## T Substantial

### T Subs = %---2AC

#### c. GRAMMAR---generic statements are proven true by subsets.

Andrei Cimpian 10, Amanda C. Brandone, Susan A. Gelman, Generic statements require little evidence for acceptance but have powerful implications, Cogn Sci. 2010 Nov 1; 34(8): 1452–1482

Generic statements (e.g., “Birds lay eggs”) express generalizations about categories. In this paper, we hypothesized that there is a paradoxical asymmetry at the core of generic meaning, such that these sentences have extremely strong implications but require little evidence to be judged true. Four experiments confirmed the hypothesized asymmetry: Participants interpreted novel generics such as “Lorches have purple feathers” as referring to nearly all lorches, but they judged the same novel generics to be true given a wide range of prevalence levels (e.g., even when only 10% or 30% of lorches had purple feathers). A second hypothesis, also confirmed by the results, was that novel generic sentences about dangerous or distinctive properties would be more acceptable than generic sentences that were similar but did not have these connotations. In addition to clarifying important aspects of generics’ meaning, these findings are applicable to a range of real-world processes such as stereotyping and political discourse.

1. Introduction

A statement is generic if it expresses a generalization about the members of a kind, as in “Mosquitoes carry the West Nile virus” or “Birds lay eggs” (e.g., Carlson, 1977; Carlson & Pelletier, 1995; Leslie, 2008). Such generalizations are commonplace in everyday conversation and child-directed speech (Gelman, Coley, Rosengren, Hartman, & Pappas, 1998; Gelman, Taylor, & Nguyen, 2004; Gelman, Goetz, Sarnecka, & Flukes, 2008), and are likely to foster the growth of children’s conceptual knowledge (Cimpian & Markman, 2009; Gelman, 2004, 2009). Here, however, we explore the semantics of generic sentences—and, in particular, the relationship between generic meaning and the statistical prevalence of the relevant properties (e.g., what proportion of birds lay eggs).

Consider, first, generics’ truth conditions: Generic sentences are often judged true despite weak statistical evidence. Few people would dispute the truth of “Mosquitoes carry the West Nile virus”, yet only about 1% of mosquitoes are actually carriers (Cox, 2004). Similarly, only a minority of birds lays eggs (the healthy, mature females), but “Birds lay eggs” is uncontroversial. This loose, almost negligible relationship between the prevalence of a property within a category and the acceptance of the corresponding generic sentence has long puzzled linguists and philosophers, and has led to many attempts to describe the truth conditions of generic statements (for reviews, see Carlson, 1995; Leslie, 2008).

#### 3. Counter-interp: affs may strengthen CBRs for considerable subsets of the workforce.

#### 4. Substantial is considerable.

Shannon Prost 4, Judge at the United States Court of Appeals of the Federal Circuit, "Committee for Fairly Traded Venezuelan Cement, Plaintiff-Appellant, v. United States, Defendant-Appellee, and Cemex Venezuela, S.A.C.A. ('Vencemos'), Defendant-Appellee," 06/18/2004, http://www.ll.georgetown.edu/federal/judicial/fed/opinions/04opinions/04-1016.html

The URAA and the SAA neither amend nor refine the language of § 1677(4)(C). In fact, they merely suggest, without disqualifying other alternatives, a “clearly higher/substantial proportion” approach. Indeed, the SAA specifically mentions that no “precise mathematical formula” or “‘benchmark’ proportion” is to be used for a dumping concentration analysis. SAA at 860 (citations omitted); see also Venez. Cement, 279 F. Supp. 2d at 1329-30. Furthermore, as the Court of International Trade noted, the SAA emphasizes that the Commission retains the discretion to determine concentration of imports on a “case-by-case basis.” SAA at 860. Finally, the definition of the word “substantial” undercuts the CFTVC’s argument. The word “substantial” generally means “considerable in amount, value or worth.” Webster’s Third New International Dictionary 2280 (1993). It does not imply a specific number or cut-off. What may be substantial in one situation may not be in another situation. The very breadth of the term “substantial” undercuts the CFTVC’s argument that Congress spoke clearly in establishing a standard for the Commission’s regional antidumping and countervailing duty analyses. It therefore supports the conclusion that the Commission is owed deference in its interpretation of “substantial proportion.” The Commission clearly embarked on its analysis having been given considerable leeway to interpret a particularly broad term.

## New Affs

### New Affs Bad---2AC

## States

### States CP---2AC

#### 1. Perm: do both. Perceived as follow-on which shields the link.

#### 2. Perm: do the CP. Uniform action's federal.

#### 3. CP's preempted:

#### a. DISCLAIMER CLAUSE---affirmatively mandates pretextual refusal to deal, which overrides conflicting state law---that's Frederick.

<<FOR REFERENCE>>

The disclaimer clause of AFPA provides that "nothing in this chapter shall … require a handler to deal with an association of producers." 148 The provision may call into question state statutes requiring a processor to negotiate in good faith with a producer association. The disclaimer clause also raises [\*451] concerns over how far a state can go in compelling a processor to accept third-party intervention in the negotiation process. 149

From the producer's perspective, other weaknesses exist in legislation, particularly at the federal level. Under the disclaimer clause of the AFPA, processors can terminate producer contracts for virtually any reason other than the producer's participation in a cooperative. 150 Because of this narrow coverage, processors could easily formulate a legitimate reason justifying termination regardless of whether cooperative participation was the real motivation behind the termination of the contract.

Federal law is devoid of procedures to facilitate negotiations between a processor and a grower association. Often, if the parties are able to sit down and talk with a neutral, trained outside person, differences can be resolved and amicable agreements can be reached. While several states have undertaken to provide professional assistance in the negotiation process, 151 the federal government has not found it appropriate to offer this service on a nationwide scale.

Penalties under federal law for violating producer rights are modest, at best. Private parties can collect damages and attorney's fees. 152 The cost of private litigation, however, forces most grower associations to rely on the government to pursue their cause.

Even when the government files suit on behalf of a grower association, the only remedy available is a civil complaint re [\*452] questing preventive relief to bar further illegal conduct. 153 As a result, the Justice Department is reluctant to expend the resources necessary to pursue these cases. Even if the case is successful, the processor is no worse off than if it had not violated the law initially. Current enforcement tools provide little inducement for voluntary compliance on the part of processors.

Federal law does little to facilitate purposeful bargaining. State law that exceeds the scope of the AFPA is exposed to possible federal preemption charges. The lack of uncompromised public policy support puts producer associations in a "chicken-or-the-egg" situation. Producers are reluctant to join an association until the association has shown the ability to withstand processor pressure. Yet, an association cannot obtain significant bargaining power until its membership represents a large enough share of production that the processor has to respect the association.

Some producer groups have developed sufficient market presence to command processor attention. 154 Many other producers, however, remain unorganized or unable to become a force in their industry. A more favorable public policy toward agricultural bargaining would facilitate stronger, more effective farmer associations.

B. Steps to Improve Producer Bargaining Power

Repealing the disclaimer clause would eliminate the AFPA language that states that handlers and producers are not required to deal with producer associations. 155 This repeal would remove the cloud over state laws that promote good faith negotiation and third party assistance in reaching a settlement. In addition, repealing the disclaimer clause would remove any inference that processors can refuse to do business with an association member for reasons other than membership in the association. 156

#### b. LOBBYING---causesa preemption AND blocks follow-on.

John Ikerd 20, BS, MS and PhD in Agricultural Economics from the University of Missouri, former Head of Extension Agricultural Economics at the University of Georgia, Professor Emeritus from the University of Missouri, "Reclaiming the Future of Farming," Prepared for presentation at the MOSES Organic Farming Conference, February 2020, http://web.missouri.edu/~ikerdj/papers/WIMOSESFutureFoodFarming.pdf

What happened to stop, or at least delay, the great agricultural transformation that seemed so promising at the turn of the century? I think the futurists, myself included, failed to appreciate the growing economic and political power of the multinational agribusiness corporations and their determination to dominate the agricultural economy. When the federal government essentially quit enforcing corporate antitrust policy in the 1980s, it essentially freed the large corporations to take control of government. Economic colonization3 is a term that seems appropriate to describe the corporate domination of rural areas around the world, including rural America. The term is typically used in reference to the so-called developed nations using their economic power to continue dominating less-developed nations that were previously colonized politically. Instead of colonization by national governments, the colonization today is being carried out by large, multinational corporations. Much like colonial empires of the past, the economically valuable ecological and societal resources of rural areas, including rural people and cultures, are being exploited not to benefit rural people but instead to increase the wealth of corporate investors. These large, publicly traded corporations are purely economic entities with no capacity for concern or commitment to the future of rural communities. Their only interest is in extracting economic wealth from rural areas.

Whether intentional or coincidental, industrial agriculture has been the primary means of colonizing rural America. Agribusiness corporations gain political legitimacy and elicit economic concessions from local government officials through false promises of rural economic development. The largely unregulated industrial agriculture erodes the fertility of the soil and poisons the air and water with chemical and biological wastes. Comprehensive corporate contracts replace thinking, caring farmers with tractor drivers and corporate hired-hands. Once the productivity of an area has been depleted, the corporations will simply move their operations to other areas of the nation or world where land is still productive and labor costs are cheaper— as we have seen in with pineapple and sugar cane production moving out of Hawaii. Rural communities are left with depleted soils and aquifers, streams and groundwater polluted with agricultural chemical and biological wastes, and farmers who no longer know how to farm.

Obviously, farming communities did not become places where the knowledge workers of the 21st Century have chosen to work and live. Wendell Berry—farmer, philosopher, and author—in a 2017 letter to the New York Times described it this way: “The business of America has been largely and without apology the plundering of rural America, from which everything of value—minerals, timber, farm animals, farm crops, and “labor”—has been taken at the lowest possible price. As apparently none of the enlightened ones has seen in flying over or bypassing on the interstate highways, its too-large fields are toxic and eroding, its streams and rivers poisoned, its forests mangled, its towns dying or dead along with their locally owned small businesses, its children leaving after high school and not coming back. Too many of the children are not working at anything, too many are transfixed by the various screens, too many are on drugs, too many are dying.”4

The promise of a social and economic renaissance became social and economic desecration. A 2017 Wall Street Journal article labeled rural America as the “New Inner City.” In terms of poverty, education, teenage births, divorce, premature death, disability, and unemployment, rural counties now rank below inner cities.” 5 Drug abuse and crime, once urban problems, now plague rural communities. The rural communities that thrived socially and economically during the 1940s and 1950s, when I was a member of Future Farmers of America, are but a distant memory.

What did we gain from all of this economic desecration of rural America? Very little! Admittedly, American consumers on average spent less of their disposable income on food in the late 1990s than in the 1970s. Over the past 20 years, however, food prices have risen faster than the overall rate of inflation.6 Furthermore, industrial agriculture didn’t feed the hungry. In fact, more people are now classified as “food insecure” than back in the 1960s.7 In 2018, one-in-nine Americans were classified as food insecure and one-in-seven American children lived in foodinsecure homes.8 Whatever has been gained by lower food costs has been more than offset by rising costs of health care. An epidemic of diet related illnesses; obesity, diabetes, hypertension, heart disease, and cancers, now threatens the physical and financial future of the nation. Costs of health care are projected to account for one-fifth of the GDP by 2016.9

Why did we Americans let this happen? Or was it inevitable? The industrialization of American agriculture was made possible by post-World War II agrochemical and mechanical technologies, however, it was “made inevitable” by supportive government policies. The specialized, mechanized, large-scale nature of industrial farming that makes it economically efficient also makes it inherently economically risky. Farmers are forced to make large investments in land, buildings, and equipment in operations that are inherently vulnerable to unpredictable weather that can devastate crops, diseases that can wipe out livestock and poultry operations, and to unprofitable prices in markets characterized by periodic overproduction. So, American taxpayers were asked to absorb much of these risks through U.S. farm policies— including various kinds of price supports, deficiency payments, subsidized crop insurance, disaster payments, subsidized interest rates, loan guarantees, and investment tax credits. All of these programs, in one way or another, incentivize or subsidize industrial agriculture.

The industrialization of agriculture was a bold experiment, and it was well-intended—at least by many of its earlier advocates. I was one of those advocates during the first half of my 30 year academic career. I thought by improving the economic efficiency of farming, we would bring down the cost of food and make good food affordable for everybody. I thought the focus on economic efficiency would create profit opportunity for progressive farmers and support economically viable rural communities. However, during the farm financial crisis of the 1980s, I was forced to face the hard, cold reality that it had done none of these things. The industrialization of agriculture was well intended, but it simply didn’t work.

Regardless, many farmers continue to support it because they feel trapped by large investments in land, buildings, and equipment. They are trapped by government policies that encourage and enable them to keep doing what they are doing. They are also trapped by a “commercial farming culture” that has been skillfully crafted and protected by corporate agribusiness. So, what will it take to reclaim the future of farming? One of my professors at the University of Missouri, and later a mentor, was Harold Breimyer—a distinguished agricultural economist. Harold frequently reminded his students and others that “Americans can have any kind of agriculture we want.” He said we simply need to implement the right farm policies to get it. He was right. If we are to fundamentally change American agriculture, we must fundamentally change U.S. farm policy.

So what will it take to bring about another transformation in American farm policy? I personally believe it will take nothing less than a major consumer/taxpayer revolt. The corporate agri-food establishment has used its economic power to gain political power and now has firm control of the farm and food policy making in Washington DC and in statehouses across the country. No substantive change in farm policy can survive the political process without the endorsement or acquiescence of the corporate agricultural establishment.

#### c. DCC---Capper-Volstead coops are inter-state

\*\* Full text from the legislative section referenced: "(i)n States where it is illegal to operate an association such as the ones permitted under this bill, it will, because of the nature of such associations, be practically impossible to operate under this legislation, as the bill only grants the right to operate in interstate and foreign commerce. That is the only power that Congress can confer upon such associations."

DOJ 87, federal executive department of the United States government tasked with the enforcement of federal law, "Brief for the United States as Amicus Curiae," Department of Justice, October, 1987, "State Of California, Et Al., Appellants V. Arc America Corporation," https://www.justice.gov/sites/default/files/osg/briefs/1987/01/01/sg870016.txt, Accessed 10/2/21.

Congress has repeatedly shown its awareness of state antitrust remedies and its understanding that, in the absence of specific congressional action to preempt them, they will coexist with federal remedies. For example, the legislative history of the exemption for agricultural cooperatives under the federal antitrust laws (Capper-Volstead Act, 7 U.S.C. 291, 292) indicates that "(i)n States where it is illegal to operate an association such as the ones permitted under this bill, it will \* \* \* be practically impossible to operate under this legislation, as the bill only grants the right to operate in interstate and foreign commerce. That is the only power that Congress can confer upon such associations." H.R. Rep. 24, 67th Cong., 1st Sess. 2 (1921). In more recent legislation granting limited exemptions from the federal antitrust laws, Congress chose expressly to preempt state antitrust remedies. See National Cooperative Research Act of 1984, 15 U.S.C. (Supp. IV) 4303(c); /13/ Export Trading Company Act of 1982, 15 U.S.C. 4016, 4002(a)(7). /14/ These express preemption provisions reflect Congress's understanding that, in the absence of express preemption, the States would be free to authorize independant and potentially conflicting private remedies. See S. Rep. 98-427, 98th Cong., 2d Sess. 14 (1984) ("(t)he protections afforded by title II to joint R&D programs from treble damages under Federal law would be largely vitiated by continuing treble damage exposure under State law").

#### Triggers Commerce Clause.

Doug O'Brien 4, Minority Counsel, U.S. Senate Committee on Agriculture, Nutrition and Forestry, "Policy Approaches to Address Problems Associated with Consolidation and Vertical Integration in Agriculture," Drake Journal of Agricultural Law, vol. 9, no. 1, Spring 2004, pp. 33-52, HeinOnline

3. Prohibit Certain Types of Business Entities from Owning Farmland or Engaging in Farming Activities

A number of states have promulgated laws that prohibit certain types of corporations from owning or controlling farms; these laws attempt to encourage family farm ownership of agricultural assets. 2 Recently, however, parties have challenged the constitutionality of these laws on the basis of the Dormant Commerce Clause. 23 In essence, the claimants argue that state legislatures either intended, or the laws have the effect of, discriminating against out-of-state businesses.24 Significantly, the Eighth Circuit recently held that Amendment E to South Dakota's Constitution, which prohibits certain corporations from acquiring land used for farming, was unconstitutional because it had a discriminatory purpose.25

#### **6. Patchwork destroys certainty.**

Tony St. James 25, Market Specialist at RFD-TV, BBA, Wayland Baptist University, "Farm Bureau Calls for Policy Certainty to Support U.S. Agriculture," RFD-TV, 11/05/2025, https://www.rfdtv.com/farm-bureau-calls-for-policy-certainty-to-support-u-s-agriculture

America’s farmers are running out of cushion. Rising costs, weaker commodity prices, and inconsistent policy signals are tightening margins across the countryside, says John Newton, Ph.D., vice president of public policy and economic analysis for the American Farm Bureau Federation (AFBF).

Despite producing the food, fiber, and fuel that drive $6 trillion in economic activity and support one in five U.S. jobs, many family farms face mounting uncertainty — not from weather, but from economic and regulatory strain. Newton argues that rebuilding stability requires “a promise worth keeping”: clear, consistent policies that restore certainty to farm operations nationwide.

AFBF’s key priorities include fair, enforceable trade agreements that protect market access; expanded support for biofuels such as ethanol and sustainable aviation fuel; and restoring whole milk options in schools to strengthen nutrition and dairy demand.

Newton also highlights the need to safeguard interstate commerce from conflicting state-level mandates, investigate pricing imbalances in fertilizer and equipment markets, and prioritize American-grown fruits and vegetables in federal purchasing. Each measure, he says, helps rebuild a dependable marketplace for producers.

Agriculture’s partnership among growers, buyers, and policymakers must be renewed, Newton concludes. “Keeping farmers in business is not optional — it’s essential to America’s strength.”

### AT: UCF – 2AC

#### Perm do both. Inclusion of the threat solves the internal net benefit.

Albert Lin 20, Professor of Law at University of California, Davis, School of Law, "Uncooperative Environmental Federalism: State Suits Against the Federal Government in an Age of Political Polarization," 07/01/2020, https://escholarship.org/content/qt64j5g27g/qt64j5g27g.pdf

Successful state lawsuits can check abuses of power by the federal government and serve as deliberately chosen mechanisms for making policy.328 Even if state challenges to federal policy ultimately fail, the litigation process itself can still promote deliberation and democratic values. State public-law litigation can provide a forum for direct public opposition between states and the federal government, offer a channel for states to express independent views, and force states and the federal government to provide a public accounting of their policies and underlying policy justifications.329 Consistent with dynamic federalism’s appreciation of the virtues of interactive state and federal involvement, state lawsuits against the federal government can enrich the dialogue on national policy.

#### Trump says no and cracks down. AND, squo solves the internal link.

William G Gale & Darrell M West 25 – Chair in Federal Economic Policy at Brookings & Senior Fellow in Governance Studies at the Center for Technology Innovation (CTI). “The war over federalism,” 09/17/2025, Brookings, https://www.brookings.edu/articles/the-war-over-federalism/

Since his inauguration, President Trump has moved aggressively to enact his agenda. He has encountered few checks on presidential power; the Republican Congress has been loyal to the administration, court decisions have been a mixed bag, and the Democratic Party is some time away from being able to coalesce around a new leader.

But overlooked in this discussion is federalism and the important role that the 50 individual states play and have always played in shaping the future of the country. In recent years, sharp policy divides have emerged not only between red and blue states but also in their interactions with the federal government. States and the federal government have clashed over abortion, redistricting, voting rights, vaccines, immigration, crime, and taxes. The traditional idea that conservative states could pursue conservative policies while liberal states pursued liberal ones has increasingly given way to efforts by states or the federal government to impose their preferences on others.

Even before the second Trump administration, the repeal of Roe v. Wade, ending federal protection for abortion rights, prompted a surge of state-level legislation that varied widely across red and blue states. Blue states enacted measures protecting abortion providers from prosecution, while red states adopted laws penalizing abortion providers residing in other jurisdictions as well as out-of-state distributors of abortion medication.

Another example of the war between the states is redistricting. Traditionally, redistricting occurred following the decennial census. However, at the urging of President Donald Trump, the Texas legislature adopted a new 2026 congressional map designed to secure five additional Republican seats. Similar efforts in states such as Indiana and Missouri prompted Democratic-led states like California and Maryland to advance their own partisan maps, further intensifying conflict between state governments.

Voting rights have become quite contentious as well, particularly in light of former President Trump’s stated intention to ban mail ballots and voting machines. Since the adoption of the Constitution, states have held primary authority over the conduct and administration of elections, and the chief executive’s announcement raises questions about whether states will be able to maintain control over their preferred methods of running elections.

With the federal government adopting a less supportive stance on vaccines, the governors of California, Washington, and Oregon formed a “health alliance” to coordinate guidance and pool resources across their jurisdictions. This initiative came in response to vaccine policy pullbacks within the Department of Health and Human Services and staff resignations at the Centers for Disease Control and Prevention. Florida, by contrast, announced plans to discontinue childhood vaccine requirements, a move that could pose risks to residents and visitors from other states.

For several years, disputes over undocumented immigrants have led some border-state governors to put migrants on buses to Northern cities such as New York, Chicago, and Washington, D.C., often without even notifying local officials. In some cases, refugees have arrived with no accommodations or support to help them navigate unfamiliar surroundings. Additionally, citing Boston’s status as a “sanctuary city,” the U.S. Department of Justice recently filed a lawsuit against city officials for failing to assist with federal immigration crackdowns.

The most recent intergovernmental confrontation involves the deployment of National Guard troops and the militarization of local police, with Republican-led states sending forces to Democratic-led cities. In Washington, D.C., the presence of troops from Alabama, Texas, South Carolina, and other states prompted strong local opposition: A Washington Post/George Mason University survey found that 79% of residents opposed the policy, and 61% reported feeling less safe with the troops on the streets. Los Angeles faced similar intrusions but prevailed in court when a federal judge ruled that sending military forces for law enforcement purposes without local or state consent was unlawful.

Despite that legal setback, President Trump has threatened to deploy federal law enforcement personnel and/or National Guard troops to cities such as Chicago, New York, Baltimore, and elsewhere. If the D.C. experience is any indication, many residents in these cities could react strongly to the sight of delivery workers, domestic staff, construction workers, and firefighters being removed from public spaces by masked agents and transported in unmarked vehicles to undisclosed locations.

These issues—and likely others to follow—pit Republican-led states against Democratic-led cities and states. They have disrupted the traditional function of federalism, which allows for differing approaches across jurisdictions while providing a mechanism to challenge the national government. Such interventions are generating widespread concern and anxiety about legal rights and the prerogatives of state and local authorities. Escalations and political brinkmanship that would have been unlikely in previous years have now become increasingly common.

Acknowledging that many large Democratic-led states contribute more in federal taxes than they receive in federal grants, some state leaders have proposed what they term “soft secession”—withholding federal tax payments as a form of protest against Trump administration policies they consider unlawful.

As shown in Tables 1 and 2, states such as New York ($89 billion), California ($78 billion), New Jersey ($70 billion), and Texas ($67 billion) contribute far more in federal taxes than they receive in federal grants. In contrast, states such as Alabama ($41 billion), Arizona ($40 billion), and South Carolina ($37 billion) receive more from the federal government than they contribute. These budgetary imbalances give “donor” states potential leverage over federal policy, as some leaders have suggested using this fiscal influence to counter what they perceive as punitive actions by the Trump administration toward their states, as well as preferential treatment of conservative “recipient” states. Note that with the exception of Texas, the donor states are all blue states, and with the exception of Maryland and New Mexico, the recipient states are all red states.

This is the second time that President Trump’s governing style has prompted a renaissance in state actions; the president’s uneven response to COVID-19 frequently led states to take matters into their own hands and develop their own pandemic responses. In the current period, the unprecedented attacks on states’ rights jeopardize American federalism and the separation of powers across political jurisdictions. Given the GOP’s historic emphasis on states’ rights, it is notable how expansive the party’s stance is on national prerogatives. If Trump’s expansion of executive power and national authority continues, it could fundamentally reshape federal-state relations. Taken to an extreme, conflict over these issues could escalate into a financial or law enforcement equivalent of a contemporary Civil War. It is a dangerous usurpation of state and local rights that may lead to a contentious confrontation.

