culturally constructed. In this, postcolonial theorists and more traditional progressives agree. Yet there is no culture in the world, nor has there ever been, in which agents did not pay attention to their physical wellbeing. Agents across localities and time are concerned for food, shelter and safety, since the fulfilment of these needs is a precondition for a culture’s reproduction. We can affirm that there are some aspects of human agency that are **not entirely the construction of local culture**, if by that we mean that they are specific to that culture. These aspects are rooted in aspects of human psychology across time and space: They are components of our human nature.

To say that social agents are oriented to regard their physical wellbeing is not to insist that culture has no influence in this domain. What they consume, the kinds of dwellings they prefer, their sartorial inclinations, can be shaped by local custom and the contingencies of history. It is common to find cultural theorists pointing to the variability in forms of consumption as evidence that needs are cultural constructions. But that the form of consumption is shaped by history – which it might be to some extent – is no evidence against the idea that there is a need for basic sustenance. They are presented as forms of something.

It is the agents’ concern for wellbeing that anchors capitalism in any culture where it implants itself. As Marx observed, once capitalist relations are in place, the “dull compulsion of economic relations” is all it takes to induce workers to offer themselves for exploitation. This is true regardless of culture and ideology: If they are in the position of being a worker, they will make themselves available for work. The reason they make their labour-power available to employers is that this is their only option to maintain their wellbeing. They are free to refuse if their culture tells them that such practices are unacceptable, but this only means that they are free to starve.

While this aspect of human nature is the foundation on which exploitation rests, it is also a central fount for resistance. The same concern for wellbeing that drives workers into the arms of capitalists also motivates them to resist the terms of their exploitation. Employers’ drive for profits has, as its most direct expression, a constant search to minimise the costs of production. The most obvious cost is wages. But the reduction of wages, while a condition for increased profit margins, means a squeeze on workers’ standards of living. For some workers in high-end or unionised sectors, the squeeze can be contained within tolerable limits, so that it amounts to a struggle for their standard of living, but not for their basic needs. For much of the global South and a widening range of sectors in the developed world, the stakes are much higher. Add to this the employers’ drive to manage other costs associated with production – trying to squeeze extra time from outdated machinery, increasing the risk of injury to workers; the drive to speed up the pace and intensity of work; the lengthening of the working day; the raids on pensions and retirement benefits – and it comes up against workers’ interest in their own wellbeing. Workers’ movements will often be geared to securing the basic conditions for reproduction, not higher standards of living.

The first dimension of this process – submission to the labour contract – explains why capitalism can take root and secure itself anywhere. The second dimension – fighting the terms of exploitation – explains why class reproduction begets class struggle everywhere capitalism establishes itself. In parallel with the universalisation of capital is the universal struggle of workers to defend their wellbeing.

We have derived both universalisms from one component of human nature. This does not suggest that is all there is to it. Most progressive thinkers have believed that there are other components to human nature, other needs that span regional cultures (the need for autonomy or freedom from coercion, for creative expression, for respect). My point is not that human nature can be reduced to a basic, biological need. It is that this need does exist, even if it is less exalted than others; and, more importantly, that it can account for a range of practices and institutions that radicals are concerned with. It is a sign of how far left thinking has fallen that it is even necessary to defend its reality.

Postcolonial theory has made real gains in certain domains, especially in mainstreaming literature from the global South. In the 1980s and 90s it played an important role in keeping alive the idea of anti-colonialism and anti-imperialism; and it has made the problem of Eurocentrism a watchword among progressive intellectuals. But these achievements have come with a steep price tag. It seems bizarre, at a time like this, to find ourselves stuck with a theory that made its name by dismantling some of the conceptual pillars that can help us understand the political conjuncture, and to devise effective strategy.

Postcolonial theorists have wasted much effort tilting against windmills of their own creation, and so have licensed a massive resurgence of nativism and Orientalism. It is not just that they emphasise the local over the universal. Their valorisation of the local, obsession with cultural particularities, and insistence on culture as the wellspring of agency, has licensed the exoticism that the left once abhorred in colonial depictions of the non-West.

Throughout the 20th century, the anchor for anti-colonial movements was, at least for the left, a belief that oppression was wrong wherever it was practised, because it was an affront to basic human needs for dignity, liberty, wellbeing. But now, in the name of anti-Eurocentrism, postcolonial theory has resurrected the cultural essentialism that progressives rightly viewed as the ideological justification for imperial domination. What better excuse to deny peoples their rights than to impugn the idea of rights, and universal interests, as culturally biased? **No revival of an international and democratic left is possible unless we clear away these ideas, affirming the universalism of our common humanity, and of the threat to it from a universalising capitalism**.

#### Unchecked capitalist expansion guarantees escalating global violence and destruction – their politics of individualized micro-practices fractures the necessary political condensation required to overthrow capital while the alt solves case.

Jodi Dean 15, Professor of Political Theory at Hobart and William Smith Colleges, 2015, “Red, Black, and Green,” Rethinking Marxism: A Journal of Economics, Culture & Society, Vol. 27, No. 3, p. 396-404