#### Squo solves the internal.

David Presslein 24, Research Assistant at the Max Planck Institute for Social Law and Social Policy in Munich, LL.M. from Yale Law School and is currently pursuing his PhD at the Ludwig Maximilian University of Munich, 11/15/2024, “Political Resistance and Two Dirty Words: Reframing Federalism and State Sovereignty in the Face of the Second Trump Term,”

Progressive Federalism and Sovereignty against the Trump Administration

Despite these concerns, robust understandings of federalism and sovereignty can prove useful in blocking Trump’s authoritarian plans – fully in line with their virtue of protecting against federal tyranny and their vice of inefficiency. I will focus on two routes Democrats can take to harness the progressive potential of the f- and s-words.

Political Routes and The Dirty F-Word: As to political resistance, the work of the Nationalist School of Federalism deserves a particular shoutout. Led by Dean Gerken of Yale Law School, its members seek to promote new ways in which States can implement their own policies and strengthen the rights of minorities.

Although the States and the federal government formally act separately, in practice they often cooperate to administer joint programs in what can be called “Intrastatutory Federalism”. The States (and localities) have thus considerable influence on the actual implementation of federal measures and can (re-)shape or block harmful programs, engaging in Uncooperative Federalism. Through disaggregation of political bodies and diffusion of power, national minorities can become local majorities and shape policy themselves, thereby dissenting by deciding. Furthermore, local communities offer the opportunity to establish their own programs at a local level and strengthen their case in opposition to federal policies – it is easier to argue if you can point to concrete, well-functioning practical examples. That way, they can also work to protect individual rights – federalism and rights work as “interlocking gears”. Such a comprehensive account of federalism can help Democrats understand its progressive potential and adapt accordingly. As Gerken argues, this proves more useful against the Trump Administration than arguments relying on sovereignty (see here, here, or here).

Doctrinal Routes and The Dirty S-Word: Nevertheless, sovereignty has merits for progressive purposes as well (for somewhat similar arguments during the first Trump administration c.f., here, here, or here). More specifically, it is time to turn the Supreme Court’s recent doctrinal innovations during its “Federalism Revolution” against their conservative creators. Three examples illustrate my point:

First in line is the Anti-Commandeering Doctrine. The U.S. Constitution formally envisions a dual system in which the federal and state levels administer their own laws independently. The Court built on this by prohibiting the federal government from directing the States’ legislative and executive branches to implement federal programs (New York v. United States; Printz v. United States). While the Anti-Commandeering Doctrine has often hampered progressive policies like gun control, it can now foreclose attempts by the Trump administration to force the States to enact its policies.

The Anti-Coercion Doctrine heads in a similar direction. Since the federal government has limited or no competence in several policy areas like healthcare, it can only use its spending powers to financially induce the States to enact desired policies. However, the Supreme Court has set certain limits. In particular, Congress cannot coerce States into enacting these policies via large financial offers and/or sanctions (South Dakota v. Dole; NFIB v. Sebelius). The Anti-Coercion Doctrine can therefore block coercive Republican efforts (for a first, albeit unsuccessful attempt, see State of New York v. Yellen and here).

A third candidate is the Equal Sovereignty Doctrine, established in Shelby County v. Holder. Here, the Supreme Court declared Section 4(b) of the Voting Rights Act of 1965 unconstitutional. The law had established a formula under which States with a historical track record of voting rights discrimination were subject to an oversight procedure. It therefore only targeted some States and severely restricted their capacity to regulate elections as part of their right to self-government. The Court therefore demanded that such unequal treatment among the States be sufficiently justified. Considering the progress in the fight against voting discriminations, the Court deemed the differentiation no longer justified and declared § 4(b) VRA unconstitutional. As expected, however, this lead to a resurgence of voting discriminations which have also impacted the current presidential election. The ruling is one of many in which the Supreme Court has undermined minority voting rights and faced heavy criticism, also with regards to the previously unknown Equal Sovereignty Doctrine (see the dissent by “The Notorious RBG”). It is viewed as emblematic of the Roberts Court’s blind spot for racism and its elevation of States’ rights over individual rights (see, here, here, or here). But that need not be the case going forward: like the general principle of equality, the Equal Sovereignty Doctrine is value-neutral and can be used for progressive purposes. Recently, Hayes proposed using it as a basis to include territories like Puerto Rico. Should the Trump administration target Democrat States, the Equal Sovereignty Doctrine is the way to go. A first glimpse of this defense was on display in the plaintiff’s motion in State of New York v. Wolf, where the first Trump administration tried to force only New York to change its immigration laws by making interstate travels more difficult for New York citizens. The issue was resolved on other grounds, but the Equal Sovereignty Doctrine supported New York’s cause just as well (see also here).

These examples are merely the tip of the iceberg. There are more ways to defy an excessive federal government and more doctrines that await a progressive reframing. In fact, we are already witnessing first steps in this direction: California Governor Gavin Newsom has declared that his administration will enhance its efforts to protect reproductive rights and the environment, among others. It intends to improve and solidify current legislation and to redirect budgets to facilitate bringing claims against federal actions. This embraces both the federalism and the sovereignty strategies outlined here. Indeed, Newsom emphasized the importance of federalism for preserving the Constitution – causing another Trump tirade.

#### Causes perpetual uncertainty.

Gil Seinfeld 19, Professor, Law, University of Michigan Law School, "Neglecting Nationalism," University of Pennsylvania Journal of Constitutional Law, Vol. 21, No. 3, pg. 701-702, 2019, HeinOnline. [italics in original]

But even if Gerken were right, and the national majority could typically "rein in federalism's worst excesses" by enacting whatever measures are necessary to bring a defiant state to heel, it is far from clear that it should have to. It is far from clear, that is, that we should prefer a world in which states intermittently flout federal law or disrupt national policy, and the national majority responds by expending the resources necessary to bring them in line, to one in which states are zealous in their efforts to advance federal law and policy (or at least scrupulous in their efforts not to undermine it). Most of the exercises in dissent and defiance that the new nationalists celebrate take place against the backdrop of identifiable federal law and policy (else the behavior would not qualify as "dissent");1 66 and it is difficult to see why the price of state respect for such law and policy should be federal officials' expenditure of political capital above and beyond what was necessary to bring that policy to life in the first place. It is true, as Gerken notes, that state-based dissent can "provid[e] 'the democratic churn necessary for an ossified national system to move forward," 6 7 but she fails to address the risk that such dissent will chum our democratic system to a pulp by exposing settled national norms to perpetual challenge.

#### That makes compliance impossible and crushes unions.

Mira L. Radu 25 – JD candidate at University of Mississippi School of Law. “Whose Right Is It Anyway: Toward A Balanced Standard Of Scrutinizing Workplace Rules,” 02/24/2025, SSRN, https://dx.doi.org/10.2139/ssrn.5130306

Commenting on the doctrine of stare decisis as it applies to the NLRB, the labor law experts at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. remind us about Justice Brandeis’s famous quote: “Stare decisis is usually the wise policy, because in most matters it is more important that the applicable rule of law be settled than it be settled right.” 69 They further argue that “the NLRB has consistently demonstrated little regard for the principle of stare decisis, or precedent, or the stability and predictability for which it is designed to ensure.”70 On the other hand, some scholars criticize the view that stare decisis, which carries with it a heavy presumption against change, is a doctrine that the NLRB should follow, like the other courts do.71 Although policy reversal may not be an unlawful practice, policy reversal becoming the rule rather than the exception is sure to have negative consequences on all parties involved. 72

1. The politicization of the NLRB as the main reason for the policy rollercoaster.

A plausible general reason for instability in this area of the law is the fact that, as Craig Becker noted in a 2016 article advocating for labor and employment law reform, “our labor and employment laws are voluminous and uncoordinated” and therefore “their interrelationship is a source of considerable uncertainty, conflict, and litigation”.73 Even the NLRA itself has been described as “not a single statute, but an amalgamation of several different laws with conflicting objectives.”74

But a more realistic and tangible reason is the fact that “[t]he NLRB has always been highly politicized”.75 The appointment mechanism set forth in the NLRA creates an inevitable alignment of the Board’s decisions with the policy of the appointing President, therefore “virtually guarantee[ing] that the NLRB will reflect majoritarian politics.76 According to section 153 of the NLRA, the Board’s Members are appointed by the President, with the approval of the Senate, to serve for a term of five years, and they can be removed by the President only for neglect of duty or malfeasance in office.77 Similarly, the General Counsel is also appointed by the President, with the advice and consent of the Senate, for a term of four years.78 The Board’s reputation for partisanship has been drawing criticism for decades.79 While external attacks from either side of the bargaining table directed at the Board are a natural product of socio-political dimension of human behavior, even more problematic is the internal criticism among the Board members that was prevalent at least in the 1980s.80 The interpretative rollercoaster on which the Board has been embarked for the past few decades is illustrative of this practice of political loyalty.81 Partly due to the lack of statutory guidance on the issue, scrutinizing the legality of workplace rules under Section 8(a)(1) of the NLRA is one of the areas of labor law that has been exhibiting these interpretative oscillations. 82

As early as 2005, scholars started to point out that the Board’s politicization has become “sufficiently striking to warrant further exploration”.83 The practice has been eloquently described as “the ideological blood sport of crushing the opposition”84. As Gregory, Hayes, and Jaret emphasized in their 2013 essay reflecting on the leadership of NLRB Chairwoman Wilma Liebman, the cycles of politicization in the NLRB’s decision-making had been starting to gain more and more potency.85 The trend has continued and the Board has been increasingly bold in the past few years in their quest for steering the labor and employment law ship in the direction dictated by the current political administration by openly declaring in Memorandums their goals to correct policies promulgated under a different administration. 86 Addressing specifically the issue of scrutinizing employer handbook rules, NLRB’s General Counsel Jennifer Abruzzo foreshadowed the overturning of the Boeing, Inc. standard in her August 12, 2021 Memorandum87 by mentioning doctrinal shifts as a vehicle for providing the public with “the highest quality service”.88

2. The negative effects of inconsistency in interpreting the NLRA.

Criticizing the manner in which the Board shapes the labor and employment legal environment, Samuel Estreicher notes that the “Board is simply in too great of a state of flux to justify anyone’s reliance on it, or, more importantly, to shape the behavior of actors on the labor relations scene.”89 This general “state of flux”, and therefore its consequences, has been affecting the standard of scrutiny of handbook provisions legality, along with many other specific aspects of labor and employment law.90

The most obvious negative effect of this legal standard that keeps turning onto its own head is the widespread confusion about the law that is experienced by both sides of the bargaining table. To say that “employees and employers covered by the NLRA are left unsure of how to comply with its provisions”91 is probably an understatement. Experts at Ogletree, Deakins, Nash, Smoak & Stewart, P.C. argue that an agency’s stakeholders are most frustrated when faced with instability in the rules by which they have to play and are rightly confused when the Board repeatedly revisits and overrules settled doctrine.92

The hesitation to comply with the current status of the law as promulgated by the NLRB is another obvious consequence of constant overturning of precedent. As previously mentioned, the complexity of labor and employment law presents an inherent challenge in itself.93 When there is no certainty about the legality of certain workplace rules, or any other issue at the intersection of Section 7 and Section 8(a)(1) of the NLRA, there is little incentive to invest in compliance and, consequently, litigation ensues in hopes of achieving a favorable tilt in the law.94 Abundant litigation is already the norm in the area of labor relations, because, as oxymoronic as it may sound, non-compliance with the law is in many situations a more desirable option due to the historical instability of the law. The Board’s reversal of precedent, while it does not account for a numerically significant portion of its decisional output, creates the perception that litigation has a great potential of being rewarded with a change in the law.95 Statistics show that an astonishing 57% of companies with $1 billion or more in revenue plan to increase their litigation budgets by double digits in 2025, citing employment as one of the main areas of expected litigation.96

A perfect example of uncertainty and confusion caused by such oscillations in the area of workplace rules is the case of West Shore Home, LLC97, which is currently still open. The complaint, alleging that the company’s social media guidelines policy was unlawful, was filed in February of 2021 and was subsequently dismissed five months later by the administrative law judge (“ALJ”) under the then-current Boeing, Inc. framework, finding no violation of the NLRA.98 In August 2021, the Board ordered the matter to be transferred to and continued before the Board.99 For the next 25 months, after the Board granted several extensions of time to file, exceptions to the ALJ decision and a brief in response to the exceptions were filed. 100 The Board’s ruling came in September of 2023, one short month after deciding Stericycle, Inc., remanding the matter to the administrative law judge who was now charged with analyzing the case again, under the drastically different standard set forth in Stericycle, Inc.101 Applying the newly promulgated standard in Stericycle, Judge Locke issued his second decision in this matter and concluded that the social media policy in question did violate Section 8(a)(1) of the Act, but he also acknowledged the fact that “the retroactive application of the Stericycle standard [...] would deny the Respondent due process of law” and recommended that the case be dismissed.102 The issue of an almost guaranteed futility of the remand process, due to the strict scrutiny now imposed on assessing the rule in question, is raised by Member Kaplan in his dissent to the order remanding the matter back to the ALJ.103 But the pendulum has not come to a halt just yet; the case is going through the same cycle of proceedings as it went before after the decision that found the policy lawful, having had its latest filing - an Answering Brief to Exceptions - on August 2nd, 2024.104 After all, the Respondent in this case might find itself in the clear again if the Board quickly seizes the opportunity to overrule Stericycle, Inc. and decides to revisit the analysis once again.

Naturally, the result of such practices is a great amount of resources expended by employers, unions, and the Board itself on litigating volatile issues that are not firmly grounded in precedent.105 Unfortunately, the labor unions are the side that is impacted the most because they do not have the resources to afford the litigation nearly as much as their employers counterparts are.106 Consequently, an alarming increase in the number of cases, that are accumulating much faster than agents can process them, is plaguing the agency, whose dwindling rosters are now overwhelmed, resulting in unprecedented delays in case resolution that hurts both employers and unions.107

The endless vicious circle of decision reversals also undercuts the NLRB’s credibility and the overall confidence in its ability to justly apply the NLRA, putting in question the agency’s position as a neutral arbiter.108 The NLRB has been acquiring a negative reputation as an unstable agency, promulgating an unstable body of law, and scholars had been warning about the diminishing relevance of the NLRA and the Board itself as a potential consequence of such reputation since the 1980s.109

. 112 At the very least, I think that Mikos's innovative proposal requires more elaboration, and perhaps supplementary mechanisms, in order to be effectual on the ground.

### AT: Con-Con

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#### No transition to participatory socialism – no political support.

Bernard HARCOURT Corliss Lamont Professor of Law and Civil Liberties ’23 *Cooperation: A Political, Economic, and Social Theory* p. 100-101

On the basis of this notion of ideology, Piketty argues that social inequality is constructed by public policy and justified by autonomous ideational formations. Ideologies have real effects. “Evolving ideas are nothing unless they lead to institutional experiments and practical demonstrations,” Piketty writes.102 The point is that inequality is essentially chosen, by public policies and ideologies, and that we could choose a different economic path forward. In this sense, Piketty is a constructivist. He believes that we choose our inequality deliberately, and that we could just as easily choose more equitable distributions. He argues for more equitable rules, such as progressive taxes, inheritance taxes, and power sharing within firms, to “make ownership of capital temporary” and promote “permanent circulation of property.”103 Piketty espouses, ultimately, what he calls a participatory socialist framework, and a spirit of cooperation.104

A theory of coöperism must embrace Piketty’s constructivism, even if not his exact solutions. The greatest contribution of his work is that it documents and proves the deliberate mechanisms of inequality. It rebuts the idea, held by so many, that there is something baked into capital, or that there are laws of capital accumulation. There is nothing mysterious, no godly forces; it is all chosen. As Piketty writes:

Inequality is neither economic nor technological; it is ideological and political. . . . In other words, the market and competition, profits and wages, capital and debt, skilled and unskilled workers, natives and aliens, tax havens and competitiveness—none of these things exist as such. All are social and historical constructs, which depend entirely on the legal, fiscal, educational, and political systems that people choose to adopt and the conceptual definitions they choose to work with. These choices are shaped by each society’s conception of social justice and economic fairness and by the relative political and ideological power of contending groups and discourses. Importantly, this relative power is not exclusively material; it is also intellectual and ideological. In other words, ideas and ideologies count in history. They enable us to imagine new worlds and different types of society. Many paths are possible.”105

This is arguably a simplification. There are some stubborn political realities to deal with, including the extreme polarization today that makes it practically impossible to imagine convincing a supermajority of voters. It is important to acknowledge that Piketty is an economist, a modeler, and the whole point of modeling is to simplify. I might put more emphasis on entrenched relations of power in society. Piketty does note “the relative political and ideological power of contending groups and discourses” and that “this relative power is not exclusively material; it is also intellectual and ideological.” He is cognizant of power dynamics. I would emphasize those more, incorporating the Frankfurt School theories of ideology and Foucaultian theories of regimes of truth to show how thick, pervasive, and long lasting these illusions are, and how hard they are to change.106 They are constitutive of our way of seeing and knowing the world, which is why the snowball effect of coöperism is so much more promising in a country like the United States than the collective action required to either dismantle or strengthen the state. It is precisely for this reason that coöperism is a better path forward than rugged individualism or the type of participatory socialism that Piketty advocates for.107

#### Cooperativism solves political and economic deadlock. Widespread popular support and empirical success create a feasible transition from shareholder inequality or top-down rent-seeking.

Bernard HARCOURT Corliss Lamont Professor of Law and Civil Liberties ’23 *Cooperation: A Political, Economic, and Social Theory* p. 9-18

The real problem is that neither paradigm of economic organization in the United States—neither the deregulatory model nor the administrative-state model—is able to achieve a supermajority and, as a result, neither is able to address our impending crises. Instead, both models merely serve the financial interests of the wealthy and are augmenting inequality in American society, fueling another crisis of inequity that is compounding the others.

The fact is, neither model benefits the vast majority of the American people. The first is more open about it. Republicans are not shy about speaking of the “trickle-down” economic effects of their proposed economic policies or of federal deregulation. In large part, their model functions explicitly and primarily through the increased wealth of American business and wealthy Americans. They often advocate explicitly for lifting taxes on the wealthy, lowering corporate taxes, and eliminating the estate tax. The second model favors the wealthy more indirectly, by consistently defaulting to business and corporate interests. Democrats see themselves as more redistributive but almost always fall back on large corporations to make their policies work. So, for instance, Obamacare ends up relying on large private health insurance companies to create health-care options for Americans. It defaults to huge American corporations like Aetna, Cigna, Humana, and UnitedHealthcare, whose values have skyrocketed in the process.20 The Biden climate legislation, as we just saw, operates through tax credits that end up extending billions of dollars in tax breaks to energy companies. The real beneficiaries are oil and gas multinationals, alternative energy companies, automobile corporations—and all their shareholders. The result is that corporate wealth and interests get center stage in the Democratic model as well. Plus, in today’s world of campaign finance, the Democratic Party has no good alternative but to court big business and the extremely wealthy to bankroll their election campaigns and to support their lobbying efforts.

Both paradigms benefit primarily people who already have accumulated wealth and investments, at the expense of the vast majority of people living in the United States, because both models privilege the interests of wealthy investors in big business and multinational corporations, which prioritize shareholder return over the welfare of consumers, workers, suppliers, and other stakeholders. Both models rest on the logic of the corporate investor, namely, that economic activity should maximize the return on investment. This logic of profit maximization to boost investor returns may seem intuitive and obvious, but it has deeply detrimental consequences for consumers, workers, and other stakeholders in the enterprise. It means that workers are often not paid a living wage or afforded proper health care in order to minimize business expenses. It means that consumer welfare takes second seat to profits. It means that treating suppliers more equitably reduces the bottom line.

The logic of the shareholder investor is, simply, to maximize return on investment. The well-being of others is not of primary concern. The shareholder has one main interest: to draw a larger dividend or sell their investment at a higher value. As a result, they have every interest in extracting more from the enterprise, squeezing out more from the other stakeholders, eking out more from the workers and suppliers, and augmenting the value of their holdings through share-price strategies. These logics of profit detach the shareholder from any real investment in the lives of all those who are associated with the enterprise. They operate at a distance. Most individuals who own investments today, whether directly as stock or indirectly through retirement accounts, hold them as a form of speculation to increase the overall return on their savings and to increase their wealth—if possible, to increase their wealth more than others and more than the market, since that is the only effective way to get richer. But this ends up being an effort to extract wealth from an enterprise, from its consumers or workers, from all the people whose livelihoods depend on the business. It ends up, in many cases, being a form of gambling on the livelihoods of others. These logics elevate investor profit over human welfare.

As an economic matter, the shareholder logics thrive on the old maxim that “private vice creates public benefits.” This is the idea that when people pursue their own selfish financial interests, they put into place practices, mechanisms, and institutions that end up benefiting others even more. This logic undergirds both paradigms—the deregulatory paradigm very explicitly, the administrative state paradigm because it almost always falls back on corporate incentives and tax breaks. But what the reality of our economic condition demonstrates today is not public benefits but growing inequality within American society—and abroad as well. Today, the three wealthiest American individuals (all men) have more aggregated wealth than the bottom 50 percent of the American population, or about 160 million people.21 The eight wealthiest individuals in the world (again, all men) own more than the poorest half of humanity.22 And the gap is getting bigger.

Thomas Piketty, my colleague at the École des hautes études en sciences socia- les (EHESS), details the rise in inequality in the United States and other coun- tries. Piketty and his colleagues, Facundo Alvaredo, Lucas Chancel, Emmanuel Saez, Gabriel Zucman, and others, meticulously demonstrate that trickle-down economic theories have only worsened the uneven distribution of wealth. Not just in the United States but in country after country—France, UK, Canada, Australia, Germany, Sweden, India, Japan, and more—Piketty and his colleagues show an increasing curve of inequality since the mid-twentieth century and the height of the welfare state, what is now referred to as the U-curve of inequality.23 Piketty and his colleagues’ descriptive claims have undergone close scrutiny by the social science community and have withstood peer reviews and critiques from the left and the right.24 Their conclusions are unimpeachable: wealth inequality has been on a steep rise since the mid-twentieth century. The top-down growth models mostly benefit the top.

The problem, in the end, is that both dominant paradigms today—the deregulatory and the administrative-state models—place corporate shareholder interests above those of the other stakeholders, the first explicitly, the second by default. They benefit only the wealthy. The rest of the people are feeling increasingly vulnerable and becoming further polarized in the face of mounting global crises. Pushed further and further apart, without the possibility of compromise—without the possibility of reaching across the aisle or of achieving a supermajority—the two opposite poles are veering into conflict at the same time that they have become two dead ends.

ANOTHER PATH: COOPERATION

There is, however, another path forward, far less loud, far less confrontational, far less aggressive, in fact far less known in large part because it does not need to convince a majority of other people. It can thrive simply in small groups—a few friends who come together to create a consumer cooperative, a few farmers who start sharing equipment and producing together, a few engineers who found a worker cooperative, some community friends who start making ice cream for justice, neighbors who provide mutual aid and support to one another, home health-care aides who get together to form a worker-owned enterprise. These forms of cooperation have a long history and tradition, and they are a growing force around the world. They rest, very simply, on people cooperating with one another across different aspects of their lives—consumption, production, work, housing, finance, insurance, mutual support—in order to improve the well-being of all the stakeholders and the environment. Cooperation works within existing governmental structures, so it does not need to dismantle the state. Cooperation also embraces self-determination and is the product of a lot of individual initiative, so it is not fundamentally at odds with the idea of individual freedom either. And it requires no more than a handful of dedicated people to ignite a project.

Cooperation has taken many forms, from early purchasing societies like the Rochdale Society of Equitable Pioneers started in 1844 outside Manchester, England, to large consortiums of industrial cooperatives like the Mondragón Group in the Basque region, to employee-managed stock ownership companies (ESOPs) like King Arthur Flour in Vermont today. What they all have in common is the ambition to be, in the words of the International Cooperative Alliance (ICA), “an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise.”25 Much of the thinking around cooperation has taken place in the context of cooperatives—but cooperation applies as well to insurance mutuals, credit unions, mutual aid projects, and more broadly to certain nonprofits and community organizations. The values and principles originally formulated for cooperatives—for instance, by the Rochdale Society in 1844 or more recently by the ICA in 1937—apply generally to all forms of cooperation.

Democratic participation, self-determination, equity in distributions and obligations, inclusiveness, solidarity, and caring for the welfare of all the stakeholders and for the environment: those are the guiding stars of cooperation. Often formulated in the context of cooperatives—for instance, by the ICA in its “Statement on the Cooperative Identity: the Values and Principles”—these are the central values shared by all the varied forms of cooperation. They are articulated in terms of seven core principles: first, that cooperation must be open to all without discrimination and based on voluntary membership; second, that the cooperative organization should be run democratically by the members themselves and that members should have equal say and an equal vote in the decision-making process; third, that the members should contribute and benefit equitably from the running of the enterprise; fourth, that the cooperation should remain autonomous and self-determining, under the control of the members only; fifth, that it must strive to provide training and education for the members; sixth, that there be cooperation among cooperative enterprises; and finally, that the cooperative enterprises strive toward the sustainable development of their environment and communities. As the ICA statement also emphasizes, “members believe in the ethical values of honesty, openness, social responsibility and caring for others.”26 These values and principles have been distilled from the myriad experiments and charters of cooperative enterprises over centuries. They are reflected as well in the legal codification of cooperatives around the world, including in the United States. The Tax Court of the United States, for instance, defines cooperatives, for purposes of the federal tax code, as enterprises that are democratically controlled by the members themselves and equitably allocate among the members the “fruits and increases arising from their cooperative endeavor” in relation to the members’ participation in the cooperative endeavor.27

Today, there are cooperative efforts across the political spectrum. Some cooperatives aim to maintain a traditional way of life; others are more utopian or seek to achieve a solidarity economy. The Kingston Cheese Cooperative, for instance, is an Amish community dairy cooperative set up to support and sustain the traditional Amish community in Wisconsin. According to the Wisconsin State Farmer, the Amish community settled in Green Lake County, Wisconsin, in 1978 when families moved there from northern Indiana. When they arrived, there were four creameries that serviced dairy farmers, but those creameries closed. So the Amish community got together and decided to allow its members to work with electricity so that a few of them could take over one of the creameries and start an Amish dairy cooperative. They did so in 1984. When the COVID-19 pandemic hit, their sales plummeted, but the Amish community exercised its cooperative rights to buy the dairy plant, which employed at the time about thirty-five Amish men and women, to prevent mass layoffs and further disruption of life during the pandemic. They chose to further their collective mission: “protecting their way of life, keeping younger farmers in business and providing employment for all the men and women who work at the plant.” This proved successful. “When the co-op began in 1984 there were 20 patrons with an average of 10 cows in their herds; back then 10,000 pounds of milk per day came into their cheese factory in cans to make blue cheese,” the Wisconsin State Farmer reports. “Today there are about 87 patrons with an average of 15 cows; 40,000 pounds of milk comes into their plant each day.”28 The Kingston Cheese Cooperative emerged from the pandemic with new vibrancy.

At the other end of the country—and of the political spectrum—Cooperation Jackson is an ambitious effort to create a self-sustaining, self-determining, solidarity economy within the African American community of Jackson, Mississippi. Founded by Kali Akuno and others in 2014, Cooperation Jackson was established in a poor African American neighborhood with high rates of unemployment and poverty. The neighborhood had been abandoned by the municipality and private enterprise, leading to many abandoned buildings and lots. Cooperation Jackson raised funds and bought land to set up an agricultural cooperative, a food cooperative, and other cooperative enterprises. It expanded to create a shop with equipment, such as a 3-D printer, to create a makers’ space. Today, Cooperation Jackson includes Freedom Farms Cooperative, a worker-owned urban-farming cooperative that grows and sells organic vegetables; Nubia’s Place Café and Catering Cooperative, a worker-owned health-oriented catering business and café that coordinates with Freedom Farms; the Green Team, a worker-owned yard-care and composting cooperative that sells composted organic yard waste to farmers, hardware stores, and home-supply outlets; the Center for Community Pro- duction, a cooperative print manufacturing shop and fabrication lab with a 3-D printer; land held in common through the Fannie Lou Hamer Community Land Trust to serve the community; and educational and organizing spaces including the Kuwasi Balagoon Center for Economic Democracy and Development. In addition, Cooperation Jackson has set up the Jackson Human Rights Institute, which engages in human-rights training and organizing, with the ambition of turning Jackson into a “Human Rights City.”29

Cooperation Jackson is part of a growing movement toward “solidarity economies.” The U.S. Solidary Economy Network, organized in 2009, an outgrowth of a forum held at the University of Massachusetts, Amherst, defines a solidarity economy as an “alternative development framework” grounded in the values of cooperation, equity, mutualism, and solidarity, and in the following principles: “the primacy of social welfare over profits and the unfettered rule of the mar- ket; sustainability; social and economic democracy; [and] pluralism and organic approach, allowing for different forms in different contexts, and open to con- tinual change driven from the bottom up.”30 As Ethan Miller explains, a solidar- ity economy seeks to get us beyond the simplicity of binary contradictions—for instance, jobs versus the environment—by rethinking the terms of the debate.31 Networks of solidarity economy initiatives are growing across the globe, as evi- denced by the Intercontinental Network for the Promotion of the Social Solidar- ity Economy, known as RIPESS, for “Réseau Intercontinental de Promotion de l’Économie Social Solidaire,” organized in Lima, Peru, in 1997.

Popular support for cooperation is widespread. Polling data show broad support for worker cooperatives across the political spectrum. A survey conducted by Data for Progress in 2021 found that nearly 79 percent of Democrats and 66 percent of Republicans support “transition where small businesses become worker cooperatives.” There is as well broad bipartisan support for programs that assist states in establishing or expanding worker cooperatives. Of all likely voters, 66 percent supported such programs, and only 20 percent opposed them. By the same token, voters across the political spectrum support the idea of creating a U.S. Employee Ownership Bank under the Department of the Treasury that would promote either employee stock-ownership plans or worker cooperatives.32 There are even articles in conservative media, such as the American Conservative magazine, that speak favorably about cooperative businesses and how they can save communities—including, for instance, how the Democracy Brewing cooperative in the Dorchester neighborhood of Boston helped revive a depressed neighborhood or how the Democracy Collaborative, an organization dedicated to democratic initiatives, helped expand the Market Driven Community Cooperatives Initiative in Rochester, New York. “The number of worker co-operatives in the United States has been growing for two decades,” the American Conservative reports; “the higher wages and shared ownership of co-ops have also helped them and their members stabilize and rebuild their communities.”33 This should not be entirely surprising. You may recall that even President Ronald Reagan supported employee ownership and said “I can’t help but believe that in the future we will see in the United States . . . an increasing trend toward the next logical step, employee ownership. It is a path that befits a free people.”34

Not only does the sentiment extend across the political spectrum, but cooperative efforts can be found throughout American commerce. There are forms of cooperation hidden in plain sight. They exist even in mainstream sectors and permeate the American economy: Land O’Lakes, Sunkist, and Ocean Spray are producer cooperatives; State Farm and Liberty Mutual are mutual insurance com- panies; REI is a consumer cooperative, and Ace Hardware a retailer cooperative. Isthmus Engineering and Manufacturing in Madison, Wisconsin, Cooperative Home Care in the Bronx, King Arthur Flour in Vermont, and AK Press in Cali- fornia are worker cooperatives. The Navy Federal Credit Union, with more than $125 billion in assets and eight million members, is a member credit union. And nonprofit educational, cultural, and social institutions, as well as community organizations, surround us.35

The insurance industry has been home to large and resilient mutual societies for a long time. Benjamin Franklin founded the oldest property insurance company in the country, a mutual that is considered the first recognized cooperative business in the United States.36 Half of the largest ten property and casualty insurance companies today are mutuals; together, those five mutual insurance companies serve 25 percent of the entire market (by contrast, the five largest nonmutual insurance companies serve only 21 percent of the market). Most of the household-name insurance companies—State Farm, Liberty Mutual, New York Life, Nationwide, Northwestern Mutual, Mutual of Omaha, etc.—are mutuals and are extremely resilient. The median age of a U.S. mutual insurance company is about 120 years.37

Farmer and producer cooperatives, consumer cooperatives, worker cooperatives, and retailer cooperatives thrive across economic sectors today—despite everything being stacked against them. In fact, and quite surprisingly, cooperatives in the United States “survive through their first six to 10 years at a rate 7 percent higher than traditional small businesses.”38 Cooperatives can even thrive in the financial sector, where credit unions developed starting in 1920 with the Massachusetts Association of Credit Unions and in 1934 with federal laws enabling their formation. Credit unions gained lasting status by surviving the Great Depression and the financial crises in the 1980s, and today have more than 100 million members in the United States.39 In a country like France, the Crédit Agricole Group, which was formed by thirty-nine regional banks that are full-fledged cooperative entities, serves more than 21 million customers and has more than 9.3 million member- clients at the local level.40 As of September 2018, Crédit Agricole had 23.3 percent of French household deposits and total assets of 1.7 trillion euros.41

Existing cooperative enterprises can be as large as multinationals. The Mondragón cooperative consortium, headquartered in the Basque region of Spain— a diversified enterprise manufacturing heavy equipment—employs more than 74,000 workers and brings in annual revenues in the billions of euros, 12.5 billion euros in 2016.42 Mondragón is the seventh largest corporate group in Spain. Cooperative enterprises can dominate the competition and be technological leaders in their field. Swann-Morton, a worker cooperative in Sheffield, England, is a world leader in manufacturing and selling surgical blades and scalpels; it exports to more than one hundred countries around the globe. Founded in 1932 on the principle that “claims of individuals producing in an industry come first,” Swann-Morton has estimated annual revenues today in the range of $50 million.43 Cooperatives can also be small and local. Justice Cream is a community-owned, women-of-color-led, nonprofit, nondairy ice cream cooperative in Chicago that makes flavors like “snactivist,” “flower to the people,” “berry the colonizer,” and “whole latte justice.” Incorporated in Illinois in 2017, their mission, they write, is “to develop a solidarity economy through nondairy ice cream, while cultivating a collective consciousness through liberatory education.” They donate 100 percent of their profits to grassroots community organizations that work toward collec- tive liberation. (It’s pronounced “justice cream,” not “just ice cream.”)44

Mutual-aid projects have also arisen organically throughout the United States, especially in response to the COVID-19 pandemic. Local mutual-aid efforts, some of which have grown to be nationwide, offer free home delivery of groceries by mutual-aid volunteers to the elderly and infirm confined at home and at great risk of contagion. One of the associations, Invisible Hands—note the ironic ref- erence to Adam Smith—was set in motion by a college junior, Liam Elkind, and attracted more than 1,200 volunteers in its first ninety-six hours in early March 2020. It spawned chapters around the country, delivering groceries to those in need. By mid-April 2020, Invisible Hands had more than 12,000 volunteers and had served about 4,000 requests for aid.45 Many people have been deeply involved in the mutual-aid movement during the pandemic, including Mariame Kaba, who is a devoted advocate of mutual aid, and Dean Spade, who has spearheaded mutual-aid efforts and written about them in a book titled Mutual Aid: Building Solidarity During This Crisis (and the Next). It represents, Spade writes, an ideal of “Solidarity, Not Charity.”46

**Central planning causes more pollution.**

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1.7 Socialism Is Not the Answer

Could a socialist state lead the way in repairing humankind’s fractured relationship with the environment? As one should suspect, “socialism” has taken on a wide variety of meanings in a variety of contexts over the centuries. For purposes of comparison, what I mean by “socialism” has a core policy implication: a decisive movement away from private property ownership of capital assets, governing an entire country. Smaller forms of socialism, such as for individual business enterprises, may be feasible, even in a capitalist economy. But that kind of “small socialism” would be incapable of the kind of transformation required to pull humankind back from the precipice. Reorienting an economy away from unnecessarily polluting industries is complicated; prices are necessary to move factors of production to different industries. Socialism governed by central planning, lacking prices, cannot do that.

Not all critics of modern capitalism would turn to socialism. While Schumpeter believed capitalism to be unsustainable in the long run, he was at least as critical of socialism. James Gustave “Gus” Speth, a longtime prominent environmental advocate and the author of a trilogy of books on environmentalism, was dismissive, citing examples of environmental catastrophe under socialist regimes. Bruce Scott laments the power that capitalist entities have seized, but advocates for better rules to constrain capitalist excess. Thomas Piketty would impose a wealth tax to alleviate inequality.

For others, however, the story is attractively simple: there is a flawed system (capitalism), identifiable villains (capitalists), and a solution (something like socialism, though they are often fuzzy on the details). Their answer is to blow up capitalism to save the environment. But the evidence tying capitalism to environmental destruction is too thin, the counterexamples too vexing, and the changeover plan too vague. Naomi Klein, in her book This Changes Everything: Capitalism vs. The Climate, proposes to abolish capitalism, but in favor of what? Magdoff and Foster, in their book What Every Environmentalist Needs to Know About Capitalism, write that “[i]t is precisely because ecological destruction is built into the inner nature and logic of our present system of production and distribution that it is so difficult to end.”

The “abolish capitalism” critics make two major mistakes: (1) that environmental destruction has occurred in capitalist systems means that it must be caused by capitalism; and (2) countries with socialist economies are somehow different from capitalist ones, in that there is no growth imperative for them.

With respect to the first mistake, there simply has not been very much socialism in history for it to have caused as much trouble as capitalist countries. Just about all of the economic growth occurring in the history of humankind has occurred under capitalist systems, so of course those have caused most of the environmental destruction. The little bit of socialism that human history has seen thus far has plenty to answer for in terms of environmental destruction. The former Soviet Union is a fertile source of shame. The Chernobyl nuclear power plant was a poor investment, badly carried out, with a predictably catastrophic environmental outcome. The Soviet Union also heavily polluted the largest and deepest freshwater lake in the world, Lake Baikal, by erecting pulp and paper mills on its shores, and inefficient ones at that. It also caused the dramatic shrinking of the Aral Sea, to about one-fifth its original size, into a patchwork of smaller lakes and deserts, by diverting the rivers feeding the Aral Sea, in the name of self-sufficiency in cotton production. Sure enough, the wasting of the Aral Sea and cotton production has outlasted glasnost.

Soviet-era Poland is one of the few Eastern bloc countries to have made significant attempts to legislate environmental protection, and even tolerated a fair amount of environmental protest and dissent within its authoritarian regime.49 But by the time that the Solidarity government took over in 1989, sweeping away Soviet-era socialism, Poland had become one of the most polluted countries in the world. Soil tests in Poland’s industrial region near Krakow showed levels of lead and cadmium that were higher than that ever recorded, anywhere, 200 times that considered safe by the Polish government. Sixty percent of the vegetables grown in the region were rendered unfit for human consumption. Katowice, a city forty miles west of Krakow, managed to belch out five times the amount of sulfur dioxide pollution than West Germany’s Ruhr Valley, while producing far less. The result? A shocking two-thirds of all ten-year-old children suffered from a mental or physical disability caused by that pollution. Half of all river water in the entire country was unfit for industrial use, let alone human consumption.50

How and why? It turns out, even in a socialist country that placed at least some formal emphasis on environmental protection, party politics, and a bureaucratic hierarchy that placed a higher emphasis on industrial production led to nonenforcement of well-intentioned environmental laws.51 The problem with socialist economies is that they must necessarily be governed by authoritarian regimes. How else is “central” planning to be carried out, except by a central government? Under authoritarianism, government is both the environmental regulator and the regulated party, so it is difficult for government to separate its regulatory functions from its ownership interests. Capital abolitionists misunderstand: removing a capitalist profit motive does not transform production entities into socially enlightened firms. The production of goods in socialist regimes are subjected to other pressures that also ignore or discount environmental harms. Nobody was particularly surprised in 2013 when 6,000 dead pigs were pulled out of the Huangpu River just upriver from Shanghai, the most populous city in the world.52

### AT: Unsustainability – 2AC

#### Growth’s sustainable.

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In truth, what the degrowth movement actually stands for is not clear. Its lit erature is large, fast-growing, and fascinating. But it is also contra- dictory and hard to follow, written in the clashing terminology of different disciplines, obscured by academese, inflated with political rhe toric, and full of distracting disagreements between partisan thinkers with diverging personal motivations. Depending on what the vague demand for degrowth really means in practice, it could be catastrophically self-destructive or entirely sensible.

And yet, in spite of both the complaints and the ambiguities, it is still impor tant to engage with degrowth. To begin with, the idea is influential. Interest in it might have begun among a small group of ecologically minded academics, but it has now spread far beyond the boundaries of their se- cluded conversations. Mainstream publications write about it: “Can we have prosperity without growth?” asked the New Yorker shortly after Thunberg’s speech.4 Leading scientific journals entertain it: “Are there limits to economic growth?” wondered a recent Nature editorial.5 Reli- gious leaders have weighed in on it: Pope Francis has said that “the time has come to accept decreased growth in some parts of the world.” Sober- minded policymakers appeal to it: Steven Chu, a onetime energy secretary under President Obama and a Nobel Prize winner for Physics, proclaimed that “you have to design an economy based on no growth or even shrinking growth.”6 And leading institutions are shaped by it: the Intergovernmental Panel on Climate Change, the most important organization for sharing scientific knowledge on the environment, did not mention degrowth in its signature report back in 2014, but in preparing for the next edition it has already made more than twenty references to the idea.7

Even the confusions involved in the degrowth discussion often turn out to be useful. Many of them, for instance, reflect fundamental misconceptions about the economics of growth, and resolving them can help us side-step similar conceptual mistakes in deciding how we should think about the future more generally. This is true no matter whether you sign up to any specific demands the degrowth movement happens to make or simply sympathize with the notion that less growth in some form is a good idea. And it is also true whether or not your interest is in the challenge of cli- mate change— the main focus of the degrowth movement—or one of the other prob lems that were set out in Chapter 5.

At the same time, it is also important to remember that degrowth is not all muddle. The movement, in spite of its eccentricities, still captures sev- eral important ideas. I will explore some of these insights in the pages to come. But above all, the movement forces us to confront an uncomfort- able truth: taking the growth dilemma seriously must come at some cost. This is a fact that many critics of degrowth struggle to accept, and which explains why we are currently falling so far short in addressing the costs of growth. Indeed, all too often it seems that degrowthers are being de- rided for being brave enough to reach an unpleasant but inevitable conclusion— that something now has to give.8

A Brief History of Going Backward

The story of degrowth begins in the final third of the twentieth century. Though some point to earlier inspirations—the Victorian anti-industrialism of John Ruskin and William Morris, the ancient material modesty of the Cynics and the Stoics— the late 1960s and early 1970s was when the idea took serious root. And the starting point is often taken to be the work of a Romanian economist, Nicholas Georgescu-Roegen. He was a fascinating figure, starting his career as intellectual apprentice to the celebrated econ- omist Joseph Schumpeter at Harvard but leaving academia—despite his mentor’s protestations—to help his homeland as a statistician and admin- istrator before the Second World War.9 Eventually, once that conflict came to an end, Georgescu-Roegen played a central role in peace nego- tiations the Soviets. (He was supposedly the only Romanian that the Russians were happy to deal with.)10 But when the communists consoli- dated their power and the future looked increasingly bleak, he and his wife fled back to Ameri ca, escaping in barrels on a freight ship destined for Istanbul.11

In 1971, Georgescu-Roegen published his great work, The Entropy Law and the Economic Process. The book is “probably more often praised than read,” as one biographer put it, no doubt in part because of that less- than- alluring title.12 But the text still became canonical for the degrowth movement, and for good reason. To begin with, it was uncompromisingly interdisciplinary, a provocatively unusual fusion of economics and ther- modynamics that would inspire many others to move across academic bound aries in exciting ways in the future. The book was also one of the first articulations of an insight that would recur in the degrowth move- ment: the idea that there are planetary limits to economic activity, that there are real-world constraints on growth which traditional theoretical economic models tend to leave out. And though Georgescu-Roegen’s ideas were fairly unconventional, he still managed to draw admirers from among the most straitlaced economists: his work “will interest minds when today’s skyscrapers have crumbled back to sand,” wrote the econ- omist’s economist, Paul Samuelson.13

The other seminal moment in the history of degrowth is connected with a small gathering of intellectuals, businessmen, political figures, and policymakers at a grandly decorated villa in the center of Rome in 1968. This was a group that seemed to feel the hand of history on their collec- tive shoulders. As one partner in the project described it, they “met at the instigation of Dr Aurelio Peccei . . . [a] man of vision, to discuss a subject of staggering scope—the predicament of mankind.”14 That first meeting, in the words of its organizers, was a “monumental flop”: the ideas were too abstract, the discussions too inconclusive.15 Yet the Club of Rome, as the group became known on account of that meeting place, kept going. And their inaugural report, The Limits to Growth, published in 1972, more than made up for the initial disappointment: it was an unexpected commercial blockbuster, selling over 30 million copies, getting translated into thirty languages, and prompting waves of updates, revisions, and re- statements in decades to come.16

Like Georgescu-Roegen’s work, the Club of Rome report was also in- terdisciplinary, this time drawing not on physics and thermodynamics but on computer science and supposed advances in so-called “system dynamics.” Sitting at the center of the report was a new theoretical model, the World3. This, it was claimed, captured the interactions and conse- quences of “five major trends of global concern”: population growth, industrialization, malnutrition, environmental destruction, and natural resource depletion. The apocalyptic conclusion generated by the model was one that the degrowth movement would embrace: “either civilization or growth must end, and soon,” as a review summed it up in the New York Times.17 The report drew a great deal of positive attention. But it also drew heat, including in that same New York Times review, which called it “an empty and misleading work . . . less than pseudoscience and little more than polemical fiction.” To this day, in some quarters this sense of analytical suspicion about The Limits to Growth and its conclusions has not diminished.

These two publications—Georgescu-Roegen’s tome and the Club of Rome’s bestseller—were accompanied by other important intellectual mo- ments, each of them drawing attention to the price of growth. J. K. Gal- braith’s The Affluent Society, published in 1958, was an early attack on material prosperity as “the relentless enemy of understanding.”18 Ezra Mishan’s The Cost of Economic Growth, in 1967, was an influential ex- pression of “dissatisfaction with the fash ion able view of economic growth as an obvious and desirable end.”19 Paul Ehrlich’s 1968 book Pop- ulation Bomb, with its sensational prediction that “hundreds of millions of people will starve to death” because “the stork had passed the plough,” regurgitated and repopularized old Malthusian ideas.20 And Herman Daly’s Toward a Steady State Economy, in 1973, brought together the views of many of the most influential early figures in degrowth. The French term décroissance (degrowth) first showed up in 1972, and more appearances followed in the wake of the Club of Rome report.21

Yet despite this flurry of activity, early excitement about degrowth soon died out. In the 1980s and the subsequent decades, there were few mean- ingful developments in the field. It was only at the start of the twenty- first century that its fortunes changed. A group of protestors and activists animated by a spread of seemingly unrelated grievances—a desire for car- free cities, a dislike of contemporary advertising, a discontent with pre- vailing approaches to economic development, and much else— gathered together under the degrowth banner.22 What they found there was a rich and neglected tradition to build upon. The first official conference on de- growth took place in Paris in 2008—according to the field’s folklore, this was the moment when the English word degrowth was born—and the movement has not looked back since. Today, there is a steady stream of research, informal commentary, and in-person events for supporters to expand on the idea.

But what actually is degrowth? As noted, in spite of all this intellectual activity, it is extremely difficult to find a good answer. Leading figures in the field—Jason Hickel, Giorgos Kallis, Timothée Parrique, and Matthias Schmelzer, among others—have at times been up front about this short- coming. And when not blaming their readers for misinterpreting their work—a common response to this confusion—some have tried to clarify what the idea means in practice. Unfortunately, as we shall see, these at- tempts have tended to more harm than good, muddying the conceptual waters even further. Others have abandoned the task of boiling the ideas down to something manageable altogether, opting to spin this ambiguity as a strength. Degrowth is a “remarkably diverse network” full of “healthy debates,” as one supporter puts it; a “meeting space” and an “umbrella term,” in the words of another; it should be used as a “missile word” some say, an idea that is so unpleasantly ambiguous it starts an explosively useful conversation.23 This footwork does not convince either. Instead, it simply draws attention to the fact that the hard work of clarifying the concept has not been done.

The ambiguity of the term degrowth has to be cleared up if we are to make any headway in understanding how the idea might help in resolving the growth dilemma. A useful starting point is to look at how it is used in practice by its supporters. And when you do this, what you see are two related schools of thought. There are those who turn to the degrowth movement for a diagnosis of what has gone wrong in the world. And then there are those who believe that degrowth provides a good solution to that prob lem as well. Breaking the idea down into two parts in this way helps to isolate the various difficulties with it—difficulties that are helpful to address whether or not you instinctively think that degrowth is a par- ticularly good idea.

The Distraction of a Finite Planet

To start with, take the degrowth movement’s diagnosis. At the core of it is the belief that continued economic growth is undesirable. For most degrowthers, the concern is environmental: that our current growth path is destroying the planet. When Thunberg, for example, accused her listeners of having “stolen my dreams and my childhood,” it was this ecological catastrophe that she had in mind. And the spirit of this part of the diagnosis is relatively unimpeachable. Indeed, if anything, as we saw in Chapter 5, degrowthers probably understate their case in terms of the total damage done to our lives: the undesirable dimension of growth is not simply that it is climate-destroying, as they emphasize, but also that it is inequality-creating, work-threatening, politics-undermining, and community-disrupting. So far, so obvious.