A defining characteristic of capitalism is the differentiation between state and economy.2 More than an economic system for the production and circulation of value, capitalism refers to a form of society (Marx 2008, 14). In contrast with, say, feudalism, capitalist society relies on the differentiation of the economic system from the political system. That state and economy are differentiated does not mean that they are separate from one another. States are deeply involved in economic life: they issue and maintain currencies, create and preserve property and markets, devise and extend the policy infrastructure of global trade, and so on. The differentiation between state and economy also does not imply complete independence, as if states themselves were not economic actors with, for example, massive purchasing, employing, and investing power. Rather, under capitalism the differentiation between state and economy points to different relations to capital accumulation, with the state focused generally on the terms and conditions of accumulation and the economy focused on the circulatory processes of accumulation itself. Leo Panitch and Sam Gindin (2012, 4) speak of the “relative autonomy” of capitalist states. Political logics, rationalities, or governmentalities (to use Foucault’s term) are irreducible to economic considerations. Capitalist states have capacities to act on behalf of the system as a whole—capacities anchored in an array of institutions, laws, and policies. At the same time, they are constrained by their dependence on capital accumulation. States secure and reproduce capitalism, whether by protecting capitalists from themselves through taxes and regulatory oversight, protecting capitalists from the people through aggressive policing and surveillance, or protecting people from capitalists in those increasingly frequent emergency responses that have taken the place of planning and social welfare. The state—particularly in its contemporary extended, decentralized, and networked form—gives capitalism its durability. It responds to capitalism’s inevitable crises, keeping the system running even when its components break down. Under globalized capitalism, an international policy architecture aimed at securing capital flow provides massive advantages to multinational banks and corporations. The structural adjustment policies and austerity measures imposed by the IMF, World Bank, European Central Bank, and U.S. Treasury determine (although not fully or exclusively) the lives of billions of people, impacting basic social structures such as education and medical care, property, markets for agricultural products, transportation, currency value, energy, and the availability of potable water. The viability of communism, as an egalitarian political and economic arrangement anchored in the sovereignty of the people and in production based on need, depends on seizing, dismantling, or redirecting this system. Naomi Klein (2014, 66–9) tells a story that illustrates the limits the global trade architecture imposes on local actors. In 2009, the Canadian province of Ontario announced the Green Energy and Green Economy Act. Its goal was to shift Ontario away from dependence on coal. As Klein explains, “The legislation created what is known as a feed-in tariff program, which allowed renewable energy providers to sell power back to the grid.” A key element of the plan was ensuring that “local municipalities, co-ops, and Indigenous communities could all get into the renewable energy market” (67). This was to be achieved by a provision requiring that a certain percentage of materials and workforce come from Ontario. Although there were various setbacks and complications, after several years the legislation seemed to have been largely successful. That’s when Japan and the EU went to the World Bank with the complaint that the local materials and workforce requirement discriminated against equipment producers outside Ontario. The World Bank agreed; the buy local provisions were illegal. The absence of a powerful Left enables the political Right (in part by shifting what had been the center). The intensified inequality of the last forty years of neoliberalism testifies to the impact of left political defeat.3 Neoliberalism’s subjection of all of society to its economic criteria of efficiency and competitiveness has been carried out as a political project.4 The political system has been the instrument through which neoliberalism has dismantled the achievements of the welfare state, installed competition in ever more domains, expanded the finance sector, and imposed austerity. This is the setting, then, for my appeal to the Left to assemble itself into a party. Key determinants of our lives occur behind our backs—currency valuations, monetary policies, trade agreements, energy concessions, data harvesting. To insist on a politics focused on isolating and archiving singular micropractices abstracted from their global capitalist context obscures the workings of state and economy as a capitalist system, hinders the identification of this system as the site of ongoing harm (exploitation, expropriation, and injustice), and disperses political energies that could be more effective if concentrated. More fundamentally, in treating economic practices as the primary locus of left politics, such an insistence effaces the gap between politics and economics such that questions of strategy, of how to win, are displaced. Morrow and Brault supply a striking example of this effacement when they ask, “What is communism for, if not to improve our everyday lives?” Communism, which previous generations rendered as the world-historical struggle of the proletariat, diminishes into yet another option for individual self-improvement; the abolition of exploitation, expropriation, and injustice replaced by economic determinations of immediate satisfaction. As Ramsey rightly notes, Healy similarly substitutes economic alternatives for political antagonism. Two ideas voiced in the present discussion impress the urgency of the need for a left party oriented toward communism: racism (Buck 2015) and the Anthropocene (Healy 2015). Given anthropogenic climate change, the stakes of contemporary politics are almost unimaginably high. They range from the continued investment in extractive industries and fossil fuels constitutive of the carbon-combustion complex (see Oreskes and Conway 2014), to the dislocations accompanying mass migration in the wake of floods and droughts to the racist response of states outside what Christian Parenti (2011, 9) calls the “Tropic of Chaos” (the band around the “belt of economically and politically battered post-colonial states girding the planet’s mid-latitudes,” where climate change is “beginning to hit hard”), all the way to human extinction. That one city, state, or country brings carbon emissions under control—while certainly a step in the right direction—may be irrelevant from the standpoint of overall warming. Perhaps its carbon-emitting industries were shipped elsewhere. Perhaps another country chose to expand its own drilling operations. Climate change forces us to acknowledge that we can’t build new worlds (Helepololei). We live in one world, the heating up of which threatens humans and other species. Not all communities, economies, or ways of life are compatible. Those premised on industries and practices that continue to contribute to planetary warming have to change significantly, and soon. Forcing that change is the political challenge of our time. Given the persistence of racialized violence and the operation of the state as an instrument for the maintenance not only of capitalist modes of production but also and concomitantly of racialized hierarchy, the challenges of organizing politically across issues and identities are almost insurmountably daunting. No wonder the Left resorts to moralism and self-care instead. It’s easier to catalog difference than it is to build up a Left strong enough to exercise power, especially given the traversal of state power by transnational corporations, trade, and treaties. It’s also easier to go along with the dominant ideology of individualism, which enjoins us first and foremost to look after ourselves, than it is to put ourselves aside and focus on formulating a strategy for using collective power to occupy, reconfigure, and redirect institutions at multiple levels. Here again, not every vision of community is compatible with every other. Those premised on fantasies of racial, religious, ethnic, or linguistic purity directly oppose those premised on diversity. Those premised on reproducing structures of class hierarchy directly oppose those insisting on equality. If something like a party of the radical Left can stretch beyond Greece and Spain, if it can be imagined in North America, it will only be possible as a combination of communism, antiracism, and climate activism. I use “red, black, and green” as a heuristic for the coalition of concerns necessary for such a party. I invoke the heuristic here to double down against critics who prefer a thousand alternatives to the party form. A thousand alternatives (see Healy 2015) is no alternative. It leaves the political system we have—the one that puts all its force behind the preservation of capitalist class interests—intact. Some ideas need to be chosen, systematized into a program, and defended.

#### Vote negative to affirm the form of the party. The method of the Party is distinct and exclusive with the method of the 1AC – a negative ballot foregrounds political organization and commonality against capital

Dean and Mertz 16 (Jodi Dean, Professor of Humanities and Social Sciences @ Hobart and William Smith Colleges and Chuck Mertz, Host at This is Hell!, The JFRP: For a New Communist Party, aNtiDoTe Zine, Jan 23 2016)

* Political good – create change
* AT Party Racist
* Individualism bad – trades off with collective solidarity
* BPP, activist groups, occupy, red square, labor strikes
* AT Communism Failed