But there is another part to the degrowth diagnosis: the more provocative claim that continued growth is infeasible as well.24 Our current economic ascent is not only unpalatable, they say, but also impossible to maintain for much longer. When Thunberg ridiculed “fairytales of eternal economic growth” in her speech, she was also appealing to this part of the diagnosis. This belief has appeared in various forms over time, but it has gradually been sanded down and standardized into a popular slogan: that “infinite growth is not possible on a finite planet.”25 And very often, it is economists who find themselves on the defensive in response—figures like Larry Summers who once argued “there are no . . . limits to the carrying capacity of the earth that are likely to bind any time in the foreseeable future,” and Paul Romer, who claimed “there is absolutely no reason why we can’t have persistent growth as far into the future as you can imagine.”26

Defensive or not, though, these economists are spot on. The second part of the degrowthers’ diagnosis, unlike the first, is mistaken: it is possible to have infinite growth on a finite planet. A big part of the problem is that the idea of a finite planet is rooted in an old-fashioned view of economic activity. It pictures the economy as a material world, a place where tangible stuff is combined to produce more tangible stuff, where the things that matter for economists are those that can be seen and touched: the equipment on a farm, the machines in a factory, and so on. Those who think about economic life in this way are in good historical company: as we saw in Chapters 2 and 3, this outlook was also held by the classical economists and played an important role in shaping early economic ideas like GDP. And it’s true that in a solely material world, there are obvious physical limits on economic activity: only so many acres of land that can be farmed, only so much raw material for production. But contemporary service-based economic life is far more weightless than the old world of farms and factories.

Even more importantly, focusing just on the material world distracts us from how growth works in the first place. As we saw in Chapters 1 and 2, one of the most important insights in modern economic thought is the realization that growth cannot be achieved simply by using more and more tangible resources. Such an approach would always lead to an economic dead end, as diminishing returns erode the contribution made by each additional worker or machine and growth fizzles out—that’s what created the Malthusian trap and resulted in the Long Stagnation. If sustained growth is to happen, it can only come through a process of technological progress that is able to overpower those diminishing returns. This was the argument behind the Nobel Prize–winning work of Robert Solow and Trevor Swan. A few decades later, Paul Romer completed the story by explaining where that technological progress must come from: not from the tangible world of physical things, but from the intangible world of ideas.

Taken together, these economic insights explain why the idea of a finite planet is a misdirection. The planet of tangible resources might be finite, and if these resources were all that counted for growth, then we would indeed be heading toward deep economic trouble. But they are not all that matters. In fact, what really matters for growth are the intangible ideas for combining these resources in new and valuable ways. Economic growth is not driven by using more and more finite resources, as many tend to assume, but “by discovering better and better ways to use the fi- nite resources available to us.”27 And the universe of those intangible ideas is unimaginably vast—for all practical purposes, as good as infinite.

At times, Romer has used a culinary metaphor to make this point. The ingredients in a kitchen might be finite, he notes, but the number of pos- si ble recipes for combining them is nearly limitless: a well-stocked larder of three hundred ingredients, for instance, allows for more possible recipes than there are atoms in the universe. (And that doesn’t even take into ac- count the additional possibilities created by varying the quantities of in- gredients, changing the method of cooking them, and so on.) Elsewhere, Romer has imagined a children’s chemistry set: again, while the number of tubs of chemicals in it might be finite, the various ways of mixing them would pose an interminable headache for a neurotic safety inspector. A set of only one hundred substances would generate so many possible combinations that if everyone alive today had been testing one of them every second since the moment the universe began, still less than one percent would have been tried out by now (again, ignoring the additional possibilities introduced by varying chemical volumes, methods of preparation, and so on).28

The exact same argument applies when thinking about economic growth, where we’re dealing not with ingredients in a larder or the sub- stances in a chemistry set but quite literally all the materials in the world. “Economic growth can be sustained even in the presence of a finite collection of raw materials,” writes the economist Charles Jones, “as we discover better ways to arrange atoms and better ways to use the arrangements.”29 The infinite universe of ideas allows us to sidestep the constraints imposed by a finite planet.

But even if there are many possible arrangements of atoms in the world, are they all useful? It is said that one time when Romer presented the culi- nary metaphor, the Nobel Prize–winning economist George Akerlof piped up, “Yes, the number of possible combinations is huge, but aren’t most of them like chicken ice cream?” Novel, in other words, but useless.30 Leaving aside the fact that in 2022, an American company in Portland introduced a fried-chicken-flavored ice cream to modest acclaim—a cautionary tale about setting firm limits to the future of human taste—the thrust of Aker- lof’s quip is sensible: many possible ideas for organizing atoms in the world are likely to be of little value in practice.31 That said, what Akerlof’s percep- tive skepticism does not quite capture is how huge “huge” really is when you move beyond the confines of a kitchen or a chemistry set into the real world. Our planet is incomprehensibly rich in combinatorial possibility, and only a tiny fraction of these ideas need to be valuable for the number of useful arrangements of atoms to be extraordinarily vast.

In many areas of life, such combinatorial explosions are a pain. In mathe matics, for example, they haunt researchers, creating the so-called curse of dimensionality: as the number of variables (or “dimensions”) in a problem starts to increase, the number of possible solutions soars, making many problems impossibly hard to solve. It is a “malediction,” wrote the mathematician Richard Bellman, who named the curse, “that has plagued the scientist from the earliest days.”32 But when thinking about economic growth, the opposite is the case: the curse of dimensionality becomes a “remarkable blessing,” Romer notes, the origin of an abundance that allows us to escape the finite limits of our material world.33 With that in mind, one of the most serious limits to growth may be an imaginative one: a failure to adequately search through this enormous space of economic possibility and an inability to imagine how life in the future could be very different from today. I will return to this failure of imagination later in this chapter. In any event, recognizing that there are no meaningful limits to growth on time scales that matter to humankind is immensely important—whatever your views on the idea of degrowth.

### Perm – Central Planning – 2AC

#### Worker control over autonomous firms retains efficient production and innovation. Planning that bans markets, price system, and firm autonomy destroys productivity, quality, and democratic worker voice.

Seth **ACKERMAN** Executive Editor Jacobin **’12** https://jacobinmag.com/2012/12/the-red-and-the-black

Radicals responded to the end of “really existing socialism” mainly in two ways. Most stopped talking about a world after capitalism at all, retreating to a modest politics of piecemeal reform, or localism, or personal growth.

The other response was exactly the opposite — an escape forward into the purest and most uncompromising visions of social reconstruction. In certain radical circles, this impulse has lately heightened the appeal of a leap toward a world with no states or markets, and thus no money, wages, or prices: a system in which goods would be freely produced and freely taken, where the economy would be governed entirely by the maxim “from each according to his abilities, to each according to his needs.”

Whenever such ideas are considered, debate seems to focus immediately on big philosophical questions about human nature. Skeptics scoff that people are too selfish for such a system to work. Optimists argue that humans are a naturally cooperative species. Evidence is adduced for both sides of the argument. But it’s best to leave that debate to the side. It’s safe to assume that humans display a mixture of cooperation and selfishness, in proportions that change according to circumstances.

The lofty vision of a stateless, marketless world faces obstacles that are not moral but technical, and it’s important to grasp exactly what they are.

We have to assume that we would not want to regress to some sharply lower stage of economic development in the future; we would want to experience at least the same material comforts that we have under capitalism. On a qualitative level, of course, all sorts of things ought to change so that production better satisfies real human and ecological needs. But we would not want to see an overall decline in our productive powers.

But the kind of production of which we are now capable requires a vast and complex division of labor. This presents a tricky problem. To get a concrete sense of what it means, think of the way Americans lived at the time of the American Revolution, when the typical citizen worked on a small, relatively isolated family farm. Such households largely produced what they consumed and consumed what they produced. If they found themselves with a modest surplus of farm produce, they might sell it to others nearby, and with the money they earned they could buy a few luxuries. For the most part, though, they did not rely on other people to provide them with the things they needed to live.

Compare that situation with our own. Not only do we rely on others for our goods, but the sheer number of people we rely on has increased to staggering proportions.

Look around the room you’re sitting in and think of your possessions. Now try to think of how many people were directly involved in their production. The laptop I’m typing on, for example, has a monitor, a case, a DVD player, and a microprocessor. Each was likely made in a separate factory, possibly in different countries, by various companies employing hundreds or thousands of workers. Then think of the raw plastic, metal, and rubber that went into those component parts, and all the people involved in producing them. Add the makers of the fuel that fired the factories and the ship crews and trucking fleets that got the computer to its destination.  It’s not hard to imagine millions of people participating in the production of just those items now sitting on my desk. And out of the millions of tasks involved, each individual performed only a tiny set of discrete steps.

How did they each know what to do? Of course, most of these people were employees, and their bosses told them what to do. But how did their bosses know how much plastic to produce? And how did they know to send the weaker, softer kind of plastic to the computer company, even though it would have been happy to take the sturdier, high-quality plastic reserved for the hospital equipment makers? And how did these manufacturers judge whether it was worth the extra resources to make laptops with nice LCD monitors, rather than being frugal and making  old, simpler cathode ray models?

The total number of such dilemmas is practically infinite for a modern economy with millions of different products and billions of workers and consumers. And they must all be resolved in a way that is globally consistent, because at any given moment there are only so many workers and machines to go around, so making more of one thing means making less of another. Resources can be combined in an almost infinite number of possible permutations; some might satisfy society’s material needs and desires fairly well, while others would be disastrous, involving huge quantities of unwanted production and lots of desirable things going unmade. In theory, any degree of success is possible.

This is the problem of economic calculation. In a market economy, prices perform this function. And the reason prices can work is that they convey systematic information concerning how much of one thing people are willing to give up to get another thing, under a given set of circumstances. Only by requiring people to give up one thing to get another, in some ratio, can quantitative information be generated about how much, in relative terms, people value those things. And only by knowing how much relative value people place on millions of different things can producers embedded in this vast network make rational decisions about what their minute contribution to the overall system ought to be.

None of this means that calculation can be accomplished through prices alone, or that the prices generated in a market are somehow ideal or optimal. But there is no way a decentralized system could continually generate and broadcast so much quantitative information without the use of prices in some form. Of course, we don’t have to have a decentralized system. We could have a centrally planned economy, in which all or most of society’s production decisions are delegated to professional planners with computers. Their task would be extremely complex and their performance uncertain. But at least such a system would provide some method for economic calculation: the planners would try to gather all the necessary information into their central department and then figure out what everyone needs to do.

So something needs to perform the economic calculation function that prices do for a market system and planners do for a centrally planned system. As it happens, an attempt has been made to spell out exactly what would be required for economic calculation in a world with no states or markets. The anarchist activist Michael Albert and the economist Robin Hahnel have devised a system they call Participatory Economics in which every individual’s freely made decisions about production and consumption would be coordinated by means of a vast society-wide plan formulated through a “participatory” process with no central bureaucracy.

Parecon, as it’s called, is an interesting exercise for our purposes, because it rigorously works out exactly what would be needed to run such an “anarchist” economy. And the answer is roughly as follows: At the beginning of each year, everyone must write out a list of every item he or she plans to consume over the course of the year, along with the quantity of each item. In writing these lists, everyone consults a tentative list of prices for every product in the economy (keep in mind there are more than two million products in Amazon.com’s “kitchen and dining” category alone), and the total value of a person’s requests may not exceed his or her personal “budget,” which is determined by how much he or she promises to work that year.

Since the initial prices are only tentative estimates, a network of direct-democratic councils must feed everyone’s consumption lists and work pledges into computers, in order to generate an improved set of prices that will bring planned levels of production and consumption (supply and demand) closer to balance. This improved price list is then published, which kicks off a second “iteration” of the process: now everyone has to rewrite their consumption requests and work pledges all over again, according to the new prices. The whole procedure is repeated several times until supply and demand are finally balanced. Eventually, everyone votes to choose between several possible plans.

In their speaking and writing, Albert and Hahnel narrate this remarkable process to show how attractive and feasible their system would be. But for many people — I would include myself in this group — the effect is exactly the opposite. It comes off instead as a precise demonstration of why economic calculation in the absence of markets or state planning would be, if perhaps not impossible in theory, at least impossible to imagine working in a way that most people could live with in practice. And Parecon is itself a compromise from the purist’s point of view, since it violates the principle “from each according to ability, to each according to need” — individuals’ consumption requests are not allowed to exceed their work pledges. But of course without that stipulation, the plans wouldn’t add up at all.

The point is not that a large-scale stateless, marketless economy “wouldn’t work.” It’s that, in the absence of some coordinating mechanism like Albert and Hahnel’s, it simply wouldn’t exist in the first place. The problem of economic calculation, therefore, is something we have to take seriously if we want to contemplate something better than the status quo.

But what about the other alternative? Why not a centrally planned economy where the job of economic calculation is handed over to information-gathering experts — democratically accountable ones, hopefully. We actually have historical examples of this kind of system, though of course they **were far from democratic**. Centrally planned economies registered some accomplishments: when Communism came to poor, rural countries like Bulgaria or Romania they were able to industrialize quickly, wipe out illiteracy, raise education levels, modernize gender roles, and eventually ensure that most people had basic housing and health care. The system could also raise per capita production pretty quickly from, say, the level of today’s Laos to that of today’s Bosnia; or from the level of Yemen to that of Egypt.

But beyond that, the system ran into trouble. Here a prefatory note is in order: Because the neoliberal Right has habit of measuring a society’s success by the abundance of its consumer goods, the radical left is prone to slip into a posture of denying this sort of thing is politically relevant at all. This is a mistake. The problem with full supermarket shelves is that they’re not enough — not that they’re unwelcome or trivial. The citizens of Communist countries experienced the paucity, shoddiness and uniformity of their goods not merely as inconveniences; they experienced them as violations of their basic rights. As an anthropologist of Communist Hungary writes, “goods of state-socialist production . . . came to be seen as evidence of the failure of a state-socialist-generated modernity, but more importantly, of the regime’s negligent and even ‘**inhumane’ treatment of its subjects**.”

In fact, the shabbiness of consumer supply was popularly felt as a betrayal of the humanistic mission of socialism itself. A historian of East Germany quotes the petitions that ordinary consumers addressed to the state: “It really is not in the spirit of the human being as the center of socialist society when I have to save up for years for a Trabant and then cannot use my car for more than a year because of a shortage of spare parts!” said one. Another wrote: “When you read in the socialist press ‘maximal satisfaction of the needs of the people and so on’ and … ‘everything for the benefit of the people,’ it makes me feel sick.” In different countries and languages across Eastern Europe, citizens used almost identical expressions to evoke the image of substandard goods being “thrown at” them.

Items that became unavailable in Hungary at various times due to planning failures included “the kitchen tool used to make Hungarian noodles,” “bath plugs that ﬁt tubs in stock; cosmetics shelves; and the metal box necessary for electrical wiring in new apartment buildings.” As a local newspaper editorial complained in the 1960s, these things “don’t seem important until the moment one needs them, and suddenly they are very important!”

And at an aggregate level, the best estimates show the Communist countries steadily falling behind Western Europe: East German per capita income, which had been slightly higher than that of West German regions before World War II, never recovered in relative terms from the postwar occupation years and continually lost ground from 1960 onwards. By the late 1980s it stood at less than 40% of the West German level.

Unlike an imaginary economy with no states or markets, the Communist economies did have an economic calculation mechanism. It just didn’t work as advertised. What was the problem?

According to many Western economists, the answer was simple: the mechanism was too clumsy. In this telling, the problem had to do with the “invisible hand,” the phrase Adam Smith had used only in passing, but which later writers commandeered to reinterpret his insights about the role of prices, supply, and demand in allocating goods. Smith had originally invoked the price system to explain why market economies display a semblance of order at all, rather than chaos — why, for example, any desired commodity can usually be found conveniently for sale, even though there is no central authority seeing to it that it be produced.

But in the late nineteenth century, Smith’s ideas were formalized by the founders of neoclassical economics, a tradition whose explanatory ambitions were far grander. They wrote equations representing buyers and sellers as vectors of supply and demand: when supply exceeded demand in a particular market, the price dropped; when demand exceeded supply, it rose. And when supply and demand were equal, the market in question was said to be in “equilibrium” and the price was said to be the “equilibrium price.”

As for the economy as a whole, with its numberless, interlocking markets, it was not until 1954 that the future Nobel laureates Kenneth Arrow and Gérard Debreu made what was hailed as a momentous discovery in the theory of “general equilibrium” — a finding that, in the words of James Tobin, “lies at the very core of the scientific basis of economic theory.” They proved mathematically that under specified assumptions, free markets were guaranteed to generate a set of potential equilibrium prices that could balance supply and demand in all markets simultaneously — and the resulting allocation of goods would be, in one important sense, “optimal”: no one could be made better off without making someone else worse off.

The moral that could be extracted from this finding was that prices were not just a tool market economies used to create a degree of order and rationality. Rather, the prices that markets generated — if those markets were free and untrammeled — were optimal, and resulted in a maximally efficient allocation of resources. If the Communist system wasn’t working, then, it was because the clumsy and fallible mechanism of planning couldn’t arrive at this optimal solution.

This narrative resonated with the deepest instincts of the economics profession. The little just-so stories of economics textbooks explaining why minimum wages or rent controls ultimately make everyone worse off are meant to show that supply and demand dictate prices by a higher logic that mortals defy at their peril. These stories are “partial equilibrium” analyses — they only show what happens in an individual market artificially cut off from all the markets surrounding it. What Arrow and Debreu had supplied, the profession believed, was proof that this logic extends to the economy as a whole, with all its interlocking markets: a general equilibrium theory. In other words, it was proof that in the end, free-market prices will guide the economy as a whole to its optimum.

Thus, when Western economists descended on the former Soviet bloc after 1989 to help direct the transition out of socialism, their central mantra, endlessly repeated, was “Get Prices Right.”

But a great deal of contrary evidence had accumulated in the meantime. Around the time of the Soviet collapse, the economist Peter Murrell published an article in the Journal of Economic Perspectives reviewing empirical studies of efficiency in the socialist planned economies. These studies consistently failed to support the neoclassical analysis: virtually all of them found that by standard neoclassical measures of efficiency, the planned economies performed as well or better than market economies.

Murrell pleaded with readers to suspend their prejudices:

The consistency and tenor of the results will surprise many readers. I was, and am, surprised at the nature of these results. And given their inconsistency with received doctrines, there is a tendency to dismiss them on methodological grounds. However, such dismissal becomes increasingly hard when faced with a cumulation of consistent results from a variety of sources.

First he reviewed eighteen studies of technical efficiency: the degree to which a firm produces at its own maximum technological level. Matching studies of centrally planned firms with studies that examined capitalist firms using the same methodologies, he compared the results. One paper, for example, found a 90% level of technical efficiency in capitalist firms; another using the same method found a 93% level in Soviet firms. The results continued in the same way: 84% versus 86%, 87% versus 95%, and so on.

Then Murrell examined studies of allocative efficiency: the degree to which inputs are allocated among firms in a way that maximizes total output. One paper found that a fully optimal reallocation of inputs would increase total Soviet output by only 3%-4%. Another found that raising Soviet efficiency to US standards would increase its GNP by all of 2%. A third produced a range of estimates as low as 1.5%. The highest number found in any of the Soviet studies was 10%. As Murrell notes, these were hardly amounts “likely to encourage the overthrow of a whole socio-economic system.” (Murell wasn’t the only economist to notice this anomaly: an article titled “Why Is the Soviet Economy Allocatively Efficient?” appeared in Soviet Studies around the same time.)

Two German microeconomists tested the “widely accepted” hypothesis that “prices in a planned economy are arbitrarily set exchange ratios without any relation to relative scarcities or economic valuations [whereas] capitalist market prices are close to equilibrium levels.” They employed a technique that analyzes the distribution of an economy’s inputs among industries to measure how far the pattern diverges from that which would be expected to prevail under perfectly optimal neoclassical prices. Examining East German and West German data from 1987, they arrived at an “astonishing result”: the divergence was 16.1% in the West and 16.5% in the East, a trivial difference. The gap in the West’s favor, they wrote, was greatest in the manufacturing sectors, where something like competitive conditions may have existed. But in the bulk of the West German economy — which was then being hailed globally as Modell Deutschland — monopolies, taxes, subsidies, and so on actually left its price structure further from the “efficient” optimum than in the moribund Communist system behind the Berlin Wall.

The neoclassical model also seemed belied by the largely failed experiments with more marketized versions of socialism in Eastern Europe. Beginning in the mid-1950s, reformist economists and intellectuals in the region had been pushing for the introduction of market mechanisms to rationalize production. Reforms were attempted in a number of countries with varying degrees of seriousness, including in the abortive Prague Spring. But the country that went furthest in this direction was Hungary, which inaugurated its “new economic mechanism” in 1968. Firms were still owned by the state, but now they were expected to buy and sell on the open market and maximize profits. The results were a disappointment. Although in the 1970s Hungary’s looser consumer economy earned it the foreign correspondent’s cliché “the happiest barracks in the Soviet bloc,” its dismal productivity growth did not improve and shortages were still common.

If all these facts and findings represented one reason to doubt the neoclassical narrative, there was a more fundamental reason: economists had discovered gaping holes in the theory itself. In the years since Arrow and Debreu had drafted their famous proof that free markets under the right conditions could generate optimal prices, theorists (including Debreu himself) had uncovered some disturbing features of the model. It turned out that such hypothetical economies generated multiple sets of possible equilibrium prices, and there was no mechanism to ensure that the economy would settle on any one of them without long or possibly endless cycles of chaotic trial-and-error. Even worse, the model’s results couldn’t withstand much relaxation of its patently unrealistic initial assumptions; for example, without perfectly competitive markets — which are virtually nonexistent in the real world — there was no reason to expect any equilibrium at all.

Even the liberal trope that government interventions are justified by “market failures” — specific anomalies that depart from the Arrow-Debreu model’s perfect-market assumptions — was undermined by another finding of the 1950s: the “general theory of the second best.” Introduced by Richard Lipsey and Kelvin Lancaster, the theorem proves that even if the idealized assumptions of the standard model are accepted, attempts to correct “market failures” and “distortions” (like tariffs, price controls, monopolies or externalities) are as likely to make things worse as to make them better, as long as any other market failures remain uncorrected — which will always be the case in a world of endemic imperfect competition and limited information.

In a wide-ranging review of “the failure of general equilibrium theory,” the economist Frank Ackerman1 concluded:

A story about Adam Smith, the invisible hand, and the merits of markets pervades introductory textbooks, classroom teaching, and contemporary political discourse. The intellectual foundation of this story rests on general equilibrium. . . .  If the foundation of everyone’s favorite economics story is now known to be unsound . . . then the profession owes the world a bit of an explanation.

The point is this: If a deterministic story about free markets generating optimal prices, leading to maximum output was no longer viable, then the failure of planned economies could hardly be attributed to the absence of those features. As Communist systems were collapsing in Eastern Europe, economists who had lost faith in the neoclassical narrative began to argue that an alternative explanation was needed. The most prominent theorist in this group was Joseph Stiglitz, who had become famous for his work on the economics of information. His arguments dovetailed with those of other dissenters from the neoclassical approach, like the eminent Hungarian scholar of planned economies, János Kornai, and evolutionary economists like Peter Murrell.

They all pointed to a number of characteristics, largely ignored by the neoclassical school, that better accounted for the ability of market economies to avoid the problems plaguing centrally planned systems. The aspects they emphasized were disparate, but they all tended to arise from a single, rather simple fact: in market systems **firms are autonomous.**

That means that within the limits of the law, a firm may enter a market; choose its products and production methods; interact with other firms and individuals; and must close down if it cannot get by on its own resources. As a textbook on central planning put it, in market systems the presumption is “that an activity may be undertaken unless it is expressly prohibited,” whereas in planned systems “the prevailing presumption in most areas of economic life is that an activity may not be undertaken unless permission has been obtained from the appropriate authority.” The neoclassical fixation with ensuring that firms exercised this autonomy in a laissez-faire environment — that restrictions on voluntary exchange be minimized or eliminated — was essentially beside the point.

Thus, free entry and multiple autonomous sources of capital mean that anyone with novel production ideas can seek resources to implement their ideas and don’t face a single veto point within a planning apparatus. As a result, they stand a much greater chance of obtaining the resources to test out their ideas. This probably leads to more of the waste inherent in failed experiments — but also far greater scope for **improved products and processes**, and a constantly **higher rate of technological improvement** and **productivity growth**.

Firms’ autonomy to choose their products and production methods means they can communicate directly with customers and tailor their output to their needs — and with free entry customers can choose between the output of different producers: no agency needs to spell out what needs to be produced. To illustrate the relative informational efficiency of this kind of system, Stiglitz cited a Defense Department contract for the production of plain white t-shirts: in the tender for bidding, the physical description of the t-shirt desired ran to thirty small-print pages. In other words, a centralized agency could never learn and then specify every desired characteristic of every product.

Meanwhile, East European economists realized that an essential precondition for firms to be truly autonomous was the existence of a capital market — and this helped explain the failure of Hungary’s market-oriented reforms. In seeking an explanation for the persistence of shortages under the new market system, the Hungarian economist János Kornai had identified a phenomenon that he called the “soft budget constraint” — a situation where the state continually transfers resources to loss-making firms to prevent them from failing. This phenomenon, he argued, was what lay behind the shortage problem in Hungary: expecting that they would always be prevented from going bankrupt, firms operated in practice without a budget constraint, and thus exerted limitless demand for materials and capital goods, causing chronic production bottlenecks.

But why did the state keep bailing out the troubled firms? It’s not as if the Hungarian authorities were opposed to firm failures on principle. In fact, when bankruptcies did happen, the Communist leadership treated them as public relations events, to demonstrate their commitment to a rational economic system.

The ultimate answer was the absence of a capital market. In a market economy, a troubled firm can sell part or all of its operations to another firm. Or it can seek capital from lenders or investors, if it can convince them it has the potential to improve its performance. But in the absence of a capital market, the only practical options are bankruptcy or bailouts. Constant bailouts were the price the Hungarian leadership was forced to pay to avoid extremely high and wasteful rates of firm failures. In other words, capital markets provide a rational way to deal with the turbulence caused by the hard budget constraints of market systems: when a firm needs to spend more than its income, it can turn to lenders and investors. Without a capital market, that option is foreclosed.

As resistance against Communism rose, those in Eastern Europe who wished to avoid a turn to capitalism drew the appropriate lessons. In 1989, the dissident Polish reform economists Włodzimierz Brus and Kazimierz  Łaski — both convinced socialists and disciples of the distinguished Marxist-Keynesian Michał Kalecki — published a book examining the prospects for East European reform. Both had been influential proponents of democratic reforms and socialist market mechanisms since the 1950s.

Their conclusion now was that in order to have a rational market socialism, publicly-owned firms would have to be made autonomous — and this would require a socialized capital market. The authors made it clear that this would entail a fundamental reordering of the political economy of East European systems — and indeed of traditional notions of socialism. Writing on the eve of the upheavals that would bring down Communism, they set out their vision: “the role of the owner-state should be separated from the state as an authority in charge of administration. . . .[E]nterprises . . . have to become separated not only from the state in its wider role but also from each other.”

The vision Brus and Łaski sketched was novel: a constellation of autonomous firms, financed by a multiplicity of autonomous banks or investment funds, all competing and interacting in a market — yet all nevertheless socially owned.

All of this lays the groundwork for raising the critical question of profit. There are two ways to think about the function of profits under capitalism. In the Marxist conception, capitalists’ restless search for profit drives the pace and shape of economic growth, making it the ultimate “motor of the system”— but it’s judged to be an erratic and arbitrary motor that ought to be replaced by something more rational and humane. In mainstream economics, on the other hand, profits are understood simply as a benign coordinating signal, broadcasting information to firms and entrepreneurs about how to satisfy society’s needs most efficiently.

Each of these versions contains some truth. Look at the mainstream account. Its logic is straightforward: a firm’s profit is the market value of the output it sells minus the market value of the inputs it buys. So the pursuit of profit leads firms to maximize their production of socially desired outputs while economizing on their use of scarce inputs. On this logic, profits are an ideal coordinating device.

But the logic only holds to the extent that that an item’s market value is actually a good measure of its social value. Does that assumption hold? Leftists know enough to scoff at that idea. The history of capitalism is a compendium of mis-valued goods. Not only do capitalists draw from a treasury of  tricks and maneuvers to inflate the market value of the outputs they sell (e.g., through advertising) and drive down the value of the inputs they have to buy (e.g., by deskilling labor). But capitalism itself systematically produces prices for crucial goods that bear little rational relation to their marginal social value: just think of health insurance, natural resources, interest rates, wages.

So if profit is a signal, it invariably comes mixed with a lot of noise. Still, there’s an important signal there. Most of the millions of goods in the economy aren’t like health insurance or natural resources; they’re more banal — like rubber bands, sheet metal, or flat-screen TVs. The relative prices of these goods do seem to function as decent guides to their relative marginal social values. When it comes to this portion of firms’ inputs and outputs — say, a steel company that buys iron and sells it manufactured as steel — profit-seeking really does make capitalists want to produce things people desire in the most efficient way possible. It’s those crucial mis-valued goods — labor, nature, information, finance, risk, and so on — that produce the irrationality of profit.

In other words, under capitalism firms can increase their profits by efficiently producing things people want. But they can also increase them by immiserating their workers, despoiling the environment, defrauding consumers, or indebting the populace. How do you obtain one without getting the other?

The standard answer to this dilemma is what you might call the social democratic solution: let firms pursue their private profits, but have the state intervene case by case to forbid them from doing so in socially harmful ways. Ban pollution, give rights to workers, forbid consumer fraud, repress speculation. This agenda is nothing to sneeze at. The social theorist Karl Polanyi saw it as part of what he called the long “double movement” that had been underway ever since the industrial revolution. Polanyi argued that liberal capitalism had always been pushed forward by a drive to turn everything into a commodity. Because it required that production be “organized through a self-regulating mechanism of barter and exchange,” it demanded that “man and nature must be brought into its orbit; they must be subject to supply and demand, that is, be dealt with as commodities, as goods produced for sale.”

But that commodifying drive had always produced its dialectical opposite, a countermovement from society below, seeking decommodification. Thus, Polanyi’s double movement was “the action of two organizing principles in society, each of them setting itself specific institutional aims, having the support of definite social forces and using its own distinctive methods”:

The one was the principle of economic liberalism, aiming at the establishment of a self-regulating market, relying on the support of the trading classes, and using largely laissez-faire and free trade as its methods; the other was the principle of social protection aiming at the conservation of man and nature as well as productive organization, relying on the varying support of those most immediately affected by the deleterious action of the market — primarily, but not exclusively, the working and the landed classes — and using protective legislation, restrictive associations, and other instruments of intervention as its methods.

After the Second World War, the pressure of the countermovement made decommodification the unacknowledged motor of domestic politics throughout the industrialized world. Parties of the working class, acutely vulnerable to pressure from below, were in government more than 40% of the time in the postwar decades — compared to about 10% in the interwar years, and almost never before that — and “contagion from the Left”  forced parties of the right into defensive acquiescence. Schooling, medical treatment, housing, retirement, leisure, child care, subsistence itself, but most importantly, wage-labor: these were to be gradually removed from the sphere of market pressure, transformed from goods requiring money, or articles bought and sold on the basis of supply and demand, into social rights and objects of democratic decision.

This, at least, was the maximal social-democratic program — and in certain times and places in the postwar era its achievements were dramatic.

But the social democratic solution is unstable — and this is where the Marxist conception comes in, with its stress on pursuit of profit as the motor of the capitalist system. There’s a fundamental contradiction between accepting that capitalists’ pursuit of profit will be the motor of the system,  and believing you can systematically tame and repress it through policies and regulations. In the classical Marxist account, the contradiction is straightforwardly economic: policies that reduce profit rates too much will lead to underinvestment and economic crisis. But the contradiction can also be political: profit-hungry capitalists will use their social power to obstruct the necessary policies. How can you have a system driven by individuals maximizing their profit cash-flows and still expect to maintain the profit-repressing norms, rules, laws, and regulations necessary to uphold the common welfare?

What is needed is a structure that allows autonomous firms to produce and trade goods for the market, aiming to generate a surplus of output over input — while keeping those firms public and preventing their surplus from being appropriated by a narrow class of capitalists. Under this type of system, workers can assume any degree of control they like over the management of their firms, and any “profits” can be socialized— that is, they can **truly function as a signal,** **rather than as a motive force**. But the precondition of such a system is the socialization of the means of production — structured in a way that preserves the existence of a capital market. How can all this be done?

Start with the basics. Private control over society’s productive infrastructure is ultimately a financial phenomenon. It is by financing the means of production that capitalists exercise control, as a class or as individuals. What’s needed, then, is a socialization of finance — that is, a system of common, collective financing of the means of production and credit. But what does that mean in practice?

It might be said that people own two kinds of assets. “Personal” assets include houses, cars, or computers. But financial assets — claims on money flows, like stocks, bonds, and mutual funds — are what finance the productive infrastructure. Suppose a public common fund were established, to undertake what might be euphemistically called the “compulsory purchase” of all privately-owned financial assets. It would, for example, “buy” a person’s mutual fund shares at their market price, depositing payment in the person’s bank account. By the end of this process, the common fund would own all formerly privately-owned financial assets, while all the financial wealth of individuals would be converted into bank deposits (but with the banks in question now owned in common, since the common fund now owns all the shares).

No one has lost any wealth; they’ve simply cashed out their stocks and bonds. But there are far-reaching consequences. Society’s means of production and credit now constitute the assets of a public fund, while individuals’ financial wealth balances are now its liabilities. In other words, the job of intermediating between individuals’ money savings and society’s productive physical assets that used to be performed by capitalist banks, mutual funds, and so on, has been  socialized. The common fund can now reestablish a “tamed” capital market on a socialized basis, with a multiplicity of socialized banks and investment funds owning and allocating capital among the means of production.

The lesson here is that the transformation to a different system does not have to be catastrophic. Of course, the situation I’m describing would be a revolutionary one — but it wouldn’t have to involve the total collapse of the old society and the Promethean conjuring of something entirely unrecognizable in its place.

At the end of the process, firms no longer have individual owners who seek to maximize profits. Instead, they are owned by society as a whole, along with any surplus (“profits”) they might generate. Since firms still buy and sell in the market, they can still generate a surplus (or deficit) that can be used to judge their efficacy. But no individual owner actually pockets these surpluses, meaning that no one has any particular interest in perpetuating or exploiting the profit-driven mis-valuation of goods that is endemic under capitalism. The “social democratic solution” that was once a contradiction — selectively frustrating the profit motive to uphold the common good, while systematically relying on it as the engine of the system — can now be reconciled.

To the same end, the accrual of interest to individuals’ bank deposits can be capped at a certain threshold of wealth, and beyond that level it could be limited to simply compensate for inflation. (Or the social surplus could be divided up equally among everyone and just paid out as a social dividend.) This would yield not exactly the euthanasia of the rentier, but of the rentier “interest” in society. And while individuals could still be free to start businesses, once their firms reached a certain size, age and importance, they would have to “go public”: to be sold by their owners into the socialized capital market.

What I’m describing is, in one sense, the culmination of a trend that has been proceeding under capitalism for centuries: the growing separation of ownership from control. Already in the mid-nineteenth century, Marx marveled at the proliferation of what we now call corporations: “Stock companies in general — developed with the credit system — have an increasing tendency to separate this work of management as a function from the ownership of capital, be it self-owned or borrowed. Just as the development of bourgeois society witnessed a separation of the functions of judges and administrators from land-ownership, whose attributes they were in feudal times.” Marx thought this development highly significant: “It is the abolition of capital as private property within the framework of capitalist production itself.”

By the 1930s this “socialized private property” had become the dominant productive form in American capitalism, as Adolf Berle and Gardiner Means signaled in The Modern Corporation and Private Property. The managerial-corporate model seemed to face a challenge in the 1980s when capitalist owners, dissatisfied with languishing profit rates, launched an offensive against what they saw as lax and complacent corporate managers. This set off a titanic intra-class brawl for control of the corporation that lasted more than a decade. But by the late 1990s, the result was a self-serving compromise on both sides: CEOs retained their autonomy from the capital markets, but embraced the ideology of “shareholder value”; their stock packages were made more sensitive to the firm’s profit and stock-market performance, but also massively inflated. In reality, none of this technically resolved the problem of the separation of ownership and control, since the new pay schemes never came close to really aligning the pecuniary interests of the managers with the owners’. A comprehensive study of executive pay from 1936 to 2005 by MIT and Federal Reserve economists found that the correlation between firms’ performance and their executives’ total pay was negligible — not only in the era of mid-century managerialism, but throughout the whole period.

In other words, the laboratory of capitalism has been pursuing a centuries-long experiment to test whether an economic system can function when it severs the one-to-one link between the profits of an enterprise and the rewards that accrue to its controllers. The experiment has been a success. Contemporary capitalism, with its quite radical separation of ownership and control, has no shortage of defects and pathologies, but an inattention to profit has not been one of them.

How should these socialized firms actually be governed? A complete answer to that question lies far beyond the scope of an essay like this; minutely describing the charters and bylaws of imaginary enterprises is exactly the kind of Comtist cookshop recipe that Marx rightly ridiculed. But the basic point is clear enough: since these firms buy and sell in the market, their performance can be rationally judged. A firm could be controlled entirely by its workers, in which case they could simply collect its entire net income, after paying for the use of the capital.2 Or it could be “owned” by an entity in the socialized capital market, with a management selected by that entity and a strong system of worker co-determination to counterbalance it within the firm. Those managers and “owners” could be evaluated on the **relative returns the firm generates**, but they would have **no private property rights** over the **absolute mass of profits**.3If expectations of future performance needed to be “objectively” judged in some way, that is something the socialized capital markets could do.

Suchw a program does not amount a utopia; it does not proclaim Year Zero or treat society as a blank slate. What it tries to do is sketch a rational economic mechanism that denies the pursuit of profit priority over the fulfillment of human needs. Nor does it rule out further, more basic changes in the way humans interact with each other and their environment — on the contrary, it lowers the barriers to further change.

In a tribute to Isaac Deutscher, the historian Ellen Meiksins-Wood praised his “measured vision of socialism, which recognized its promise for human emancipation without harboring romantic illusions that it would cure all human ills, miraculously making people ‘free’, in Shelley’s words, ‘from guilt or pain.’” Socialism, Deutscher had written, was not “evolution’s last and perfect product or the end of history, but in a sense only the beginning of history.” As long as the Left can retain this elemental basis of hope, it will keep a horizon beyond capitalism in its sights

### FW – 2AC

### Populism – 2AC

**Forced transition causes populism.**

Milena **Büchs and** Max **Koch 19**, Dr Milena Buchs is an environmental social scientist and specialises on sustainable welfare and wellbeing, Max Koch is Professor in the School of Social Work at Lund University, “Challenges for the degrowth transition: The debate about wellbeing,” Futures, Volume 105, January 2019, Pages 155-165, https://www.sciencedirect.com/science/article/pii/S0016328718300715

3.2. Implications of rapidly transforming social systems

The social practices lens is also useful for thinking about possible wellbeing implications of rapid social change more generally, and a transition away from a growth-based economy specifically. While the concept of social practices inherently implies the possibility of change (with its focus on agency and creativity), it equally strongly highlights the structural aspects of practices which provide stability and orientation. During times of rapid social transitions, social norms and ‘mental infrastructures’ often lag behind, creating disorientation, social conflict, and negative impacts on wellbeing (Büchs & Koch, 2017: ch. 6).

Stability of structural dimensions of social practices offers orientation and some extent of predictability of how oneself and other people are likely to act in the future, providing a framework within which flexibility and change are possible. This orienting function of structural dimensions of practices is likely to be an important condition for people to form reasonably stable identities and relationships – key ingredients for wellbeing. Examples from classical and contemporary sociological and psychological research suggest that different speeds of changing social structures can establish misalignments and disruptions of social practices which can, in turn, negatively influence health and other wellbeing outcomes. For instance, in his classical study, Durkheim presents suicide at least partly as an outcome of a failure of cultural resources to provide meaning and orientation in the context of other, more rapid social changes (Durkheim, 2006; Vega & Rumbaut, 1991: 375). This idea also links to Bourdieu’s concept of the “hysteresis effect”. Here, Bourdieu emphasises that, especially during phases of social transition, people’s habitus and “objective” social circumstances can become disjointed: as a result of hysteresis, dispositions can be “out of line with the field and with the ‘collective expectations’ which are constitutive of its normality. This is the case, in particular, when a field undergoes a major crisis and its regularities (even its rules) are profoundly changed” (Bourdieu, 2000: 160). This can contribute to a deterioration of people’s wellbeing as it makes them feel “out of place” or let them be perceived that way, “plung[ing] them deeper into failure” (Bourdieu, 2000: 161) because they cannot make use of new opportunities or are mistreated or socially excluded by others.

Empirical research which partly builds on the idea of hysteresis has shown that wide-ranging organisational change can have a range of negative effects on people’s health and mortality (Ferrie et al., 1998; McDonough & Polzer, 2012). One study found that across 174 countries, several measures of wellbeing and social performance, including life satisfaction, health, safety and trust, voice and accountability, were highest in periods of economic stability, but lower in times of GDP growth or contraction (O’Neill, 2015); and other studies concluded that life expectancy can be negatively affected by both rapid economic growth and contraction (Notzon et al., 1998; Szreter, 1999).

Several scholars have recently highlighted the potential for social conflict inherent in (rapid) social change. For instance, Maja Göpel (2016: 49) remarks: “Unsurprisingly, the navigation or transition phase in shifting paradigms as well as governance solutions is marked by chaos, politicization, unease and power-ridden struggles”. Wolfgang Streeck has issued similar warnings (Streeck et al., 2016: 169). It is not difficult to see how such scenarios bear the potential of undermining some of the fundamental conditions that are necessary for the satisfaction of basic needs as discussed above, and hence the danger of generating substantial wellbeing losses for current and near-future generations.

In the current context, it is very difficult to imagine that we might be able to observe a rapid and radical cultural change in which people adopt identities and related lifestyles that value intrinsically motivated activities over pursuing satisfaction and status through careers and consumption. Even more worryingly, political events in Europe, the United States and elsewhere since the ‘Great Crash’ of 2008 indicate that times of negative or stagnant growth can provide a breeding ground for populist, nationalistic and anti-democratic movements. Economic insecurity, a perceived threat of established identities through migrants, and deep mistrust against ‘elite’ politicians are amongst the main explanations for previously unimaginable events such as the Brexit vote, Trump presidency, and recent electoral successes for far right-wing parties in a range of European countries.

#### Populism causes nuclear war.

Jacques Hymans 22. Associate Professor of International Relations at University of Southern California. The Nonproliferation Review. “Comment on Meier and Vieluf's ‘Upsetting the Nuclear Order: How the Rise of Nationalist Populism Increases Nuclear Dangers.’” vol. 28.

Oliver Meier and Maren Vieluf’s “Upsetting the nuclear order: how the rise of nationalist populism increases nuclear dangers” is an important, agenda-setting article that will shape the future course of nuclear scholarship. Meier and Vieluf define nationalist populists as people whose identity rests on a stark black–white contrast not only with perceived external enemies,1 but also with perceived internal enemies and, above all, with the country’s political-administrative “establishment” (p. 6). In Meier and Vieluf’s view, this populist-versus-establishment battle is relevant to deterrence because the prudence and professionalism shown by the nuclear-weapon states have allowed the world to go on living with nuclear weapons for three-quarters of a century. However, if populists in one or more of those states grab the nuclear portfolio for themselves, deterrence instability is sure to follow. Meier and Vieluf put it this way: “In the nuclear world, this destabilization of institutions is particularly significant. The nationalist-populist assault weakens the influence of those who are supposed to act as ‘guardians of the arsenals.’ The influence of nationalist-populist leaders on nuclear-weapon policies also has grown” (p. 10).

In this essay, I offer a constructive critique of Meier and Vieluf’s key claim that nationalist populists are dangerous because they push aside traditional nuclear and defense establishments. I agree with Meier and Vieluf that the rise of nuclear-armed populists is profoundly dangerous for the future of human civilization. But we need to avoid the trap of zero-sum thinking, according to which any point against the populists becomes a point in favor of the establishments (or vice versa).

Questioning Meier and Vieluf’s faith in the establishment

Meier and Vieluf suggest that the traditional nuclear and defense establishments have so far contained the ever-present potential for nuclear war by institutionalizing a “nuclear order built on the principled acceptance of a logic of restraint by the nuclear-weapon states” (p. 2). But such an interpretation of nuclear history is hard to square with the findings of a large scholarly literature that the superpowers’ establishments were actually significant drivers of the strategic competition and arms racing that caused many tense moments during the Cold War. Far from demonstrating a “principled acceptance of a logic of restraint,” the establishments made the Cold War more dangerous, more costly, and more long-lasting than it needed to be.2

The so-called “guardians of the arsenals” were also less than reliable during Cold War nuclear crises. The Cuban Missile Crisis would almost certainly have gone nuclear if either John F. Kennedy or Nikita Khrushchev had let the generals take the lead.3 A variety of technical and organizational mishaps almost caused it to go nuclear anyway.4 Meanwhile, the establishments unfairly tarred their critics in the peace and disarmament movements as “populists,” as Meier and Vieluf also point out (p. 9). Actually, those 45activists ended up greatly contributing to the peaceful end of the Cold War, an outcome that the establishments had considered unrealistic.5

Fast-forward now to the 2001–2009 George W. Bush administration in the United States. The Bush team was Republican foreign-policy establishment through and through. President Bush’s own father had been president and, before that, head of the Central Intelligence Agency; his vice president, Dick Cheney, was a former secretary of defense; his secretary of defense, Donald Rumsfeld, had already served as secretary of defense under President Gerald Ford; and so on. But these rock-solid establishment figures did most of the things that Meier and Vieluf list as being consequences of nationalist populism.

The Bush administration withdrew from the 1972 Anti-Ballistic Missile Treaty and deployed technologically immature missile-defense systems despite clear warnings from Russia and China that they would not take such provocations lying down. It refused to continue the Strategic Arms Reduction Treaty negotiations with Russia, thereby undercutting the possibility that the administration’s unilateral nuclear-stockpile reductions would generate mutual trust.6 It casually tossed aside nonproliferation norms for a strategic marriage of convenience with India, resulting in a further acceleration of New Delhi’s already rapid pace of nuclear-weapons construction.7 And, most egregiously, it used flimsy intelligence findings of illicit Iraqi nuclear and other weaponsof-mass-destruction programs to justify a full-scale invasion of that country against the better judgment of the International Atomic Energy Agency, three nuclear-armed permanent members of the UN Security Council, and most of the rest of the world, including staunch American allies such as Germany.8 The combination of US unilateralism and bungling in Iraq ended up exacerbating the very problems of Islamist terrorism and nuclear proliferation that the war had been intended to solve. As former Secretary of State Madeleine Albright put it in 2007, “The lesson out of Iraq has been if you don’t have nuclear weapons you get invaded and if you do have nuclear weapons you don’t get invaded.”9

Worse still, even after the high costs of Bush’s policies for US and global security had become glaringly obvious,10 most establishment Republicans still ardently embraced Bush’s foreign-policy approach. The only major Republican presidential candidates who denounced Bush’s Iraq War misadventure were fringe populist figures: Ron Paul in 2008 and 2012, and Donald Trump in 2016.11 Meier and Vieluf portray the establishment’s consistency of thought and action as a blessing, but it can also be a curse.

In Meier and Vieluf’s depiction, nationalist populists are like the 16-year-old who asks for the keys to the family car to take friends out on a Saturday night. I agree that it is dangerous to let them do so. But in this case, the parents—or, to borrow Meier and Vieluf’s term, “guardians”—have also compiled a very long record of driving infractions. For their own and others’ safety, they need to get rid of the car.

Building on Meier and Vieluf’s accounting of the dangers of populism

I have argued that nuclear-armed establishments are more dangerous than Meier and Vieluf suggest. Now I will also argue that nuclear-armed populists are dangerous for even more reasons than Meier and Vieluf enumerate.

Meier and Vieluf’s article does not do enough with its basic definition of nationalist populism as a black–white oppositional stance toward internal as well as external enemies. If we take that definition seriously, it becomes apparent that the biggest problem stemming from the rise of populists is not that they might ignore the advice of traditional nuclear and defense establishments and behave carelessly toward foreign powers. The biggest problem is that populism is a gateway drug to internal political violence, revolution, and civil war.12 And, perhaps needless to say, serious domestic upheaval in a nuclear power also increases the likelihood of a nuclear incident of some kind.