CM: Great to have you on the show.¶ Let’s start with Occupy. What, to you, explains the impact that the Tea Party had on Republicans, relative to the impact that Occupy seems to have had on the Democratic Party? All of the sudden there were “Tea Party Republicans.” There weren’t “Occupy Democrats.”¶ JD: That’s a good point. The Tea Party took the Republican Party as its target. They decided that their goal was going to be to influence the political system by getting people elected and basically by trying to **take over** part of **government**. That’s why they were able to have good effects. They didn’t regard the mainstream political process as something irrelevant to their concerns. They thought of it as **something to seize**.¶ The problem with many—but not all—leftists in the US is that they think the **political process is so corrupted** that we have to **completely refuse it,** and leave it altogether. The Tea Party decided to act as an organized militant force, and too much of the US left (we saw this in the wake of Occupy) has thought that to be “militant” means to refuse and **disperse** and **become fragmented**.¶ CM: So what explains the left turning its back on the **collective** action of a political party? It would seem like a political party would fit into what the left would historically want: an apparatus that can organize collective action.¶ JD: There are multiple things. First, the fear of success: the left has learned from the excesses of the twentieth century. Where Communist and socialist parties “succeeded,” there was violence and purges and repression. One reason the left has turned its back is because of this historical experience of state socialism. And we have taken that to mean that we should not ever have a state. I think that’s the wrong answer. That we—as the left—made a mistake with some regimes does not have to mean that we can never learn.¶ Another reason that the left has turned its back on the party form has been the important criticism of twentieth century parties that have been too white, too masculine, potentially homophobic; parties that have operated in intensely hierarchical fashion. Those criticisms are real. But rather than saying we can’t have a party form because that’s **just what a party** **does**, why not make a party that is not repressive and **does not exclude or diminish** people on the basis of **sex, race, or sexuality**?¶ So we’ve got at least two historical problems that have made people very reluctant to use the party. I also think that, whether or not you mark it as 1968 or 1989, the left’s embrace of cultural individualism and the free flow of personal experimentation has made it critical of discipline and critical of collectivity. But I think that’s just a capitalist **sellout**. Saying everybody should just “do their own thing” is just going in the direction of the dominant culture. That is actually not a left position at all.¶ CM: So does identity politics **undermine collectivism**? And did that end up leading to fragmentation and a weakening of the left? Because there are a lot of people we’ve had on the show—and one person in particular, Thomas Frank—who say that there is no left in the United States.¶ JD: First I want to say that I disagree with the claim that there is no left. In fact, I think that “the left” is that group that keeps denying its own existence. We’re always saying that we’re the ones who don’t exist. But the right thinks that we exist. That’s what is so fantastic, actually. Did you see the New York Post screaming that Bernie Sanders is really a communist? Great! They’re really still afraid of communists! And it’s people on the left who say, “Oh, no, we’re not here at all!”¶ The left denies its own existence and it denies its own collectivity. Now, is identity politics to blame? Maybe it’s better to say that identity politics has been a symptom of the pressure of capitalism. Capitalism has operated in the US by exacerbating racial differences. That has to be addressed on the left, and the left has been addressing that. But we haven’t been addressing it in a way that recognizes how racism operates to support capitalism. Instead, we’ve made it **too much about identity** rather than as an element in **building collective solidarity**.¶ I’m trying to find a way around this to express that identity politics has been important but it’s reached its limits. Identity politics can’t go any further insofar as it denies the impact of capitalism. An identity politics that just rests on itself is nothing but liberalism. Like all of the sudden everything will be better if black people and white people are equally exploited? What if black people and white people say, “No, we don’t want to live in a society based on exploitation?”¶ CM: You were saying that the left denies its own collectivity. Is that only in the US? Is that unique to the US culture of the left?¶ JD: That’s a really important question, and I’m not sure. Traveling in Europe, I see two different things. On the one hand I see a broad left discussion that is, in part, mediated through social media and is pretty generational—people in their twenties and thirties or younger—and that there’s a general feeling about the problem of collectivity, the problem of building something with cohesion, and a temptation to just emphasize multiplicity. You see this everywhere. Everybody worries about this, as far as what I’ve seen.¶ On the other hand, there are countries whose political culture has embraced parties much more, and fights politically through parties. Like Greece, for example—and we’ve seen the ups and downs with Syriza over the last two years. And Spain also. Because they have a parliamentary system where small parties can actually get in the mix and have a political effect—in ways that our two-party system excludes—the European context allows for more enthusiasm for the party as a form for politics.¶ But there’s still a lot of disagreement on the far left about whether or not the party form is useful, and shouldn’t we in fact retreat and have multiple actions and artistic events—you know, the whole alter-globalization framework. That’s still alive in a lot of places. CM: You mentioned the structure of the US electoral system doesn’t allow for a political party to necessarily be the solution for a group like Occupy. Is that one of the reasons that activists dismiss the party structure as something that could help move their agenda forward?¶ JD: We can think about the **Black Panther Party** as a neat example in the US context: A party which was operating not primarily to win elections but to **galvanize social power**. That’s an interesting way of thinking about what else parties can do in the US.¶ Or we can think about parties in terms of **local elections**. **Socialist Alternative** has been doing really neat work all over the country, organizing around local elections with people running as socialist candidates not within a mainstream party. I think that even as we come up against the limits of a two-party system, we can also begin to think better about **local and regional elections**.¶ The left really likes that old saw: “Think Globally, Act Locally.” And then it rejects parties—even though political parties are, historically, forms that do that, that actually scale, that operate on multiple levels as organizations.¶ That we have a two-party system makes sense as an excuse why people haven’t used left parties very well in the US, but that doesn’t have to be the case.¶ And one more thing: there is a ton of sectarianism in the far left parties that exist. Many still fight battles that go back to the twenties, thirties, forties, fifties, and haven’t let that go. **That has to change**. **We don’t need** that kind of **sectarian purity** right now.¶ CM: You ask the question, “How do we move from the inert mass to organized activists?” You mention how you were at Occupy Wall Street; you write about being there on 15 October 2011 as the massive crowd filled New York’s Times Square. And you mention this one young speaker, and he addresses the crowd; they’re deciding if they should move on to Washington Square Park or not, because they need to go somewhere where there are better facilities. You then quote the speaker saying, “We can take this park. We can take this park tonight. We can also take this park another night. Not everyone may be ready tonight. Each person has to make their own autonomous decision. No one can decide for you. You have to decide for yourself. Everyone is an autonomous individual.”¶ Did that kind of individualism kill Occupy Wall Street from the start?¶ JD: Yeah, I think so. A lot of times I blame the rhetorics of consensus and **horizontalism**, but both of those are rooted in an individualism that says politics must begin with **each individual, their interests,** their experience, their positions, and so on. As collectivity forms—which is not easy when everyone’s beginning from their individual position—what starts to happen is that people start looking for how their exact experiences and interests are not being recognized.¶ I think that the left has given in too much to this assumption that politics begins with an individual. That’s a **liberal assumption**. Leftists, historically, begin with the assumption that **politics begins in** **groups**. And for the left in the nineteenth and twentieth centuries, the operative group is class. **Class** is what **determines** where our **political interests** come from.