Perhaps the first-ever populist government in history was led by the Jacobin faction that drove the French Revolution forward from 1792 to 1794.13 The Jacobins expressed a radical populist faith in the power of “redemptive violence” by “the people.” 14 They made war both inside and outside France. To quote historian Brian Singer, the Jacobins’ violence was directed neither “at a well-defined enemy” nor “at some limited, short-term end, but to the creation of a new regime, a new humanity.” 15 In short, they wanted to raze the old world to the ground—or die trying. The Jacobins’ favorite metaphor for their violence was lightning, which materializes from out of nowhere to simultaneously destroy and enlighten the dark world it strikes. Their interest in lightning was not only metaphorical; Jacobin ideologues such as Jean-Paul Marat were serious students of the new science of electricity.16 France and the world are lucky that nuclear physics was not very far advanced in the Jacobins’ day.

None of the contemporary nuclear-armed populist leaders listed by Meier and Vieluf is a modern-day Jacobin. Most populists are merely unprincipled con artists who prey on atomized and insecure sections of the public, manipulating them to gain personal wealth and power. Even so, the language of populism is the language of revolution and civil war, and pretend revolutionaries can easily be carried along by the tide of social resentments that they have irresponsibly stirred up. Take, for instance, Trump and his followers’ dismal trajectory to January 6, 2021. We need to consider worst-case scenarios.

Trump did not actually want a civil war in the United States, but his rhetoric emboldened the not-so-small number of Americans who do. A rigorous time-series analysis found that Trump’s presidential run in 2016 was associated with an abrupt, statistically significant, and durable increase in violent attacks by domestic far-right extremists.17 For instance, the leading ideologist of the neo-Nazi group Atomwaffen Division, James Mason, wrote in July 2017, “I am not ashamed to say that I shed a tear of joy at [Trump’s] win.” 18 Far from standing back and standing by, Mason preached direct action to “accelerate” the onset of a society-purifying race war that he believed would push the Trump administration into embracing full-blown fascism. In May 2017, an Atomwaffen member, National Guard veteran, and onetime physics major named Brandon Russell was arrested for plotting to attack the Turkey Point nuclear power plant, among other targets. Police later also found traces of thorium and americium in Russell’s bedroom.19

The domestic divisions fomented by populists do not have to arrive at their logical end point of revolution and civil war to increase deterrence instability and the chances of a nuclear incident. Below I elaborate three more specific hypotheses on the deterrence consequences of internally divisive populist governments. The hypotheses are speculative, but they logically follow from the definition of populism and should therefore serve as useful points for further discussion of Meier and Vieluf’s core idea.

Hypothesis 1. Populists are likely to be insensitive to nuclear threats to the political strongholds of their domestic opponents. Meier and Vieluf observe that the credibility of US extended-deterrence promises to America’s allies suffered massively under the Trump administration. That is certainly true, but the question of whether the United States would be willing to trade “Pittsburgh for Paris” (p. 19) has been around for decades. The new problem that populism creates is that even homeland deterrence starts to suffer from the same credibility dilemmas as extended deterrence. In addition to the “Pittsburgh for Paris” question, we now also have to ask whether a populist administration in Washington would be willing to trade Pittsburgh for Portland.

In a country where populist leaders revel in dividing society against itself, deterrence theory’s standard assumption that a nuclear threat to any part of the homeland will be treated as a threat to the whole homeland can no longer be taken for granted.20 Whatever the president’s true intentions, foreign powers could potentially calculate that they will not be punished for striking at certain targets within the country’s borders.21 For instance, the longest-range North Korean missile that is currently operational, the Hwasong-14, has enough range for a nuclear attack against Seattle but not Mar-a-Lago. 22 Would the same president who formally designated Seattle as an “anarchist jurisdiction” in an attempt to starve it of federal dollars be greatly concerned by a credible threat of a North Korean strike against it? 23 Probably—but is “probably” a good enough answer for homeland deterrence credibility?

Another dimension of this same hypothesis has to do with the precise locations where populists choose to install military installations that are likely to become nuclear targets. During the Nixon administration, the objections of congressional Democrats to the planned construction of Sentinel anti-ballistic-missile facilities near their political strongholds such as Boston and Seattle led Secretary of Defense Melvin Laird to move the projects to less populated areas.24 President Nixon believed that he needed to work constructively with the Democrats on core national security issues. By contrast, a populist president would love to see his political opponents sweating the targets he put on their backs.25

Populists in power may even be slow to help their political opponents’ regions recover from an actual nuclear attack. There is a lesson for nuclear analysts in the Trump administration’s intentional slow-walking of congressionally mandated emergency aid to the US territory of Puerto Rico after Hurricane Maria in 2017, one of the deadliest natural disasters in US history.26 Having long held a low opinion of Puerto Ricans, Trump reportedly told his chief of staff and budget director that he “did not want a single dollar going to Puerto Rico.” 27 Would Trump have been any more helpful if the island had been hit by a man-made bomb instead of a natural one? Maybe if Puerto Rico could do something for him in return, which leads to the second hypothesis:

Hypothesis 2. Populists are likely to exploit their control over homeland deterrence to demand political concessions from their domestic political opponents. At the heart of populism is a disrespect for the principle of equal application of the laws. Instead, governance becomes a pure power game, and populist rulers notably exploit crises as opportunities to bring domestic political opponents to their knees. There is every reason to assume that a populist in full command of the nuclear and defense establishment would similarly take advantage of a nuclear crisis to conduct such a shakedown. In other words, populists in power will charge a high price for adequately responding to nuclear threats against their domestic opponents’ political strongholds.

Let us continue with the example of the Trump administration. The mass-destructive COVID-19 pandemic offers a highly relevant analogy for thinking about the internal political dynamics of a potential nuclear crisis under populist rule. Public-administration scholars have labeled Trump’s governing approach as “chaotic transactional federalism,” a cynical power system that “removes any vestige of certainty as decisions are shaped based on a desire to reward or punish other political actors, or left to subnational actors entirely. Expertise matters very little in these political, partisan transactions.” 28 In line with this, Trump responded to the COVID-19 crisis by pitting the 50 states against each other in bidding wars for vital medical supplies and for his political favor.29 The president publicly criticized Vice President Mike Pence for reaching out to all the state governors in his role as the coordinator of the national pandemic response, telling the press that he wanted Pence to deal only with those governors who were sufficiently “appreciative.” 30 Trump administration officials were even blunter in private. Trump’s son-in-law and closest adviser Jared Kushner reportedly said that New York Governor Andrew Cuomo “didn’t pound the phones hard enough to get PPE [personal protective equipment] for his state … . His people are going to suffer and that’s their problem.” 31 Trump’s response to the Democratic governors’ pleas for PPE to defend against the virus was essentially the same as his response to Ukrainian President Volodymyr Zelenskyy’s pleas for weapons to defend against Russia: “I would like you to do us a favor though.” 32

The hypothesis that populists will demand concessions from their domestic political opponents in exchange for issuing nuclear-deterrent threats on their behalf may at first glance appear to be only a matter of internal politics, but the distractions caused by internal political wrangling could greatly affect the denouement of a time-sensitive nuclear crisis. Foreign powers could also be tempted to initiate a nuclear crisis precisely in order to intensify their adversary’s domestic divisions. In addition, when facing the double burden of a nuclear threat and simultaneous shakedown by the president, politicians from disfavored regions would likely appeal to friendly elements of the military for assistance. That possibility tees up the third hypothesis:

Hypothesis 3. The establishment’s reaction to populism is likely to increase deterrence instability at least as much as the actions of the populists themselves. Meier and Vieluf’s article implies that the fate of the world hangs on the establishment’s ability to keep populist fingers off the nuclear button. But the establishment’s effort to fend off the populists could itself dramatically increase deterrence instability, for instance by sowing confusion about the chain of command. This hypothesis is not mere speculation. Reacting to widespread fears that Trump might be tempted to launch a nuclear attack against China or another country after his 2020 election loss to Joe Biden, in January 2021, General Mark Milley, the chairman of the Joint Chiefs of Staff, quietly worked the phone lines to reassure key people at home and abroad that he personally would not allow the president to do anything of the sort. The chairman of the Joint Chiefs is legally outside the chain of command for the execution of the president’s military strategy. Indeed, neither he nor anyone else has the legal authority to prevent a determined president from launching a nuclear strike.33 Yet Milley told Pelosi, “The president alone can order the use of nuclear weapons. But he doesn’t make the decision alone. One person can order it, several people have to launch it.” 34 Essentially, Milley was saying that if push came to shove, the military would mutiny. Meier and Vieluf seem to think that Milley did the right thing (pp. 15–16). Maybe so, but he also set an ominous precedent.

As I mentioned at the outset, these comments are simply intended to spark further discussion about the important issues raised by Meier and Vieluf’s stimulating article. I would be relieved to discover that I am being overly pessimistic about humanity’s chances of survival with either the establishments or the populists in charge of nuclear arsenals. But the more I study the issue, the more pessimistic I become.

## Lacan K

### AT: Psychoanalysis (Emory)

#### Turn – increasing cooperative leverage halts fantasies that drive self-exploitation. 1NC link cards don’t criticize collective bargaining, but individualist boot-strapping narratives that management uses to get people to exploit themselves.

#### 1NC internally contradictory. Their link cards are Lacanian and critique the idea of an authentic self as impossible because the subject is defined by lack. Their alternative affirmation of an authentic self is from Kohut’s self-psychology.

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KOHUT AND LACAN: MIRRORING AND THE NATURE OF THE SELF

I hope that this review will help illuminate some final comments regarding Kohut’s and Lacan’s versions of mirroring and the nature of the self. Kohut and Lacan presented radically new ideas that led each to place mirroring in a central metapsychological role, but which subsequently led them to draw very different conclusions about its functions in the development of the self. Lacan’s concept of mirroring, a mirror stage, narcissism, and issues such as omnipotence and grandiosity adds another voice to the argument that narcissism functions as a primitive defensive system against separation and dependency, and does so with a French accent.

For Kohut (1971, 1977), normal narcissism constitutes a separate line of development. If the child’s caretakers provide an adequate selfobject environment, normal narcissism supports those crucial functions—the maintenance, cohesion, and vitality of the self—that underpin the lifelong development of the child’s nuclear self. In addition, mirroring and idealized selfobject functions organize, sustain, and restore a cohesive, nuclear self throughout life.

From a Lacanian point of view, however, these perspectives on narcissism, particularly the proposals of a nuclear self and of union with an idealized selfobject (Kohut, 1971), constitute imaginary defensive attempts to repudiate or deny the structured lack in the symbolic. The sense of a cohesive, stable self and the aim of a subjective sense of wholeness of the self are likewise, from the Lacanian point of view, imaginary defenses against the bedrock of never-reversible incompleteness. On the broadest level, Kohut’s foundational construct of the empathic listening stance in psychoanalysis—meant to help the analyst understand from the patient’s point of view what the patient means to say or how he understands his own feelings—serves, from the Lacanian perspective, to harvest the register of the imaginary while leaving the divided, desiring subject of the unconscious psychoanalytically unrecognized and unobserved.

One potential area of confusion involves how to correlate Kohut’s concept of the self with its counterparts of the Lacanian subject and ego. The Kohutian self is the central metapsychological construct in self psychology. All other structures either defend against intolerable anxiety or trauma, or compensate for defects in the structure of the self in ways that allow the individual to function relatively well enough (Kohut, 1977). It might appear, therefore, that its Lacanian corollary should be the subject of the unconscious. Kirshner (2004) comes close to stating this. He also correlates defensive retreats to more primitive narcissistic structures with defensive retreats to early mirror function identifications by seeing both as responses to fragmentation anxiety (p. 47). However, Kohut (1984) described the structure of the self by stating it referred to its “cohesion, its strength, or its harmony” and that it structured “a person’s experience of being whole and continuous, of being fully alive and vigorous, or of being balanced and organized” (p. 99). The structure of the self could also evoke the “experience of being a center of initiative, of being a recipient of impressions, of having cohesion in space and continuity in time, and the like” (p. 99). I hope it is clear that by his own descriptions, Kohut’s concept of the self, its structure, and its functions are more coincident with Lacan’s ego. Kohut’s self and Lacan’s subject and ego do not align in any straightforward way, and this reflects their mirror opposite perspectives on the fundamental nature of the human self that strives for healthy cohesion (Kohut) or the subject that remains forever lack- ing but, as a consequence, forever desiring (Lacan).

#### b. If they win any framework argument about epistemology, reject this 1NC for incoherence.

#### The psyche can’t explain everything about industrial ag and cooperatives. Reject their reductionist framework.

Hook, PhD, 18

(Derek, Psych@Duquesne, Racism and jouissance: Evaluating the “racism as (the theft of) enjoyment” hypothesis,” Psychoanalysis, Culture & Society, September 2018, Volume 23, Issue 3, pp 244–266)

While this seems, in many ways, a gripping account, the degree of reductionism here from a sociologist or historian’s perspective must appear staggering. The multiple complex sociological, economic, and socio-historical variables underlying distinctive historical forms of racism are brushed aside in favour of a generalizing psychoanalytic formula.1 Racism = reaction to perception that the (perversely enjoying) other has stolen our enjoyment. This reduction of racism to an affective equation is evident also in Žižek’s precursor in this conceptual domain, Jacques-Alain Miller: Why does the Other remain Other? What is the cause for our hatred of him, for our hatred of him in his very being? It is hatred of the enjoyment in the Other. This would be the most general formula for the modern racism we are witnessing today: a hatred of a particular way the Other enjoys […] The question of tolerance or intolerance is […] located on the level of tolerance or intolerance toward the enjoyment of the Other, the Other who essentially steals my own enjoyment (Miller, cited in Žižek, 1993, p. 203). Not only does the above formula generalize across different socio-historical sites of racism, but it also bundles together a variety of different forms of prejudice. Anti-Semitism, racism, (hetero)sexism, xenophobia, etc. come very close to being reduced to problems of (libidinal/political) jealousy. The depoliticization (indeed, the implicit psychologization) inherent in such a conceptual move is surprising inasmuch it is something that Žižek has proved critical of elsewhere.2 In his contribution to Christopher Lane’s The Psychoanalysis of Race (1998), for example, Žižek outlines the charge of psychological reductionism against standard psychoanalytic explanations of racism, which offer “a way of explaining racism that ignores […] not only racism’s socioeconomic conditions but the sociosymbolic context of cultural values and identifications that generate reactions to the experience of ethnic otherness. (p. 154)” This is well said, but surely it applies also to the racism as theft of enjoyment formula outlined above? Explanations of racism as jouissancei are surely prone to psychological reductionism inasmuch as they often appear to privilege a series of psychoanalytic assumptions (drive, fantasy, libido, projection, etc.) as existing prior to—or independently of—considerations of economic, historical, political, and socio-symbolic context. Does this explanatory over-reliance on the psychological not amount to a retreat from the political, to precisely an attempt to explain social phenomena on the basis of psychological accounts? Moreover, one often has the impression, in looking at passages such as those cited above, of a given conceptual template (indeed, a formula) imposed on one after another historical context by way of an “explanation” of racism, despite the huge variation in socio-historical and cultural factors. This one-size-fits-all type of explanation seems particularly ill-suited to Lacanian psychoanalysis which claims, after all, to be a science of the particular (Verhaege, 2002).

#### Lacanian model is tautological – it presumes a unitary model of psychology that can be translated into *every* social dynamic. Their psychic theory of populist lashout can’t account for the detailed 1AC internal links explaining corporate control and vertical integration.

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HISTORY, LACK AND THE FORECLOSURE OF PRACTICE Zi2ek' s reworking of the theory of ideology in terms of a perpetual gap between the Real and the symbolic is intended to demonstrate, inter alia, the force of psychoanalysis in grasping the contingent, unfinished and potentially transformable nature of social reality. In his view, psychoanalysis is a powerful tool for the analysis of history, rather than, as is often claimed, the means through which history is reified as an effect of primal psychic dynamics. Indeed, far from freezing history, psychoanalysis provides the basis for a revolutionary reconfiguration of identity and politics. Zii.ek concedes that his theory of ideological interpellation is undoubtedly monolithic but this represents the nature of globalized capital that has become so pervasive and flexible that it is increasingly difficult to imagine a truly radical alternative to it. In Lacanian terms, capital has become today's Real in that it forms the unacknowledged parameters for contemporary political imagination. Indeed, in failing to recognize the pervasive nature of capital, many theories of radical democracy are profoundly complicit, rather than disruptive of the dominant socioeconomic order. These theories 'never question the fundamentals of the capitalist market economy and the liberal-democratic political regime; they never envisage the possibility of a completely different economico-political regime' (Zi.Zek 2000: 223). In this respect, Ziz.ek claims that, despite not providing a blueprint for political intervention, his theory is far more radical in that it draws attention to the limits of thought and action and the possibility of moving beyond them. The precise lineaments of this new political subject are necessarily vague; however, it involves a yoking together of particular claims with universal aims in order to rupture established norms. The political demands made by excluded groups do not just represent specific injustices but stand in for universal injustices.

Against liberal beliefs in neutrality, Zi2ek argues that universal justice can only be discerned from the perspective of those excluded from it. In a pluralist society, a universal left wing politics is therefore inescapably agonistic, but, for Zi2ek, politics is the art of the impossible (1998: 63-78). By unearthing the ahistoricallimit of particular modes of thought and being, every historical figuration is revealed as being contingent and therefore susceptible to radical overhaul. It is the 'ahistorical bar' as the internal limit of all symbolization that, in a sense, forms the condition of possibility of historicity. It is in this manner that Zi2ek regards his thought as revivifying the radical promise of Marxism, that is, by jettisoning its economic essentialism and retaining 'the empty messianic emancipatory promise- the new social order should not be "ontologized", but should remain an elusive democracy a venir' (Zii.ek 1999b: ix).

Despite these claims, there are troubling implications in Ziz.ek's argument that the condition of possibility of history resides in an abstract linguistic structure. There is no denying that Zi2ek proffers a powerful account of the atavistic effects of fantasy and non-rational forces upon action, for example, in his work on the function of enjoyment in the rise of regressive nationalisms (Ziz.ek 1991). Nonetheless, the profoundly ahistorical and formulaic nature of his theory has insurmountably dismissive implications for an understanding of social action. As a radically negative entity, the unconscious has no intrinsic connection to the social realm apart from random and fugitive disruptions; it is, as Nancy Chodorow puts it, a 'sui generis autochtonous entity that is apart from culture and the symbolic' (Chodorow 1995: 93). This conception of the unconscious as a radically discrete entity leads to an aporetic conception of language as simultaneously monolithic and illusory. On the one hand, it is only through the symbolic order and not through any other systemic type of power or any other source of agency that the social realm receives its shape. All social identity receives its form from the imposition of symbolic order upon an originary lack and thus language becomes a pervasive and self-sustaining system. On the other hand, language is an illusory medium in that all symbolic identities are based on an imaginary unity, resulting in the devaluation of concrete political struggles and the fetishization of the unconscious as a source of a supposedly radical instability. In the absence of any notion of social or political mediation, Zii.ek's idea of change remains caught in a 'bad infinity', oscillating between the moments of 'structure and antistructure' (Fraser 1997: 163).

Such an insurmountable ahistoricism is certainly the charge that Judith Butler, amongst others, levels at Zi.Zek when she discerns an abstract universalism or denial of the contingent operating in his thought which has problematic implications for an understanding of counter-hegemonic struggle. By locating the 'traumatic kernel' that prevents identity closure in the unconscious, Zizek effectively undermines the social and historical specificity of resistance, rendering it an effect of an unchanging psychic lack. The theory of radical insufficiency operates according to a self-same dynamic that explains any and every social disruption, and, as such, it is a 'theoretical fetish that disavows the conditions of its own emergence' (Butler 2000a: 27). It is the denial or domestication of difference effected by this abstract logic that has the most problematic implications for an understanding of politics. A closed negative dialectic operates where an apparent opposition between an identity and its other is deconstructed to reveal not only the disavowed connection but also that identity eventually becomes its other. This has particularly worrying implications for Zii.ek's analysis of fascism, for instance, which effectively collapses historically specific distinctions between progressive and regressive political forces (Butler 2000b: 173). As she puts it: 'power which seems to be opposed to the obscene is itself fundamentally reliant on that obscene, and finally is the obscene' (Butler 2000c: 276). In sum, Ziz.ek's collapse of domination into resistance blocks an analysis of the specific power relations underlying political struggle.

In order to distinguish her position from that of ZiZek, Butler claims that resistance should be understood not as the structural operations of the symbolic order but as a process of cultural ritual: 'as the reiteration of cultural norms, as the habitus, of the body in which structural and social dimensions of meaning are not finally separable' (Butler 2000a: 25). This amounts to conceptualizing the radically unfinished nature of identity not, pace Ziz.ek, as the point at which self-representation always founders (the Real) but as the inability of social categories to fully capture the 'mobility and flexibility' of persons (e.g. Riley 2000). No subject or politics of identity emerges without foreclosures, but these must be understood primarily as socially variable rather than as psychically universal. By pointing to the reiterative structure of cultural norms, Butler invokes a notion of embodied social practice to counter Ziz.ek' s subjectless model of symbolic reproduction. While she is right to do this, her model of performativity is ultimately unable to sustain this notion of practice because it is based on an equally as abstract or 'negative' paradigm of subject formation as Zii.ek's (McNay 2000). I make this argument about Butler in more detail in Chapter 5, but suffice to note here that, on this negative paradigm, the subject is understood, in essentially passive terms, as an exogenously imposed effect of language or discourse. This one-dimensional conception of language as a constitutive structure, which forecloses an understanding of language as a type of social action, results in its generalization as a model for all forms of social power. The diversity of social relations is replaced by the overextended metaphor of position within the symbolic or linguistic order. This prioritization of langue over parole easily slides into a conception of language as a self-enclosed symbolic system detached from any kind of social context and, in particular, from attendant problems of struggles over meaning, power relations and practice. As Nancy Fraser puts it: 'the structuralist abstraction langue is troped into a quasi divinity, a normative "symbolic order" whose power to shape identities dwarfs to the point of extinction that of mere historical institutions and practices' (Fraser 1997: 157).

Despite her inability to sustain the idea of practice in her theory of the performative, Butler is right nonetheless to draw attention to the way in which Zi.Zek's disregard of the social context of action is the consequence of his abstract and formulaic paradigm. By construing the Real as a self-identical and invariant principle of non-closure, the specific power dynamics. of social formations are occluded; in particular, a series of issues pertaining to the historicity of social structures, of language and of agency are foreclosed. For Lacanians, of course, the criticism that they privilege an abstract and ahistorical model of subject formation over embodied social practices both misses the point and invokes an uncritical phenomenalism. Indeed, in Zii.ek' s view, it is Butler herself who is not 'historicist enough' because her idea of the inability of symbolic categories to capture the complexity of social reality relies on a form of simplistic empiricism that contrasts the 'infinite wealth of reality' to the 'abstract poverty' of thought (Zii.ek 2000: 216). In the Lacanian triad of the Real, the unconscious and the Symbolic, a perspective on social practices and experience is explicitly redundant. Since all experience is formulated within the symbolic realm, any experience that does not conform to its logic is necessarily deemed anomalous or irrelevant. The most well-known expression of this discounting of the specificity of embodied experience is the Lacanian response to questions about whether the presence or absence of the father makes a difference to subject formation. For Lacanians, the presence of the actual father is superfluous because the phallocentric logic of the symbolic order operates independently of biological or social presence. There are many problems that stem from such an assertion, not least the difficulty that the reproduction of the phallocentric order becomes a monolithic given. It is, however, only from the perspective of a selfperpetuating linguistic system that the variations in social practices do not have any theoretical significance. As Nancy Chodorow puts it: 'evidence cannot oppose this logic, since it is a logic, and Lacanians even have a language for dismissing evidence. Anything given, natural, or "real" is repudiated by definition on the symbolic level' (Chodorow 1989: 124-5). The tacit assumption underlying this repudiation of reality is that the phenomenal realm lacks significance or complexity, indeed, that these qualities are only imputed to it by the workings of the unconscious. By adhering to such an unproblematized view of social experience, Zii.ek arguably makes himself vulnerable to the same charge that he levels at Butler, namely, a reliance on an uncritical empiricism. By construing practice and experience in such a flattened-out manner, he loses any way of explaining the historicity of social being and also its complex, multidimensional nature that is the effect of its constitution through different types of power. He also loses any way of understanding agency except as a secondary effect of the disjunction between the Real and the symbolic order rather than as a potential capacity of social subjects. This disjunction may certainly constitute a necessary pre-condition of the emergence of agency, but it is not an account of agency as an act of engagement on the part of individuals in response to a historically specific situation. Indeed, the displacement of agency onto a theory of symbolic indeterminacy forecloses the development of a subject-centred theory of action altogether. For, as Cornelius Castoriadis puts it: 'If "truth" is altogether on the side of the unconscious, and if all"knowledge" is mere deception, what importance can the subject's words have .. . If the person is in fact nothing but persona, a mask, and if behind this persona he is nobody ... then surely the best way of leading the subject to the "truth" is in fact to leave him to stew in his own juice?' (Castoriadis 1984: 57).