¶ I try to do everything I can in the book to dismantle the assumption that politics, particularly left politics, should begin with the individual. Instead I want people thinking about how the individual is a fiction, and a really oppressive fiction at that. And one that’s actually, conveniently, falling apart.¶ CM: You write about Occupy Wall Street having been an opening but having had no continuing momentum. You mention that the party could add that needed momentum. That’s one of the things that parties can do. The structure of the party can continue momentum and keep the opening alive.¶ When you say that a party could be a solution for a movement like Occupy, you don’t mean the Democratic Party, do you?¶ JD: I’ve got a lot of layers on this question. My first answer is that no, I really mean the Communist Party. My friends call this “Jodi’s Fantasy Revolutionary Party” as a joke, because the kind of Communist Party I take as my model may not be real, or may have only existed for a year and a half in Brooklyn in the thirties. And I don’t mean the real-existing Communist Party in the US now, which still exists and basically endorses Democrats.¶ My idea is to think in terms of how we can imagine the Communist **Party** again as a **force**—what it could be like if all of our left activist groups and small sectarian parties decided to come together in a **new radical left party**.¶ So no, I don’t envision the Democratic Party as being that. That’s not at all what I have in mind. I’m thinking of a radical left party to which elections are incidental. Elections might be means for organizing, but the goal isn’t just being elected. The goal is **overthrowing capitalism**. The goal is being able to **build a communist society** as capitalism crumbles.¶ Second, it could be the case—as a matter of tactics on the ground in particular contexts—that working for a Democratic candidate might be useful. It could be the case that trying to take over a local Democratic committee in order to get communist/socialist/radical left candidates elected could also be useful. But I don’t see the goal as taking over the Democratic Party. That’s way too limited a goal, and it’s a goal that presupposes the continuation of the system we have, rather than its overthrow.¶ CM: But how difficult would it be for a Communist Party to emerge free of its past associations with the Soviet Union? Can we even use the word “communist” or is it impossibly taboo?¶ JD: We have to recognize that the right is still scared of communism. That means the term is still powerful. That means it still has the ability to instill fear in its enemies. I think that’s an argument for keeping the word “communism.”¶ It’s also amazing that close to half of Iowa participants in the caucuses say that they are socialist. Four or five years ago, people were saying socialism is dead in the US. No one could even say the word. So I actually think holding on to the word “communism” is useful not only because our enemies are worried about communism, but also because it helps make the socialists seem really, really mainstream, and that’s good. We don’t want socialism to seem like something that only happens in Sweden. We want it to seem like that’s what America should have at a bare minimum.¶ One last thing about the history of communism: every political ideology that has infused a state form has done awful things. For the most part, if people like the ideology, they either let the awful things slide, or they use the ideology to criticize the awful things that the state does. We can do the same thing with communism. It’s helpful to recognize that the countries we understand to have been ruled by Communist Parties were **never really communist**—they didn’t even claim to have achieved communism themselves. We can say that **state socialism made these mistakes**, and in so doing was betraying communist ideals.¶ I don’t think we need to abandon these terms or come up with new ones. I think we need to **use the power** that they have. And people recognize this, which is what makes it exciting.¶ CM: You write, “Some contemporary crowd observers claim the crowd for democracy. They see in the amassing of thousands a democratic insistence, a demand to be heard and included. In the context of communicative capitalism, however, the crowd exceeds democracy.¶ “In the 21st century, dominant nation-states exercise power as democracies. They bomb and invade as democracies, ‘for democracy’s sake.’ International political bodies legitimize themselves as democratic, as do the contradictory and tangled media practices of communicative capitalism. When crowds amass in opposition, they pose themselves against democratic practices, systems, and bodies. To claim the crowd for democracy fails to register this change in the political setting of the crowd.”¶ So are crowds today, the protesters today, opposed to democracy? Or are they opposed to the current state of, let’s say, representative democracy?¶ JD: Let’s think about our basic environment. By “our,” now, I mean basically English-speaking people who use the internet and are listening to the radio and live in societies like the United States. In our environment, what we hear is that we live in democracy. We hear this all the time. We hear that the network media makes democratic exchange possible, that a free press is democracy, that we’ve got elections and that’s democracy.¶ When crowds amass in this setting, if they are just at a football game, it’s not a political statement. Even at a march (fully permitted) that’s registering opposition to the invasion of Iraq, for example, or concern about the climate—all of those things are within the general environment of “democracy,” and they don’t oppose the system. They don’t register as opposition to the system. They’re just saying that we want our view on this or that issue to count.¶ But the way that crowds have been amassing over the last four or five years—Occupy Wall Street is one example, but the Red Square debt movement in Canada is another; some of the more militant strikes of nurses and teachers are too—has been to say, “Look, the process that we have that’s been called democratic? It is not. We want to change that.”¶ It’s not that we are anti-democratic. It’s that democracy is too limiting a term to register our opposition. We want something more. We want actual equality. Democracy is too limiting. The reason it’s too limiting is we live in a context that understands itself as “democratic.” So democracy as a political claim, in my language, can’t “register the gap that the crowd is inscribing.” It can’t register real division or opposition. Democracy is just more of what we have.¶ CM: We are so dependent. We use social media so much, we use Facebook so much, we use so many of these avenues of what you call communicative capitalism so much. How can we oppose or reject this system without hurting ourselves and our ability to communicate our message to each other? Can we just go on strike? Can we become the owners of the means of communicative production?¶ JD: One of the ways that Marxism historically has understood the political problems faced by workers is our total entrapment and embeddedness in the capitalist system. What makes a strike so courageous is that workers are shooting themselves in the foot. They’re not earning their wage for a time, as a way to put pressure on the capitalist owner of the workplace.¶ What does that mean under communicative capitalism? Does it mean that we have to shoot ourselves in the foot by completely extracting ourselves from all of the instruments of communication? Or does it mean that we change our attitude towards communication? Or does it mean that we develop our own means of communication?¶ There’s a whole range here. I’m not a Luddite. I don’t think the way we’re going to bring down capitalism is by quitting Facebook. I think that’s a little bit absurd. I think what makes more sense is to think of how we could use the tools we have to bring down the master’s house. We can consolidate our message together. We can get a better sense of how many we are. We can develop common modes of thinking. We can distribute organizing materials for the revolutionary party.¶ I don’t think that an extractive approach to our situation in communicative media is the right one. I think it’s got to be **more tactical**. How do we **use the tools we** **have**, and how do we find ways to seize the means of communication? This would mean the collectivization of Google, Facebook, Amazon, and using those apparatuses. But that would probably have to be day two of the revolution.¶ CM: Jodi, I’ve got one last question for you, and it’s the Question from Hell, the question we might hate to ask, you might hate to answer, or our audience is going to hate the response.¶ How much did the narrative that Occupy created, of the 99% and the 1%, undermine a of collectivity? Because it doesn’t include everyone…¶ JD: Division is crucial. Collectivity is never everyone. What this narrative did was produce the divided collectivity that we need. It’s great to undermine the stupid myth of American unity, “The country has to pull together” and all that crap. It’s fantastic that Occupy Wall Street asserted collectivity through division. This is class conflict. This says there is not a unified society. Collectivity is the **collectivity of us against them.** It produced the proper collectivity: an antagonistic one.

## Case

#### The role of the ballot is to vote for the better debater — anything else is arbitrary, self-serving, and begs the question of the rest of the debate.

#### Vote neg on presumption – the aff’s advocacy does not solve the harms they’ve isolated for two reasons:

#### 1. Systems – The 1AC argues that material institutions create social realities that replicate violence but ceding the state refuses to alter these conditions.

#### 2. Spillover – They’re missing a robust internal link as to 1) Why they need the ballot or 2) Why the reading of the aff forwards change inside or outside of round.

#### 3. No Internal Link – All of your discourse was over when the 1AC ended, so there’s no reason to proactively give you the ballot at the end of the round.

#### All this is forwarded by the fact they’re only a “rhetorical affirmation” – they also can’t solve all IP

#### The aff forges a relationship of cruel optimism with the ballot — a hopeful attachment to the logic of a problematic system of economic exchange that kills the potential for successful change.

Berlant 06

Lauren Berlant, Professor of Literature at the University of Chicago, “Cruel Optimism”, Duke University Press, 1 December 2006, accessed: 29 November 2019, <https://read.dukeupress.edu/differences/article-abstract/17/3/20/97656/Cruel-Optimism?redirectedFrom=fulltext>, R.S.

When we talk about an object of desire, we are really talking about a cluster of promises we want someone or something to make to us and make possible for us. This cluster of promises could be embedded in a person, a thing, an institution, a text, a norm, a bunch of cells, smells, a good idea—whatever. To phrase “the object of desire” as a cluster of promises is to allow us to encounter what is incoherent or enigmatic in our attachments, not as confirmation of our irrationality, but as an explanation for our sense of our endurance in the object, insofar as proximity to the object means proximity to the cluster of things that the object promises, some of which may be clear to us while others not so much. In other words, all attachments are optimistic. That does not mean that they all feel optimistic: one might dread, for example, returning to a scene of hunger or longing or the slapstick reiteration of a lover or parent’s typical misrecognition. But the surrender to the return to the scene where the object hovers in its potentialities is the operation of optimism as an affective form (see Ghent). “Cruel optimism” names a relation of attachment to compromised conditions of possibility. What is cruel about these attachments, and not merely inconvenient or tragic, is that the subjects who have x in their lives might not well endure the loss of their object or scene of desire, even though its presence threatens their well-being, because whatever the content of the attachment, the continuity of the form of it provides something of the continuity of the subject’s sense of what it means to keep on living on and to look forward to being in the world. This phrase points to a condition different than that of melancholia, which is enacted in the subject’s desire to temporize an experience of the loss of an object/scene with which she has identified her ego continuity. Cruel optimism is the condition of maintaining an attachment to a problematic object in advance of its loss. One might point out that all objects/scenes of desire are problematic, in that investments in them and projections onto them are less about them than about the cluster of desires and affects we manage to keep magnetized to them. I have indeed wondered whether all optimism is cruel, because the experience of loss of the conditions of its reproduction can be so breathtakingly bad. But some scenes of optimism are crueler than others: where cruel optimism operates, the very vitalizing or animating potency of an object/scene of desire contributes to the attrition of the very thriving that is supposed to be made possible in the work of attachment in the first place. This might point to something as banal as a scouring love, but it also opens out to obsessive appetites, patriotism, a career, all kinds of things. One makes affective bargains about the costliness of one’s attachments, usually unconscious ones, most of which keep one in proximity to the scene of desire/attrition. To understand cruel optimism as an aesthetic of attachment requires embarking on an analysis of the modes of rhetorical indirection that manage the strange activity of projection into an enabling object that is also disabling. I learned how to do this from reading Barbara Johnson’s work on apostrophe and free indirect discourse. In her poetics of indirection, each of these rhetorical modes is shaped by the ways a writing subjectivity conjures other ones so that, in a performance of phantasmatic intersubjectivity, the writer gains superhuman observational authority, enabling a performance of being made possible by the proximity of the object. Because the dynamics of this scene are something like what I am describing in the optimism of attachment, I will describe the shape of my transference with her thought.

#### The aff’s relationship to the ballot stages a moment of rupture in which we think the world is somehow better and dooms us to abstraction. Their demand for the ballot creates a politics of exchange which re-enforces the logic of the economy.

Berlant 2’

Lauren Berlant, Professor of Literature at the University of Chicago, “Cruel Optimism”, Duke University Press, 1 December 2006, accessed: 29 November 2019, <https://read.dukeupress.edu/differences/article-abstract/17/3/20/97656/Cruel-Optimism?redirectedFrom=fulltext>, R.S.