#### Framework – the judge should evaluate the consequences of the plan. Epistemic and ontological objections to 1AC claims must prove the plan is worse than the status quo.

#### Perm – Use the plan as a means of authentic self-affirmation of a just food-system and commitment to increasing the power of producer cooperatives versus corporate ag.

#### Case outweighs: Ecological collapse and war outweigh on magnitude. Living in a hellscape prevents authentic self-exploration and affirmation. No specific scenario for fascist takeover.

#### If they win their framework they need to defend the full implications of Zizek’s radical act of abolishing classes in their impact card. That alternative causes Stalinist totalitarianism.

Julia **HELL** German Studies @ Michigan **‘6** “Remnants of Totalitarianism” *Telos* Fall Vol. 136 p. 96-103

This brings us to the present and the form of political actions that are thinkable, or unthinkable, in a condition allegedly dominated by the opposition between totalitarianism and democracy. What is needed is a "freedom fighter with an inhuman face." In Zizek's Revolution at the Gates, Antigone is such a model, her defiance an example of an act that "intervenes in the very rational order of the Real, changing-restructuring its co-ordinates-an act is not irrational; rather, it creates its own (new) rationality.""' This event "cannot be planned in advance-we have to take a risk, a step into the open, with no Big Other to return our true message to us"-and its consequences might well be Stalinist terror, that is one of the risks."' A freedom fighter with an inhuman face-the phrase resonates with Benjamin's early thoughts on the Angel of History as a figure that embod- ies the creativity of destruction. iek discusses Benjamin's "Theses on the Philosophy of History" in the context of "revolutionary violence" as "the transformation of the oppressed victim into an active agent. "6 To make the argument for the ethical nature of the revolutionary act, 2iiek turns to Eric Santner's reading of Benjamin. "[A] present revolutionary interven- tion repeats/redeems past failed attempts," Zizek writes."' He uses Eric Santner's notion of "symptoms" as "past traces which are retroactively redeemed through the 'miracle' of the revolutionary intervention": they are, Santner writes, "not so much forgotten deeds, but rather forgotten failures to act, failures to suspend the force of the social bond inhibiting acts of solidarity with society's 'others.""" Santner's political claims are more modest: these symptoms register not only past failed revolutionary attempts, but past "failures to respond to calls for action, or even for empa- thy" on behalf of the suffering."" Santner uses Christa Wolf's reflections on the Nazi pogroms of 1938, not on the events of 1917. But Zizek is not concerned with modest ethical acts; for him, the excessive violence of the 1938 pogroms is a symptom that testifies to the "possibility of the authen- tic proletarian revolution.""' This was an outburst of violence that covered "the void of the failure to intervene effectively in the social crisis.""' As the Stalinist purges contained a redemptive kernel, so does, apparently, right-wing violence. At stake is a contemporary politics of authentic acts that redeems these voids and creates a revolutionary future from a revolu- tionary past. IV "A Crazy Wager on the Impossible": Eaek 's New (Post)Democratic Post-Politics If we read Zizek and Muffler with reference to Arendt's Origins of Totali- tarianism, we discover two different, but complementary stories that express a familiar dilemma of the left. In Zizek’s writings, the entire murderous history of Stalinism is erased in favor of a still unrealized future: the realization of the redemptive dimension----one that we find even at the heart of Stalinism. In MUller's texts, the GULAG is reified into a concept of history as catastrophe, the history of an eternal cycle of violence. The future only exists as the repetition of that violence. Both iek and Muller draw on Benjamin's "Theses on the Philosophy of History," which were written at the moment of the Hitler-Stalin Pact. The opposition between Muller's melancholic paralysis and iek's revolutionary decisionism raises again a problematic that Yves de Maes- seneer discusses apropos of Benjamin's angel. Maesseneer argues that the figure of the angel represents a "terrifying amalgam of redemption and destruction," because it implies the "end of politics," either leading to res- ignation, or (state) terror .... If we appeal to Benjamin's angel, Maesseneer submits, we either risk "an endorsement of the posture of a powerless witnessing of catastrophe," because the angel is "too immaterial to make a difference," or else we are endorsing radical destruction."' Whether this assessment is valid for Benjamin's angel might be debatable; as a warning, it certainly applies to 2iek's and MUller's readings of it."' I am not arguing that .iek revived Benjamin's angel with a bomb in one hand and a copy of the Koran in the other. I do however agree with Geoff Boucher's analysis that iek's recent theorizing of the act as an "exit from the symbolic network, a dissolution of social bonds" indicates a tension between democratic politics (as the formation of a hegeinonic project) and "quasi-religious militarism,""' Boucher criticizes Zizek's notion of a foundational act as a leftover from "Cultural-Revolution-period Maoism" and ultimately a retreat from politics, because it seems to privilege individual over collective action and reduces politics and economics to ideological struggles."' I have traced this new politics of "repeating Lenin" and the Bolsheviks' refusal of evolutionary history to two different contexts. The first is the Eastern European context, i.e., the de-politicizing connection between petrified (post)totalitarian conditions and the volun- tarist fantasies of Eastern Europe's dissident Marxists. The second is the context discussed by Boucher, i.e., the politics of the 1970s. However, I propose to comprehend iek's re-invention of radical politics as a return not to Maoism, but to the abstract radicalism of the RAE. In 1972, Ulrike Meinhof wrote a manifesto about Black September's role in the anti-imperialist struggle. Meinhof argued that Germany was imperialism's fascist center, that Israel's conflict with the Palestinians had turned that country into "Nazi-Faschismus," and that the bloody kidnappings in Munich constituted an "anti-imperialist, anti-fascist" intervention."' Again, I am not arguing that iek is re-inventing the Angel of History as Islamic fundamentalist, Palestinian freedom fighter, or the reincarnation of Ulrike Meinhof. But Meinhof's ghost does haunt his "freedom fighter with an inhuman face." Anti-imperialist struggle, she wrote, aims at the "[m]aterial destruction of imperialist domination" and the "myth" of its omnipotence.""' This sounds familiar: we could be reading a Maoist pamphlet. Meinhof's reflections on the symbolic core of militant actions are more intriguing: "Propagandistic action as part of the material attack: the act of liberation in the act of annihilation. "`9 Libera- tion through destruction: in this statement we find remnants of Hegel's master-slave dialectic and its echoes in Fanon and Sartre--and we find a crude foreshadowing of Zizek's conception of the authentic revolutionary act as one that changes the symbolic itself. This raises again the question of which kinds of acts Zizek has in mind. Reading Zizek unfortunately does not help to clarify this issue. What we do learn is that Zizek attempts to theorize politics beyond "democracy." Discussing the challenge that Carl Schmitt's theory of the political poses to the left, Chantal Mouffe insists that radical democracy be understood as a critique of parliamentary democracy, not as its dismissal. Radical democracy politicizes liberal democracy by introducing Schmitt's agonistic definition of politics, which deliberative models of democracy exclude; and it introduces agonistic pluralism into Schmitt's ineradicable 2onfiictuality by transforming antagonistic confrontations into agonistic Dries, "enemies" into legitimate "adversaries" with whom "there exists a common ground.""' That parliamentary democracy provides the space for the elaboration of this common symbolic ground has been the cornerstone of the post-Stalinist left and its reinvention of democratic politics. In his essay on Schmitt's "decisionist formalism," Zizek argues that Schmitt asserts "the independence of the abyssal act of free decision from its positive content "3' Like Mouffe, Zizek welcomes Schmitt's definition of the political as antagonistic, but criticizes him for not properly articu- lating "the logic of political antagonism.""' Schmitt's move to limit the friend/enemy distinction to external politics disavows the internal struggle that traverses society, while "a leftist position," hek writes, insists on "the unconditional primacy of the inherent antagonism as constitutive of the political.""' Zizek then provides "positive content" to Schmitt's formalism by defining the political as a struggle for democracy: "The political struggle proper is. never simply a rational debate between mul- tiple interests, but simultaneously the struggle for one's voice to be heard and recognized as the voice of a legitimate partner.""' The "protests of the 'excluded" always involve their right to be recognized."' Yet is Zizek's new radical act really more than just another kind of empty, formalist decisionism? Granted, he gives it a more material con- tent by insisting on the continuing relevance of class antagonism, i.e., the "notion of a radical antagonistic gap that affects the entire social body.""' In Welcome to the Desert of the Real, this gap is exposed by the attacks on the World Trade Center, because, iek argues, these attacks represented the eruption of the real into our symbolic order: they signaled the gap between the First and the Third Worlds, iek unequivocally distances himself from these attacks. Nevertheless, this militant gesture does pose a problem. I see Zizek's recent involvement with theology as an attempt to differentiate his messianic-militant politics from this kind of terrorism. And the hermeneutic pirouettes performed in the service of the "redemptive kernel" of Stalinism serve the same function: to delineate the boundaries of what this act is and is not. The "freedom fighter with the inhuman face" is no terrorist, Islamic or Stalinist-but is she anything more than a rev- enant from another desperate age? To answer this question, we need to return to Ulrike Meinhof, In Welcome to the Desert of the Real, iiek compares the attacks on the World Trade Center to those of the RAF. Meinhof's concept of the revolution- ary act, Zizek writes, is driven by the twentieth-century "passion for the Real," a belief that violent transgression bombs people out of their numbed state."' However, this kind of act, 2iek argues, paradoxically produces only the "pure semblance of the effect of the Real.""' But does this analysis (which I read as a kind of anticipatory rebuttal) really exhaust Meinhof's theory of the authentic act? What the RAF aimed for were three things: the existential effect, the shock effect, and, finally, a kind of "rev- elation": the act's power to lay bare the (fascist) essence of the (German) state. As 1 mentioned above, we find traces of Fanon's existentialism, but point two and three also hint at the legacy of surrealism, of Debord and the Situatjonjst International, And it is here that we can locate Ziek's debt to the RAF. For we can read the RAF's desire to "unveil" the true nature of the state in two ways: as the production of mere spectacle, a "thrill of the Real," or as a desire to radically intervene on the level of the symbolic. '39 Like iek's authentic revolutionary act, Meinhof's theory of revolutionary acts contained a symbolic dimension; they were aimed at a rearrangement of the very pre-conditions of politics. Zizek is thus in the process of rethinking radical democracy through Meinhof, substituting the work of hegemonic articulation with a new strat- egy, the authentic revolutionary act. And Zizek takes Mouffe's Gramscian rearticulation of the symbolic outside the space of liberal parliamentary democracy. For, as Zizek points out in his response to Boucher, the time of optimism is over: "we effectively live in dark times for democratic politics."40 Far from advocating a "crazy messianic politics of a radical violent Act," Zizek writes, in this age of global capitalism he is concerned with finding ways to re-think radical change (which, he argues, Mouffe and Laclau abandoned by limiting their anti-globalization strategy to "multiple local practices of resistance"). 141 Ultimately, Zizek writes, "we cannot formulate a clear project of global change."" Zizek's angel is thus really not much more than an intriguing, but ultimately empty, cipher-a remnant from a bygone era. Where does this leave us? Curiously, in a position similar to that of Arendt in 1945: the conditions of both political analysis and politics itself have fundamentally changed, Zizek argues, and therefore need to be radi- cally re-thought. While Arendt takes recourse to the miracle of birth, Zizek conjures the miracle of the authentic act. What distinguishes Zizek from Arendt is his willingness to take the ultimate risk: to sever the connection to liberal parliamentary democracy. In his recent writings, Zizek comes "perilously close to an ultra-left refusal of the difference between capital- ist democracy and military dictatorship." 143 Like Arendt, Zizek situates his recent work in the shadow of catastrophe ("dark times" is a transparent allusion to Brecht and National Socialism). Unlike Arendt, Ziek does not escape this catastrophic imaginary but repeats its antinomies.'' Zizek's new politics thus constitutes a curious double repetition: first, of Arendt's attempt to liberate politics from the catastrophic imagi- nary; and second, of the RAF. iek himself analyzes 1970s terrorism as a response to the New Left's realization that the revolution will not happen-neither in Berlin, nor Prague, nor Belgrade. '45 As the New Left disintegrated, groups like the RAP and Red Brigades slowly slid into their suicidal politics. Muller fell for this messianic politics at a moment when the petrified conditions of the GDR appeared to be its eternal future. Zizek seems to fall for it now, his empty repetition of the RAP nothing but a symptom-albeit apparently not a very enjoyable one. Zizek is certainly not the only one conceiving of a new politics in rather empty tenns. Giorgio Agamben argues that modernity's murderous biopolitics has been accompanied by the state of exception as a norm leading to the United States as its ultimate totalitarian instantiation. While Againben's view of (contemporary) modernity is best described by Arendt's "law of ruin," his new politics comes down to nothing but a metaphysical desire to experience genuine Being, a kind of Heideg- gerian great leap forward-or rather, a leap into the beyond."' Radical democracy worked through the "shock of experience" that its theorists shared--however belatedly-with Arendt, and they heeded her advice to think the unprecedented. Its strategies might need re-inventing (and Zizek's materialist re-centering of the social around its basic antagonism is a productive first step). But its basic tenets-that politics takes place within the framework of parliamentary democracy and that it transforms the friend/enemy antagonism into a friend/adversary agonism-still seems the adequate answer to U.S. Republican politics and their own brand of catastrophic scenarios

### AT: Climate Link

## CIL Ban Plan

### CIL Ban Plan CP---2AC

#### 3. Plan doesn't violate CIL, so it's incoherent.

#### 4. Perm: do the CP.

#### 5. Perm: do the plan because CIL requires it.

## Delaware

### Delaware CP

#### Delaware corporations would not play ball - they are already fleeing Delaware for other states – the counterplan would just seal the deal.

**Toth, 24** (Michael, 6/12/24, The Hill, “Why the corporations are fleeing Delaware” https://thehill.com/opinion/finance/4715117-why-the-corporations-are-fleeing-delaware/#:~:text=Delaware's%20secret%20sauce%20has%20long,to%20the%20Lone%20Star%20State. //RM)

For more than a century, executives have flocked to Delaware, the First State, to incorporate their businesses. It’s not for the beaches or even the taxes — Delaware’s 8.7 percent corporate rate, in fact, ranks near the highest in the country. ¶ Delaware’s secret sauce has long been its corporate jurisprudence. But recently, activist judges in the state have set out to padlock Delaware’s main attraction. They are sending companies packing for states like Texas, which for its part is doubling down on its efforts to recruit businesses to the Lone Star State. ¶ Exhibit A in Delaware’s self-sabotage effort was February’s ruling by Chancery Court judge Kathleen McCormick voiding Elon Musk’s compensation package. Perhaps Judge McCormick knows something more than Tesla’s directors and shareholders, who were to profit enormously from the 2018 deal. At the time they approved the deal, Tesla’s market value stood at $53 billion, roughly what General Motors was worth. Musk needed the company’s market value to soar to $650 billion over 10 years for all of his options to vest. Tesla’s market cap hit $1 trillion in 2021, and its stock is up 570 percent since the pay package was approved.¶ Tesla’s investors were betting on Musk — and so was Musk. Both were right. ¶ Judge McCormick, however, threw out the package earlier this year. This left management teams and shareholders wondering what else could be undone by a single Delaware judge.¶ As Musk biographer and former CEO Walter Isaacson told CNBC, the ruling is “going to hurt Delaware.”¶ “People will say, ‘Wait, wait, you mean five years after something happens, eight years after something happens, you’ll go back and undo it?’” he asked. Yes, they will.¶ Telsa investors should send a message to the Elon haters and approve his compensation package again when they vote Thursday. ¶ But Delaware’s problems run much deeper than Musk’s payday. Its judiciary is already a bit behind the times with its new embrace of the value-destroying combination of aggressive plaintiffs’ attorneys and Environmental, Social, and Governance (or ESG) activism.¶ According to the law firm Wilson Sonsini, Delaware’s plaintiffs’ bar is “increasingly active” and “successful.” As a result, companies incorporated in Delaware now need to plan for “gotcha” litigation, often “driven by plaintiffs’ lawyers more than those lawyers’ individual clients.” ¶ The plaintiffs’ lawyers in Musk’s case are seeking fees of $5.6 billion. If they get it, the windfall will go to them and their firms. It’s a “a strange world,” to quote law professors Jonathan Macey and M. Todd Henderson, “in which lawyers who sue companies propose to be paid like superstars, while executives who build them can’t.”¶ At least when public company CEOs get filthy rich through value creation, pensioners and individual stockholders also benefit. ¶ Over the last few years, Delaware courts have also been increasingly receptive to cases alleging breaches of oversight by directors. Investors should beware. Corporate lawfare is an expensive distraction from business growth. And as former Attorney General William Barr and Labor Department official Jonathan Berry have observed, Delaware’s corporate-law elder statesmen “today advocate that the state should adopt a more assertive and explicitly pro-ESG corporate law.” The upshot: executives could be liable for failing to manage so-called “risks” that “correspond to du jour ESG issues like climate change, [diversity, equity and inclusion], and #MeToo — or even the 2020 presidential election.” ¶ Delaware’s courts also affect tort law claims, because plaintiffs can file claims in the state of incorporation. Dominion, for example, filed against Fox News in Delaware. The judge, Eric Davis, imposed burdensome discovery on Fox and rejected the network’s libel defenses. According to Fox’s former general counsel, Viet Dinh, these pretrial rulings “called into question the fundamental fairness and integrity of the Delaware civil justice system.” This left the network with a Hobson’s choice between a trial that would have been “months of utter pain” and a jaw-dropping $787 million settlement. ¶ Other states are offering businesses less regulatory and litigation risk. Tripadvisor recently said sayonara to Delaware and reincorporated in Nevada. The travel platform explained that the move would save about $250,000 a year in taxes and “provide potentially greater protection from unmeritorious litigation for directors and officers.”¶ It’s not the only company bailing on Delaware’s deal-killing litigation environment. Since April, reports Nevada’s Democratic Secretary of State Francisco Aguilar, “three more publicly traded companies have announced plans to shift to Nevada, and these sort of legal shenanigans are a big reason why.” ¶ Texas shows that states can become more business-friendly through policy choices. As recently as the early 2000s, trial lawyers were one of the most powerful political forces in Texas. This was before Texans for Lawsuit Reform worked with lawmakers from both political parties and pushed through historic tort reform that energized the state’s business climate.¶ In the time since, Texas has continued to build on its reputation as a place where companies can count on a fair and transparent regulatory system. This September, the state’s dedicated business court, which handles derivative, corporate governance and securities claims to rival Delaware’s Chancery Court, will begin taking cases. ¶ Texas is now coming for Wall Street, too. Just last week, the TXSE Group announced it had raised $120 million for a new stock exchange based in Texas. The backers of the new exchange are saying that “corporate issuers and exchange-traded product sponsors are demanding more stability and predictability around listing standards and associated costs.” Does that sound familiar? It’s the same reason why businesses are fleeing Delaware — the listing standards in other jurisdictions keep shifting based on political winds rather than business judgment. ¶ Critics have called Texas, Nevada and other states’ attempts to attract corporations with favorable laws a “race to the bottom.” Don’t buy it.¶ Delaware originally became the hub for incorporation after New Jersey Governor Woodrow Wilson (D) instituted anti-corporate measures in the early 20th Century. Nevada’s effort to attract new businesses has bipartisan support, and major asset managers BlackRock and Citadel Securities are among the early investors in the TXSE.¶ The truth is that Delaware and other increasingly anti-business states, by accommodating anti-shareholder activists, are leading a new race to the bottom that is forcing companies to set out in search of safer homes.

#### Delaware law says charters can only be revoked for sustained abuse or illegal activities.

**Clements, 11** (Jeffrey Clements, General Counsel for Free Speech for People, 6/7/11, “Delaware should revoke the corporate charter of the Massey Energy Company” https://appvoices.org/resources/Massey-Charter-Revocation-FAQ-060811.pdf //RM)

Why should Delaware revoke Massey Energy Company’s charter?¶ Corporate charters are granted by states to serve a public interest. In exchange for benefits such¶ as limited liability and perpetual life, corporations are required to comply with the law and public¶ policy. In virtually every state, including Delaware, where Massey Energy is incorporated,¶ corporate charters are conditioned on good behavior.¶ Massey Energy Company is a corporation that has engaged in repeated and sustained violations¶ of law, contributing to the deaths of people in central Appalachia and to the destruction and¶ devastation of our environment and communities. The Report of the Governor’s Independent¶ Investigation Panel (the “Report”) concerning the April 2010 Upper Big Branch Mine explosion¶ and deaths describes in more than 100 pages how Massey repeatedly placed profits ahead of¶ worker safety and compliance with the law, and has a long history of criminal and civil¶ violations of law.¶ The Report identifies a longstanding “culture” at Massey that is “causing incalculable damage to¶ mountains, streams, and air in the coalfields; creating health risks for coalfield residents by¶ polluting streams, injecting slurry into the ground and failing to control coal waste dams and dust¶ emissions from processing plants; using vast amounts of money to influence the political system;¶ and battling government regulation regarding safety in the coalmines and environmental¶ safeguards for communities.”1¶ What law says a corporate charter can be revoked?¶ Virtually all states have charter revocation laws. The Delaware Constitution (Article IX,¶ §1) requires that the General Assembly “shall, by general law, provide for the revocation or¶ forfeiture of the charters or franchises.” The General Assembly has followed this mandate of the¶ people by enacting Title 8, Section 284 of the General Corporations Law entitled “Revocation or¶ Forfeiture of Charter; Proceedings.” That section provides:¶ (a) The Court of Chancery shall have jurisdiction to revoke or forfeit the charter of any¶ corporation for abuse, misuse or nonuse of its corporate powers, privileges or franchises.¶ The Attorney General shall, upon the Attorney General's own motion or upon the relation ¶ of a proper party, proceed for this purpose by complaint in the county in which the¶ registered office of the corporation is located.¶ What standard applies to a charter revocation action?¶ In Delaware, revocation of a corporate charter is appropriate in cases of “a sustained course of¶ fraud, immorality or violations of statutory law . . ..” Young v. the National Association for the¶ Advancement of White People, 35 Del.Ch. 10, 109 A.2d 29 (1954). Delaware courts have ruled¶ that “continued serious criminal violations by corporate agents in the course of the discharge of¶ their duties could very well constitute the misuse of a charter.” Craven v. Fifth Ward Republican¶ Club, 37 Del.Ch. 524, 528, 146 A.2d 400, 402 (1958).

#### Seriously – here’s the statute. The counterplan would be thrown out by the Supreme Court.

**Delaware Code, Current** (Title 8, Chapter 1: General Corporation Law, Subchater X. Sale of Assets, Dissolution, and Winding Up, Current as of 8/18/24, https://delcode.delaware.gov/title8/c001/sc10/index.html#:~:text=%C2%A7%20284.,corporate%20powers%2C%20privileges%20or%20franchises. //RM)

§ 284. Revocation or forfeiture of charter; proceedings.¶ (a) Upon motion by the Attorney General, the Court of Chancery shall have jurisdiction to revoke or forfeit the charter of any corporation for abuse, misuse or nonuse of its corporate powers, privileges or franchises. The Attorney General shall proceed for this purpose by complaint in the Court of Chancery.¶ (b) The Court of Chancery shall have power, by appointment of trustees, receivers or otherwise, to administer and wind up the affairs of any corporation whose charter shall be revoked or forfeited by the Court of Chancery under this section, and to make such orders and decrees with respect thereto as shall be just and equitable respecting its affairs and assets and the rights of its stockholders and creditors.¶ (c) No proceeding shall be instituted under this section for nonuse of any corporation’s powers, privileges or franchises during the first 2 years after its incorporation.