It is striking that these moments of optimism, which mark a possibility that the habits of a history might not be reproduced, release an overwhelmingly negative force: one predicts such effects in traumatic scenes, but it is not usual to think about an optimistic event as having the same potential consequences. The conventional fantasy that a revolutionary lifting of being might happen in proximity to a new object/scene would predict otherwise than that a person or a group might prefer, after all, to surf from episode to episode while leaning toward a cluster of vaguely phrased prospects. And yet: at a certain degree of abstraction both from trauma and optimism, the experience of self-dissolution, radically reshaped consciousness, new sensoria, and narrative rupture can look similar; the emotional flooding in proximity to a new object can also produce a similar grasping toward stabilizing form, a reanchoring in the symptom’s predictability.¶ I have suggested that the particular ways in which identity and desire are articulated and lived sensually within capitalist culture produce such counterintuitive overlaps. But it would be reductive to read the preceding as a claim that anyone’s subjective transaction with the optimistic structure of value in capital produces the knotty entailments of cruel optimism as such. This essay focuses on artworks that explicitly remediate singularities into cases of nonuniversal but general abstraction, providing narrative scenarios of how people learn to identify, manage, and maintain the hazy luminosity of their attachment to being x and having x, given that their attachments were promises and not possessions after all. Geoff Ryman’s historical novel Was provides a different kind of limit case of cruel optimism. Linking agrarian labor, the culture industries, and therapy culture through four encounters with The Wizard of Oz, its pursuit of the affective continuity of trauma and optimism in self-unfold- ing excitement is neither comic, tragic, nor melodramatic, but metaformal: it absorbs all of these into a literary mode that validates fantasy (from absorption in pretty things to crazy delusion) as a life-affirming defense against the attritions of ordinary history.¶ Was constructs a post-traumatic drama that is held together by the governing consciousness of Bill Davison, a mental health worker, a white heterosexual Midwesterner whose only intimate personal brush with trauma has been ambivalence toward his fiancée but whose profes- sional capacity to enter into the impasse with his patients, and to let their impasses into him, makes him the novel’s optimistic remainder, a rich witness. The first traumatic story told is about the real Dorothy Gale, spelled Gael, partly, I imagine, to link up the girl who’s transported to Oz on a strong breeze to someone in prison, and also to link her to the Gaelic part of Scotland, home of the historical novel, the genre whose affective and political conventions shape explicitly Ryman’s quasi-documentary inclusion of experiences and memories whose traces are in archives, land- scapes, and bodies scattered throughout Kansas, Canada, and the United States. Like Cooter, this Dorothy Gael uses whatever fantasy she can scrap together to survive her scene of hopeless historical embeddedness. But her process is not to drift vaguely, but intensely, by way of multigeneric inven- tion: dreams, fantasies, private plays, psychotic projection, aggressive quiet, lying, being a loud bully and a frank truth teller. Dorothy’s creativity makes a wall of post-traumatic noise, as she has been abandoned by her parents, raped and shamed by her Uncle Henry Gulch, and shunned by other children for being big, fat, and ineloquent.¶ Part 2 of Was tells the story of Judy Garland as the child Frances Gumm. On the Wizard of Oz set she plays Dorothy Gale as desexualized sweetheart, her breasts tightly bound so that she can remain a child and therefore have her childhood stolen from her. It is not stolen through rape, but by parents bound up in their own fantasies of living through children in terms of money and fame (Gumm’s mother) or sex (Gumm’s father, whose object choice was young boys). The third story in Was is about a fictional gay man, a minor Hollywood actor named Jonathan, whose fame comes from being the monster in serial killer movies titled The Child Minder and who, as the book begins, is offered a part in a touring Wizard of Oz company while he is entering aids dementia. All of these stories are about the cruelty of optimism for people without control over the material condi- tions of their lives and whose relation to fantasy is all that protects them from being destroyed by other people and the nation. I cannot do justice here to the singularities of what optimism makes possible and impossible in this entire book but want to focus on a scene that makes the whole book possible. In this scene, Dorothy Gael encounters a substitute teacher, Frank Baum, in her rural Kansas elementary school.¶ “The children,” writes Ryman, “knew the Substitute was not a real teacher because he was so soft” (168). “Substitute” derives from the word “succeed,” and the sense of possibility around the changeover is deeply embedded in the word. A substitute brings optimism if he hasn’t yet been defeated—by life or by the students. He enters their lives as a new site for attachment, a dedramatized possibility. He is by definition a placeholder, a space of abeyance, an aleatory event. His coming is not personal—he is not there for anyone in particular. The amount of affect released around him says something about the intensity of the children’s available drive to be less dead, numb, neutralized, or crazy with habit; but it says nothing about what it would feel like to be in transit between the stale life and all its others, or whether that feeling would lead to something good.¶ Of course, often students are cruel to substitutes, out of excite- ment at the unpredictable and out of not having fear or transference to make them docile or even desiring of a recognition that has no time to be built. But this substitute is special to Dorothy: he is an actor, like her parents; he teaches them Turkish, and tells them about alternative histo- ries lived right now and in the past (171). Dorothy fantasizes about Frank Baum not in a narrative way, but with a mixture of sheer pleasure and defense: “Frank, Frank, as her uncle put his hands on her” (169); then she berates herself for her “own unworthiness” (169) because she knows “how beautiful you are and I know how ugly I am and how you could never have anything to do with me” (174). She says his name, Frank, over and over: it “seemed to sum up everything that was missing from her life” (169). Yet, face to face she cannot bear the feeling of relief from her life that the substitute’s being near provides for her. She alternately bristles and melts at his deference, his undemanding kindness. She mocks him and disrupts class to drown out her tenderness, but obeys him when he asks her to leave the room to just write something, anything.¶ What she comes back with is a lie, a wish. Her dog, Toto, had been murdered by her aunt and uncle, who hated him and who had no food to spare for him. But the story she hands in to the substitute is a substitute: it is about how happy she and Toto are. It includes sentences about how they play together and how exuberant he is, running around yelping “like he is saying hello to everything” (174). Imaginary Toto sits on her lap, licks her hand, has a cold nose, sleeps on her lap, and eats food that Auntie Em gives her to give him. The essay suggests a successful life, a life where love circulates and extends its sympathies, rather than the life she actually lives, where “[i]t was as if they had all stood back-to-back, shouting ‘love’ at the tops of their lungs, but in the wrong direction, away from each other” (221). It carries traces of all of the good experience Dorothy has ever had. The essay closes this way: “I did not call him Toto. That is the name my mother gave him when she was alive. It is the same as mine” (175).¶ Toto, Dodo, Dorothy: the teacher sees that the child has opened up something in herself, let down a defense, and he is moved by the brav- ery of her admission of identification and attachment. But he makes the mistake of being mimetic in response, acting soft toward her in a way he might imagine that she seeks to be: “I’m very glad,” he murmured, “that you have something to love as much as that little animal.” Dorothy goes ballistic at this response and insults Baum, but goes on to blurt out all of the truths of her life, in public, in front of the other students. She talks nonstop about being raped and hungry all the time, about the murder of her dog, and about her ineloquence: “I can’t say anything,” she closes (176). That phrase means she can’t do anything to change anything. From here she regresses to yelping and tries to dig a hole in the ground, to become the size she feels, and also to become, in a sense, an embodiment of the last thing she loved. After that, Dorothy goes crazy, lives in a fantasy world of her own, wandering homeless and free, especially, of the capacity to reflect on loss in the modalities of realism, tragedy, or melodrama. To protect her last iota of optimism, she goes crazy.¶ In Was, Baum goes on to write The Wizard of Oz as a gift of alternativity to the person who can’t say or do anything to change her life materially and who has taken in so much that one moment of relief from herself produces a permanent crack in the available genres of her survival. In “What Is a Minor Literature?” Deleuze and Guattari exhort people to become minor in exactly that way, to deterritorialize from the normal by digging a hole in sense, like a dog or a mole. Creating an impasse, a space of internal displacement, in this view, shatters the normal hierar- chies, clarities, tyrannies, and confusions of compliance with autonomous individuality. This strategy looks promising in the Ashbery poem. But in “Exchange Value,” a moment of relief produces a psychotic defense against the risk of loss in optimism. For Dorothy Gael, in Was, the optimism of attachment to another living being is itself the cruelest slap of all.¶ From this cluster we can understand a bit more of the magnetic attraction to cruel optimism, with its suppression of the risks of attach- ment. A change of heart, a sensorial shift, intersubjectivity, or transference with a promising object cannot generate on its own the better good life: nor can the collaboration of a couple, brothers, or pedagogy. The vague futurities of normative optimism produce small self-interruptions as the utopias of structural inequality. The texts we have looked at here stage moments when it could become otherwise, but shifts in affective atmosphere are not equal to changing the world. They are, here, only pieces of an argument about the centrality of optimistic fantasy to reproducing and surviving in zones of compromised ordinariness. And that is one way to take the measure of the impasse of living in the overwhelmingly present moment.

#### Capitalism explains colonial violence, not the other way around.

Hossein-Zadeh, I., 2016. Professor Emeritus of Economics at Drake University [Ismael, “Evolution of Capitalism, Escalation of Imperialism,” Counterpunch, July 29, http://www.counterpunch.org/2016/07/29/evolution-of-capitalism-escalation-of-imperialism/, February 28, 2017

The purpose of this essay is to show that as capitalism has evolved from the early stages of small-scale manufacturing to the current stage of the dominance of finance capital, its arena of expropriation has, accordingly, expanded from the early colonial/imperial conquests abroad to today’s universal dispossession worldwide, both at home and abroad. Specifically, it aims to expose the class nature of imperialism independent of nationality and/or geography, and to indicate how this profit-driven characteristic of capitalism is at the root of today’s global austerity economics; an ominous development that dispossesses not only defenseless peoples abroad, but also the overwhelming majority of the people at home—a socio-economic plague that can be called the “new imperialism,” or “imperialism by dispossession” [1]. The new imperialism differs from the old, classical imperialism in at least four major ways. First, contrary to the old pattern of colonial/imperial conquests and plunders, which often proved quite lucrative to the imperium, war and military operations under the new imperialism are not even cost efficient on purely economic grounds, that is, on grounds of national interests. While immoral, external military operations of past empires often proved profitable and, therefore, justifiable on national economic grounds. Military actions abroad usually brought economic benefits not only to the imperial ruling classes and war profiteers, but also (through “trickle-down” effects) to their citizens. Thus, for example, imperialism paid significant dividends to Britain, France, the Dutch, and other European powers of the seventeenth, eighteenth, nineteenth, and early twentieth centuries. As the imperial economic gains helped develop their economies, they also helped improve the living conditions of their working people and elevate the standards of living of their citizens. This pattern of economic gains flowing from imperial military operations, however, seems to have somewhat changed in the context of the recent U.S. imperial wars of choice. Moralities aside, U.S. military expeditions and operations of late are not justifiable even on economic grounds. Indeed, escalating U.S. military adventures and aggressions have become ever more wasteful, cost-inefficient, and burdensome to the overwhelming majority of its citizens. This should not come as a surprise in light of the fact that imperialist wars and military adventures are often prompted not so much by national interests as they are by special interests Recent U.S. policies of military aggression are increasingly driven not as much by a desire to expand the empire’s wealth beyond the existing levels, as did the imperial/colonial powers of the past, but by a desire to appropriate the lion’s share of the existing resources (or tax dollars) for the military-industrial-security-intelligence establishment. This pattern of universal or generalized expropriation can safely be called dual imperialism because not only does it exploit the conquered and the occupied abroad but also the overwhelming majority of U.S. citizens and their resources at home. Second, beneficiaries of war and military aggressions under the new imperialism tend to systematically invent (or manufacture, if necessary) external “threats to national security” in order to justify continued expansion of military spending. Enlargement of military spending during the Cold War era was not a difficult act to perform as the explanation—the “communist threat”—seemed to conveniently lie at hand. Justification of increased military spending in the post-Cold War period, however, has required the military-industrial-security-intelligence interests to be more creative in concocting “new sources of danger to U.S. interests.” This perennial need for international conflicts and/or external enemies is what makes the new, post-Cold War imperialism more dangerous than the imperialist powers of the past ages. War profiteering is, of course, not new. Nor are bureaucratic tendencies in the ranks of military hierarchies to build parasitic, ceremonial military empires. By themselves, such characteristics are not what make the U.S. military-industrial-security-intelligence complex more dangerous than the military powers of the past. What makes it more dangerous is the “industrial” part of the complex: the extent to which war has become big business. In contrast to the United States’ arms industry, arms industries of the past empires were often owned and operated by imperial governments, not by profit-driven private corporations. Consequently, as a rule, arms production was dictated by war requirements, not by market or profit imperatives of arms manufacturers. As far as arms industry is concerned, instigation of international conflicts, or invention of external “threats to national security,” is a lucrative proposition that would increase both its profits by expanding its sales markets abroad and its share of national budget at home. This has had dire consequences for world peace and stability. Under the rule of past military empires, the subjugated peoples or nations could live in peace—imposed peace, of course—if they respected the nefarious geopolitical interests and economic needs of those imperial powers and simply resigned to their political and economic ambitions. Not so with the U.S. military-industrial-security-intelligence empire: the interests of this empire are nurtured through “war dividends.” Peace, imposed or otherwise, would mean that the powerful beneficiaries of war dividends would find it difficult to either expand the sale of their armaments abroad or justify their inordinately large share of national tax dollars at home. This means that, contrary to the model of past empires, mere perception of external threats is not sufficient for the accumulation of the fortunes of the U.S. military-industrial-security-intelligence empire. Actual, shooting wars—preferably manageable or controllable at the local of regional levels—are needed not only for the expansion but, indeed, for the survival of this empire. Arms industries need occasional wars not only to draw down their stockpiles of armaments, and make room for more production, but also to display the “wonders” of what they produce: the “shock and awe”-inducing properties of their products, or the “laser-guided, surgical operations” of their smart weapons. In the era of tight and contested budget allocations, arms producers need such “displays of efficiency” to prove that they do not waste tax payers’ money. Such maneuvers are certain to strengthen the arguments of militarist politicians against those (few) who resist huge military appropriations. Sadly, however, the incentive for the military industry to prove its efficiency is often measured, though not acknowledged, in terms of actual or potential death and destruction [2]. Third, as pointed out earlier, imperial dispossession has become increasingly more dispersed, generalized or universal: it deprives not only the peoples of distant lands, as did the old imperial/colonial powers, but also the overwhelming majority of citizens at home. A variety of relatively newer instruments are now utilized to bring about the expropriation of the masses in favor of the plutocratic elites. These include privatization and commodification of public domain, public infrastructures and public services (such as healthcare and education); neoliberal fiscal policies that tend to lower tax obligations of the oligarchic interests by cutting social spending; continued escalation of military spending, which tends to disproportionately benefit the stock and/or stake holders of the military-industrial-security-intelligence spending; manipulation or utilization of financial crises to rescue, or bail out, the so-called too big to fail financial players; and (perhaps most importantly) asset price inflation by means of central banks’ polices of cheap or easy money, which benefits, first and foremost, the big banks and other major financial players that can outbid small borrowers who must borrow at much higher rates than the near-zero rates guaranteed to the big borrowers. Instead of regulating or containing the disruptive speculative activities of the financial sector, monetary policy makers, spearheaded by central banks, have in recent years been actively promoting asset-price bubbles—in effect, further exacerbating inequality. This shows how the proxies of the financial oligarchy, ensconced at the helm of central banks and their shareholders (commercial banks), serve as agents of subtlely funneling economic resources from the public to the financial oligarchy—just as the rent or tax collectors and bailiffs of feudal lords collected and transferred economic surplus from the peasants/serfs to the landed aristocracy. Four, in the same fashion as the imperialist expropriation has over time expanded from the early pillage of resources abroad to include the currently generalized dispossession at home, so have imperialistic means of expropriation been diversified or expanded from the sheer military force of earlier times to today’s multitudes of relatively newer means of regime change and dispossession. These newer means of worldwide dispossession include “soft-power” instruments such as color-coded revolutions, “democratic” coup d’états, manufactured civil wars, orchestrated and/or money-driven elections (peddled as manifestations of democracy), economic sanctions, and the like. Perhaps more importantly, they also include powerful financial institutions and think tanks such as the World Trade Organization (WTO), the International Monetary Fund (IMF), central banks, and credit rating agencies like Moody’s, Standard & Poor’s and Fitch Group.

#### Maroonage, fugitivity and flight are flawed methods of political engagement in the university – makes neoliberal violence inevitable.

Love 15—Associate Professor at the University of Pennsylvania [Heather, ““Doing Being Deviant: Deviance Studies, Description, and the Queer Ordinary,” differences Vol. 26, No. 1, p. 89-91]

Today, queer studies—prestigious but unevenly institutionalized—still signals absolute refusal or criticality—all anti- and no normativity. In their influential 2004 essay, “The University and the Undercommons” (and in the 2013 book that followed from it), Fred Moten and Stefano Harney rely on such an understanding of queer (as well as concepts borrowed from black studies, feminism, ethnic studies, and anticolonial thought). They call for betrayal, refusal, theft, and marronage as modes of resisting the iron grip of the academy, pointing to an uncharted, underground, and collective space they call the undercommons. “To enter this space,” they write, “is to inhabit the ruptural and enraptured disclosure of the commons that fugitive enlightenment enacts, the criminal, matricidal, queer, in the cistern, on the stroll of the stolen life, the life stolen by enlightenment and stolen back, where the commons give refuge, where the refuge gives commons” (103). Moten and Harney speculate whether the “thought of the outside” (105) is possible inside the university and suggest that if there is an outside, it is along the margins and at the bottom. Yet their imagination of that outside is indebted to the inside, in particular to the conception of deviance produced within sociology. Their account of the undercommons reads like a rap sheet, a list of the traditional topics of deviance studies: theft, homosexuality, prostitution, incarceration.

Moten and Harney do not describe the undercommons, but rather ask their readers to join it, to participate in active revolt against profes- sional and disciplinary protocols. To o er an objective account of the social position of radical academics would be to further business as usual in the academy; dwelling in the undercommons requires giving up on the usual protocols of description. Moten and Harney argue against the traditional role of the “critical academic” (105), which they see as just another turn of the professional screw, since work that opposes the academy does not challenge its basic structure or everyday operations. They argue that “to be a critical academic in the university is to be against the university, and to be against the university is always to recognize it and to be recognized by it, and to institute the negligence of the internal outside, that unassimilated underground, a negligence of it that is precisely, we must insist, the basis of the professions” (105). In contrast to the figure of the critical academic, they forward the image of the “subversive intellectual” who is “in but not of” the academy (101). Without dismissing the galvanizing effect of such a call to the undercommons, it is important to consider the limits of the refusal of objectification as a strategy. To be unlocatable, to be nowhere, to be in permanent revolt: Moten and Harney describe the path that queer inquiry laid out for itself. Objectification—recognition, description, critique—can be a way to reinforce the status quo, but it is also a way of acknowledging one’s institutional position and the real differences between inside and outside. Even the most subversive intellectuals in the academy are “on the stroll” in a metaphorical but not a material sense. The fate of those who came “under false pretenses, with bad documents, out of love” (101), if they survive, is to become “superordinates” in Becker’s sense.

Whose side are we on? Can we hold onto the critical and polemical energy of queer studies as well as its radical experiments in style and thought while acknowledging our implication in systems of power, management, and control? Will a more explicit avowal of disciplinary affiliations and methods snuff out the utopian energies of a field that sees itself as a radical outsider in the university? To date, both the political and the methodological antinormativity of queer studies have made it difficult to address our implication in the violence of knowledge production, pedagogy, and social inequality. Such violence is inevitable, and critical histories of the disciplines—and the production of knowledge about social deviance—are essential. Undertaking such work, however, will not allow escape into a radically different relation to our objects because we are (as Moten and Harney also argue) part of that history—we are its contemporary instantiation. To imagine a social world in which those relations are transformed—in what Moten and Harney refer to as the “prophetic organization” (102)—may be crucial for the achievement of social justice, but to deny our own implication in existing structures is also a form of violence.

#### Ignoring our offense for the sake of a totalizing theory recreates violence, because it facilitates the continuation of predatory wage labor - prefer pragmatism centered on weak-ontological claims

Nyman 16

(Jonna Nyman is a Teaching Fellow in International Relations at the University of Leicester, UK, “Pragmatism, practice and the value of security,” in *Ethical Security Studies: A new research agenda*, Routledge, pg. 139-141)

**A pragmatic approach rejects the idea of foundational 'truth',** **and involves a recognition that nothing is ever definitively settled.** **Rather than being anti-foundationalist**, Cochran suggests, **a pragmatic approach can be seen as 'weak foundationalist'**, **and leads to contingent ethical claims which are context-dependent, temporary and provisional'** (Cochran 1999: 16). Based on this, Cochran has used pragmatism to build bridges in normative theorising within IR. She argues that for pragmatists, **establishing 'truth' is not the same as for a positivist**: it involves settling a controversial or complex issue **for the time being**, until something comes along to dislodge the comfort and reassurance that has thereby been achieved, **forcing inquiry to begin again'** (Cochran 2002: 527, 1999). So, while progress is always provisional, 'it is not empty' (Cochran 2002: 528).

Such a 'weak foundationalist' approach helps us to move beyond debates over whether or not **security is 'positive\* or 'negative',** **as nothing is ever definitively settled**. Though she doesn't use the terminology of pragmatism, Mustapha makes a similar argument in proposing a 'modified’ poststructuralist approach to security based on weak foundationalism. As with an 'unsettled' pragmatic approach, this means that **'any ontological claims that are made must always be open to interrogation'** (Mustapha 2013: 74-5). This allows us to engage with the **(contingent) "realities"** of actual "security" problems' (Mustapha 2013: 77), a**nd makes reconstruction possible even for most poststructuralists.** Here, '(contingent) foundational claims are not static and are open to interrogation, **but are necessary for politics and ethics**. Security is a practice/means as well as an end’ (Mustapha 2013: 82).

The weak foundationalism which underpins pragmatism emphasises the contingent nature of claims, and shows that security doesn't have to always be negative - but likewise, any 'ethical' or 'positive' notion of security should not be considered to be **fixed** or permanent. Instead, **reflexivity is imperative**, **with continuous evaluation and re-evaluation of our claims**. It also helps us to move past arguments by poststructuralist and Copenhagen School authors who suggest that the way in which security has traditionally been attached to problematic national security politics **means it is 'tainted by association.** Instead, the meaning and value of security is not fixed and can change, **and will never be settled**. **It also helps to avoid some of the controversial baggage of emancipatory approaches** (Barkawi and Laffey 2006: 350).

It also helps us to move beyond debates over deconstruction/reconstruction and the meaning and purpose of critique - most importantly because it is **inherently pluralist**, and therefore argues that there is no one 'truth’ **and so no correct approach to critique or ethics**. Poststructuralist discomfort with going beyond critique and related concerns with power **become less significant once we recognise this**. Anti-foundauonalists don't believe that there are secure foundations on which we can base ethics: a pragmatic approach helps us to recognise the lack of secure foundations and still move forward with reconstructive agendas. Ultimately, **it allows for suggestions of alternatives based on experiences**, **while recognising that these alternatives will never be final**. Consequently, although we can never reach emancipation' or 'security', **we can instead focus on becoming more secure, given what we know about different conditions and contexts at any given time.**

This moves us onto the second contribution a pragmatist approach can make: it provides us with a different way to think about ethics. As noted, Cochran makes a link between a pragmatic weak foundationalism and contingent ethical claims. Once we reject 'truth', it becomes clear that ethical claims, or the ‘good’, can never be settled **but must rather be continually re-thought and unproved upon**. Thus, while we can draw ethical conclusions, **these conclusions are 'no more than temporary resting places for ethical critique'** (Cochran 1999: 17). Drawing on Brassett's work on pragmatism, **we can suggest 'possibilities, while remaining sensitive to their limitations'** (Brassett 2009a: 226). Once we drop the obsession with 'truth' and finding 'truth' in scholarly enquiry, the task becomes one of engaging in the **trial and error process** of suggesting possibilities' (Brassett 2009a: 226). Drawing on Rorty, he argues that 'ethics is political - negotiated is a relational human construct - and politics is ethical: a process of contest that has direct ethical outcomes'; therefore, recognising that there is no foundation 'does not mean dropping values, or the notion of progress' (Brassett 2009b: 282).

This helps us move past debates over the value of security by showing that it depends on the context. Thus, both sides of the debate are right: security can be problematic, but it can also be 'good'. However, any notion of positive or good' security **has to be continually interrogated**. It also helps to reframe the debate over deconstruction/reconstruction by **shifting it in favour of moving forward towards 'better' things rather than establishing abstract 'positive' alternatives**. In the process, it emphasises the fact that all alternatives have limitations. The focus on experience. including alternative experiences, is central to pragmatism's contribution to debates over security ethics. Brassett makes a related argument drawing on Rortv. presenting a different view of ethics as grounded in experiences:

we need to **overcome** the second view that effective resistance requires us to somehow **'distance'** ourselves from power. This view that we can somehow practice critique from a standpoint that transcends questions of power and domination in **Truth, the ideal speech situation, or some other idea(l) suggests that there are correct 'spaces' or 'practices' of resistance**, be it democracy, the revolutionary working class or a post-national constellation.