#### Corporations would just go off-shore instead – the Marshall Islands is a good option.

**Wolters Kluwer, 20** (Law Firm focused on compliance, tax and accounting, “Alternative to Delaware LLCs” 2/3/20, https://www.wolterskluwer.com/en/expert-insights/alternative-to-delaware-llcs //RM)

Delaware has always been a favorite for incorporation, but an alternative to Delaware LLCs is beginning to gain traction in the international business community. The Marshall Islands is slowly emerging as an alternative option for those who wish to look outside of the United States.¶ The Marshall Islands consists of 29 atolls and 5 individual islands totaling about 1,225 islands and 870 reef systems scattered over 750,000 square miles of the Central Pacific. After almost four decades under US administration as the easternmost part of the UN Trust Territory of the Pacific Islands, the Marshall Islands attained independence in 1986 under a Compact of Free Association.¶ The Marshall Islands is a popular option for yacht registration due to the fact that it is white-listed by the International Maritime Organization. This means that a lot of yacht owners who sail internationally, prefer to use a Marshall Islands Registration to ensure smooth sailing.¶ However, Marshall Islands entities are also picking up in popularity for a number of reasons, aside from yacht registration:¶ International retail/e-business – Operate your online business with no corporate tax due to the Marshall Islands.¶ Privacy/anonymity – Officer/Director/Member names are not public information by default.¶ Asset holding – The company can own any assets in accordance with local laws.¶ In the recent past, we've noticed a trend: Legal offices and other services providers get company member information from public records (such as an annual report) and then send numerous letters ranging from marketing mail to service offerings and even communication made to look like IRS notices - in the hopes of getting customers to pay for services that they may not really even need. This is a big reason why a Marshall Islands entity may be a great alternative to Delaware LLCs or even entities from other States in the U.S.¶ So, whether you want to set up an entity for asset ownership or for other purposes, a Marshall Islands Company may just be a great option for you.¶ If you think this may be an option for you, get in touch with us and we'd be happy to help you out.

#### 5.Revocation is pointless.

**Nonan, 12** (Kyle, JD Candidate @ GWU, “The case for a federal corporate charter revocation penalty” in George Washington Law Review, https://www.gwlr.org/wp-content/uploads/2018/04/80-Geo.-Wash.-L.-Rev.-602.pdf //RM)

Though incorporation today is a routine administrative process,¶ states retain broad powers to revoke corporate charters, should they¶ choose to exercise them. All fifty states have quo warranto statutes¶ with strong language allowing public officials such as the Attorney¶ General (or, in some cases, private citizens58¶ ) to seek charter revocation for abuse or misuse of chartered powers,59 yet these statutes are¶ virtually never used today.60 This is unsurprising, as an attorney general has strong incentives not to police behavior of corporations¶ chartered in his state because the effects of corporate misbehavior are¶ likely to occur outside of the state. Corporations are frequently taxpayers and employers, and are represented by lawyers and lobbyists¶ Regardless of whether corporations are criminal or law-abiding, they¶ are likely to wield commensurate political power. State enforcement¶ action is unlikely to stop the misbehavior anyway because a corporation can simply reincorporate in a friendlier state with a less aggressive attorney general and carry on as before. Hence, the "race to the¶ bottom" effectively results in freeing corporations from meaningful¶ state prosecution: another state, more desperate for the revenue from¶ the incorporation than the state in which a criminal corporation is incorporated, will provide a new home where the corporation can¶ reincorporate without fear of prosecution.¶ These factors constitute the major underlying problem with a system of state incorporation: states have largely abdicated the field of¶ regulating corporate behavior and punishing corporate crime.6t Indeed, states have every reason to enforce as little as possible.62

## Midterms

### Midterms DA---2AC

#### 1. Trump MAHA grants thump OR farm bill end outweighs.

Christopher Neubert & Kathleen Merrigan 26, Neubert is Deputy Director, Swette Center for Sustainable Food Systems, Arizona State University; Merrigan is Executive Director, Swette Center for Sustainable Food Systems, Arizona State University, "Why 2026 could see the end of the Farm Bill era of American agriculture policy," The Conversation, 1/7/26, https://theconversation.com/why-2026-could-see-the-end-of-the-farm-bill-era-of-american-agriculture-policy-270722

With Congress back in session, legislators will take up a set of issues they haven’t comprehensively addressed since 2018 – the year the last farm bill passed.

Farm bills are massive pieces of legislation that address a diverse constellation of topics, including agricultural commodities, conservation, trade, nutrition, rural development, energy, forestry and more. Because of their complexity, farm bills are difficult to negotiate in any political environment. And as the topics have expanded since the first iteration in 1933, Congress has generally agreed to take the whole thing up once every five years or so.

However, the most recent farm bill’s provisions expired in 2023. They have been renewed one year at a time ever since, but without the comprehensive overhaul that used to accompany farm bills.

As former federal employees handling agriculture policy who now study that topic, it’s unclear to us whether a comprehensive, five-year farm bill can be passed in 2026, or ever again.

The July 2025 enactment of the so-called “One Big Beautiful Bill Act,” the Trump administration’s budget priorities in the tax and spending bill, revised funding levels for many programs that were historically handled in the farm bill. For instance, that law included a 20% cut in funding to the Supplemental Nutrition Assistance Program, known as SNAP, which helps low-income families buy food. And it doubled support for the largest farm subsidy programs.

Those changes and current divisions in Congress mean the nation’s food and agriculture policy may remain stuck in limbo for yet another year.

Cuts to SNAP used for farm subsidies

For decades, political conventional wisdom has held that sweeping federal farm bills are able to pass only because farmers seeking subsidies and anti-hunger advocates wanting increased SNAP dollars recognize the mutual advantage in working together. That’s how to build a broad, bipartisan consensus strong enough to garner the 60 votes in the U.S. Senate to avoid a filibuster and actually pass a bill.

But the One Big Beautiful Bill Act tax and spending law did not create a compromise between those competing interests. It slashed SNAP spending by US$186 billion over the next decade. At the same time, it boosted price support for farmers who grow key crops like corn, soybeans and wheat by $60 billion, in addition to a $10 billion economic relief package passed at the end of 2024 to address high costs of seeds, fertilizer and other farming supplies.

Supporters of anti-hunger programs are furious that these funds for farmers are being paid for by cutting SNAP benefits to families.

In addition, about one-third of the SNAP cuts came by shifting the program’s cost to state budgets. States have always carried some of the costs to administer SNAP, but they have never before been required to fund billions of dollars in benefits. Many states will be unable to cover these increased costs and will be forced to either reduce benefits or opt out of SNAP altogether, dramatically cutting the help available to hungry Americans.

Groups that support SNAP are unlikely to help pass any bill relating to food or farm policy that does not substantially reverse the cuts to SNAP.

And farmers who receive money under the two largest farm subsidy programs are not even required to grow the specific crops those programs are meant to support. Rather, they must simply own farmland that was designated in 1996 as having grown that crop in the early 1980s.

Farmers have repeatedly said they would prefer federal farm policies that support markets and create conditions for stable, fair commodity prices. And evidence shows that spending more money on farm subsidies does little to actually improve underlying economic conditions affecting the costs of farming or the prices of what is grown.

And yet, in early December 2025, the Department of Agriculture released an additional $12 billion to help offset losses farmers experienced when Trump’s tariffs reduced agricultural exports. In mid-December, the National Farmers Union said that money still wasn’t enough to cover losses from consistently low commodity prices and high seed and fertilizer costs.

A regular five-year farm bill may be out of reach

The success of any bill depends on political will in Congress and outside pressure coming together to deliver the required number of votes.

Some leaders in Congress remain optimistic about the prospects of a farm bill passing in 2026, but major legislation is rare with midterm elections looming, so meaningful progress appears unlikely. It seems to us more likely that the ongoing stalemate will continue indefinitely.

In September 2025, Politico reported that instead of a complete five-year farm bill, the House and Senate committees on agriculture might take up a series of smaller bills to extend existing programs whose authorizations are expiring. Doing so would be an effective declaration that a permanent five-year farm bill is on indefinite hold.

Prospects for sustainable farm policy

By using financial incentives cleverly, Congress has shifted farming practices over time in ways that lawmakers determined were in the public’s interest.

The 2022 Inflation Reduction Act, for instance, allocated $20 billion over four years to encourage farmers to reduce or offset carbon emissions, which the Agriculture Department calls “climate-smart agriculture.” Those funds, along with a separate Department of Agriculture initiative with similar aims, were well received by American farmers. Farmers applied for far more money than was actually available.

The One Big Beautiful Bill Act tax and spending law cut those funds and repurposed them for traditional Agriculture Department programs for farmers who want to implement conservation practices on their land.

But unexpectedly, the Trump administration’s “Make America Healthy Again,” or MAHA, agenda contains some ideas that climate-smart advocates have previously advanced. These include scathing indictments of the effects of conventional agriculture on Americans’ health, including concerns over pesticide use and the so-far-undefined category of “ultra-processed foods.”

The MAHA agenda could be an opportunity for organic farmers to secure a boost in federal funding. In December, the Agriculture Department committed $700 million toward “regenerative” practices, but that’s a trifling amount compared with the billions commodity farmers received in 2025.

#### 4. Farmers won't swing because of policy.

Rebecca Beyer 22, Founder of Blood and Spicebush School of Old Craft, Bachelor of Science in Plant and Soil Science from University of Vermont, Master's in Appalachian Studies and Sustainability from Appalachian State University, Traditional Witchcraft and Appalachian Folk Medicine Teacher, "The Federal Government Pays Farmers. That Doesn't Mean Farmers Are Fans," gsb.stanford.edu, June 02, 2022, https://gsb.stanford.edu/insights/federal-government-pays-farmers-doesnt-mean-farmers-are-fans

Billions of dollars in federal aid flow to millions of farmers in the United States each year in the form of various subsidies that many rely on as part of their income. Although the benefits make some programs popular, that positivity doesn’t [does not] seem to carry over to farmers’ attitudes toward the government as a whole.

It turns out that no matter how much money you get from the government, you won’t like the government any better if you didn’t like it to begin with.

That is the counter-intuitive conclusion of a new study by Stanford Graduate School of Business PhD candidate Jake Jares, political economy professor Neil Malhotra, and Sarah F. Anziaopen in new window of UC Berkeley. The study pushes the boundaries of policy feedback research, a body of literature that tries to measure the effect public policies have on people’s political attitudes and participation.

“This is some of the most concrete evidence of the limits of policy feedback theory,” Jares says. “At most, these individuals seem to be made more positive toward individual policies, with caveats. But we can’t find any general spillover effects to policy preferences more broadly.”

The paper is unique for several reasons. First, most policy feedback research focuses on social programs like Social Security, Medicare, and the Affordable Care Act, whose supporters tend to align with the Democratic party. This research is often limited by an inability to link people to the specific benefits they receive.

Jares, Malhotra, and Anzia didn’t have that problem. In their paper, they examine agricultural programs administered by the U.S. Department of Agriculture, whose beneficiaries tend to be white, live in rural areas, and vote Republican. And, thanks to a ruling in a lawsuitopen in new window filed by the Washington Post nearly three decades ago, a record of every penny those people receive is available under the Freedom of Information Act, which the authors used to gather some of their data.

“In political science, you just don’t have this kind of good data on how individual people benefit from the government,” Jares explains. “Your Social Security check is not public; your IRS tax bill is not public.”

The authors examined traditional farm safety-net programs such as Agricultural Risk Coverage and Price Loss Coverage, which protect farmers against market downturns for certain commodities; the Conservation Reserve Program, which incentivizes farmers to protect water sources, soil, or natural habitats; and the Market Facilitation Program, created by President Donald Trump to compensate farmers affected by a trade war with China.

The researchers started with nearly 27 million payments made to approximately 2 million farmers and agricultural businesses between 2012 and 2019. They then selected recipients for whom they could validate payment data who were in the top half of both the commodity and conservation program payments (the median conservation payment was $6,250 and the median commodity payment was $4,753), creating a sample of just under 44,000 recipients. Of those, a little more than 1,000 responded to a survey of political attitudes, a response rate comparable to that yielded by other political surveys. Around 9% of respondents identified as liberal or extremely liberal while nearly 49% identified as conservative or extremely conservative.

The effect of the payments on people’s support for the programs providing the funds was different depending on the political nature of the program and political leanings of recipients.

For instance, beneficiaries of Trump’s Market Facilitation Program payments were more likely to support the program than non-recipients, but that bump in support came mostly from liberal and moderate farmers; conservatives supported the program whether they received payments or not. Among recipients of the long-standing commodity subsidies, higher benefit levels did not lead to an increase in support for the program, and conservatives were less likely to support the program than liberals or moderates. In fact, many respondents used the open-ended comment section on the survey to expound on their objections to certain aspects of the farm safety net. The Conservation Reserve Program, however, was well regarded by farmers across the political spectrum, and support for it increased with larger payments.

Across all three programs, bigger payments did not correspond with more positive views of the federal government in general, a finding that is consistent with prior research on social benefits and support for the government.

“You can’t take conservative libertarians and make them support the government by giving them money,” Jares says. “The upside is that people are not so vulnerable to politicians who are spraying money around everywhere. Ideology and values are still a powerful currency in the democratic discourse.”

#### 5. OR ever

Michael Grunwald 25, contributing Opinion writer based in Miami and the author of "We Are Eating the Earth: The Race to Fix Our Food System and Save Our Climate," "Democrats Can Finally Stop Pandering to Farmers," The New York Times, July 12, 2025, https://www.nytimes.com/2025/07/12/opinion/democrats-farmers.html

But here’s a potential silver lining: The G.O.P.’s decision to sever the half-century-old pairing of farm handouts with food assistance offers Democratic politicians an opportunity to stop supporting environmentally and fiscally ludicrous subsidies for farmers who wouldn’t dream of voting for Democrats. Instead, they could start pushing sensible policies focused on eaters instead of growers. It’s time someone in Washington did.

For decades, U.S. farm policy has been a bipartisan festival of ag-lobby pandering, shoveling enormous piles of cash to farmers through grants, heavily subsidized loans, even more heavily subsidized insurance, disaster aid and an alphabet soup of other thinly disguised welfare programs. Large farms that grow the most common row crops get the largest subsidies, with extra incentives for corn and soybean growers to produce supposedly eco-friendly biofuels that actually threaten forests and the climate.

Republican support for this kind of agricultural socialism is philosophically hypocritical but politically understandable, as rural America has trended overwhelmingly Republican. In the One Big, Beautiful Bill Act, the G.O.P. provided more goodies than ever for its loyal base of multimillionaires in John Deere caps, relaxing payment and income limits for the wealthiest farmers, creating new insurance subsidies for big poultry producers and demanding absurdly lenient sustainability analyses of crop-based aviation fuels.

In the past, even as their brand became poisonous in rural America, many Democrats pandered to big farmers just as relentlessly as Republicans, supporting most of the same subsidies while echoing the same clichés about “heartland values.” Urban Democrats who might have otherwise fought farm bills reliably supported them as long as the bills funded food stamps.

But now that the deal is off, urban Democrats can stop backing expensive and destructive rural giveaways, and other Democrats can stop deluding themselves that their obsequious support for the dole will earn them good will in farm country. They’re simply on the wrong side of the political culture wars.

It doesn’t matter how loyally they support agricultural largess when the Farm Bureau’s statement of its beliefs begins by defining marriage as between a man and woman, then goes on to oppose minority business funding quotas and support English as the official U.S. language.

#### 7. Healthcare thumps!

Matthew Zachary 26, co-founder of We the Patients, author of "We the Patients: Understanding, Navigating, and Surviving America's Healthcare Nightmare," "The next election will be decided by America's sick," The Hill, Jan 3, 2026, https://www.aol.com/articles/opinion-next-election-decided-america-180000158.html

The 2026 midterm elections will be decided by America’s sick — the people who spend their annual health insurance deductibles by Valentine’s Day each year. The ones who stay in dead-end jobs for the health care benefits. The ones who fear returning to the days before ObamaCare when insurance companies could knock you off the rolls just for getting sick.

As Congress continues to fight over the fate of Affordable Care Act subsidies that lower costs for millions of Americans, it is important to understand that the American health care system is not broken. It was designed this way.

Ever since President Richard Nixon privatized American health insurance through the HMO Act of 1973, the system has been working exactly the way it was created: to put patients at the bottom of the funnel for maximum profits at the top. It’s why the first question patients get is, “What insurance do you have?”

America is the only country in the developed world where health insurance is tied to work, where access to health care is not a right and where a single diagnosis can wipe out a family’s savings. But there’s a growing constituency that longs to rig the entire American health care system in favor of patients instead.

Consider the state of our system: Two-thirds of all bankruptcies are medical, and visiting your primary care doctor often feels like being a product on an assembly line. Doctors are burned out, pharmacies are understaffed, and nurses are leaving the industry. Everyone is getting screwed except shareholders. When it comes to the health of Americans, it’s all about the bottom line.

After the murder of UnitedHealthcare’s CEO Brian Thompson a year ago, stockholders sued the company for failing to disclose their decision to shift away from aggressive health insurance claim denials that favor profits over patients.

Thanks to the effects of the One Big Beautiful Bill Act, Affordable Care Act health plan premiums are expected to rise by an average of 114 percent in 2026. As a result, one in four Americans enrolled in ObamaCare recently said they’d go without insurance next year if the subsidies that had capped prices in recent years aren’t extended.

Our health care system is rapidly becoming the Hunger Games, where the young and healthy and the desperate gamble on not getting sick, and the losers set up GoFundMe accounts and file for bankruptcy.

America’s “high-use” patients have seen Explanation of Benefits equal to the price of a used Toyota Corolla and even a house. We’ve arrived at the hospital for surgery only to be handed a four-figure estimate and asked, “How would you like to pay today?” We’ve taken pills every other dose to make the $500 bottle of medicine we need last.

No wonder Cynthia Cox, director of the Affordable Care Act program at KFF, said that it would be ObamaCare enrollees in several swing districts who could “make or break an election.” I think that’s a good start, but it’s America’s patients, our sick, who will be the ones to cast our votes for lawmakers that have our backs. Perhaps the rest will be considered “not medically necessary,” like some of the care prescribed by our doctors and denied by our insurance companies.

#### 9. Dems can't capitalize on the plan

Sara June Jo-Sæbo 12/15, Author and Freelance Writer, Rural Democratic Committee Member, History Researcher at Midwest History Project, "Two Paths Forward for Democrats in 2026," Barn Raising Media, 12/15/2025, https://barnraisingmedia.com/two-paths-forward-for-democrats-in-2026/

Following the abandonment of Howard Dean’s “50 state strategy” and the resulting Democratic divestment from rural districts nationwide has entrenched an exclusivity in the party. For a party that boasts about its “diversity,” that diversity is only skin deep if everyone is speaking the same branded language. It’s expected that messaging that works in affluent urban and suburban zip codes should automatically address the needs of voters in rural areas, small towns, tribal lands or poorer metro districts.

Virginia has the widest gap between the rich and the poor of any state. Northern Virginia—with its proximity to Washington, D.C.—is the richest region while the south and southwest is the poorest. A 2025 report from the University of Virginia’s Weldon Cooper Center for Public Service says that, “The rural-urban income gap is most obvious between Southwest and Northern Virginia: in Loudoun County [just outside Washington, D.C.] the median household income is four times greater than in Buchanan County [on Virginia’s southwest border with Kentucky]. No other state has a larger income gap between two counties.”

There’s also an historic demographic shift that Democratic leadership should pay attention to. Many rural districts across the nation are reversing historic population declines with population growth. Here in southwest Virginia, the UVA Weldon Cooper Center 2025 report points to a dramatic trend upward. Since 2020, we’re experiencing an influx of residents ages 25-44 at twice the rate of the national average. While the 2010’s saw southwest Virginia losing an annual 1,300 residents every year, since 2020, that number has reversed by 200%. Nowadays, southwest Virginia grows it’s population by 1,300 per year.

Despite the Democratic Party’s success at the top of the ticket, the experiences of Green and other rural candidates show the party’s rural-urban fissures continue to show through.

For all the positive news of her party’s success in November, Green cautions that there remains a disconnect between the top of the ticket and local candidates:

We had 100 candidates running in all House districts; we did not get support from the state party for the 27 rural candidates. And we are the ones on the ground in our communities who know what the community’s needs are. There was not collaboration between the top of the ticket with the rural candidates. However, because rural candidates ran, the top of the ticket was able to sweep [winning races for Governor, Lieutenant Governor and Attorney General]. We were their insurance policy because we we’re running in these rural districts and we were turning out people to vote Democratic. … And I think we saw that across the state, that the engagement from Democrats went up throughout the state, even in my district. I’m in an 80-20 Republican district, but you saw more Democrats turn out because they had somebody local they could get behind.

#### 11. Plan not perceived by non-farmers.

Jonathan Ahl 20, Newscast Editor and Rolla correspondent at St. Louis Public Radio, "Trump And Biden Differ On Agriculture Policy, But It May Not Matter In The Election," STLPR,, 2020, https://www.stlpr.org/government-politics-issues/2020-10-16/trump-and-biden-differ-on-agriculture-policy-but-it-may-not-matter-in-the-election

Farmers are looking closely at what they might be able to expect from four more years of Donald Trump versus a Joe Biden administration, but they aren't finding a lot of solid answers. And any difference may not matter, anyway.

To evaluate Trump’s agriculture position, the best evidence is his actions and policies over the past 3½ years.

The highlight of that time has been creating a series of tariffs that has led to retaliation and a trade war with China and other countries, largely hurting foreign markets for farmers.

“The president’s been very clear. He sees the approach he’s taking, this hard-line approach, as one that, in his mind, works, and I think it’s likely to continue. We have no reason to expect anything different,” said Jim Mulhern, president of the National Milk Producers Federation during a virtual roundtable with farmers and agriculture leaders.

Trump also increased payments to farmers to help make up for losses and has directed some Coronavirus Aid, Relief, and Economic Security Act money to agriculture interests.

Joe Biden’s agriculture policy is a little more difficult to ascertain.

“None of us can give a real strong view on what a trade policy would look like in a Biden administration, other than likely to be attempts to make trade agreements that have been done in the past,” Mulhern said, referring to the Obama administration, when Biden was vice president and Tom Vilsack was secretary of agriculture.

Biden has presented his “Plan For Rural America,” which includes general language without specifics on a number of policies that affect agriculture.

It includes language about creating trade policies that “work for farmers,” promoting biofuels, expanding broadband access to rural areas and improving health care in rural areas.

That’s exactly what some farmers want to hear, including Pam Johnson, who grows corn and soybeans on her 1,000-acre farm near Floyd, Iowa, in the northern part of the state.

Johnson said the focus on biofuels is critical to her.

“My farm’s success and ability to survive depends on support of that market, that domestic ethanol market,” she said.

Trump has been hard on ethanol. In 2019, the Environmental Protection Agency exempted 31 small oil refineries from rules that would require them to blend ethanol into their fuel supply. In September, the president attempted to repair the relationship with corn producers when he announced a policy approving use of existing filling station pumps to distribute higher-ethanol gasoline. Johnson said it’s too little, too late, and she’s voting for Biden.

But Trump still enjoys widespread support in rural areas.

Scott Long said even though Trump doesn’t know a lot about agriculture, he has surrounded himself with people who do. Long raises cattle on 1,000 acres in southern Missouri near Cabool. He also owns a 10-employee meat processing operation.

Long said he likes Trump’s secretary of agriculture, Sonny Perdue, and the administration’s commitment to reducing regulation.

“As long as people have the right to farm, and the right to run cattle, hogs, sheep, whatever they want to do, we need people in there that are going to respect that. And I think Sonny Perdue has that type of attitude toward it,” Long said.

Long said Trump’s hard-line position on trade will be worth it in the long run to all Americans, including farmers, and he supports the administration’s policies.

Even with those differences, the farm vote may not mean much this election.

David Kimball, a political science professor at the University of Missouri-St. Louis, said rural voters overwhelmingly supported Trump in 2016 and will again, regardless of how they feel about his agriculture policy.

“A lot of rural voters are not farmers, necessarily, either, so the people working in the ag industry is a fairly small portion of the American electorate, which is another reason agriculture policy may not be top of mind for many voters,” Long said.

Kimball said the only way agriculture might be the difference is if the election comes down to one or two swing states with large rural areas. That's unlikely, he said.

And with issues like the coronavirus, the economy and Supreme Court nominations looming large, agriculture issues won’t get much attention between now and Nov. 3.

### GOP Win---2AC

#### GOP winning---MAHA

Travis N. Taylor 1/16, Taylor is senior market research manager at the Center for Excellence in Polling at Foundation for Government Accountability, PhD in Political Science from University of Kentucky, "The Make America Healthy Again movement could sway the midterms," The Hill, 01/17/2026, https://thehill.com/opinion/campaign/5691285-gop-embraces-maha-reforms/

The media is abuzz with predictions that Democrats will retake the House of Representatives in this year’s midterm elections. But there’s a political reality that pundits and pollsters are generally ignoring. The “Make America Healthy Again” movement is overwhelmingly popular, and if Republicans rally around a broader reform agenda, it could swing a large number of votes toward the Republicans.

### Thumpers---2AC

#### Too early, black swans thump.

David Corn 1/3, Washington DC Bureau Chief at Mother Jones, author of Our Land newsletter, "Maybe Donald Trump Isn't Immune to Political Gravity After All," Mother Jones, 01/03/2026, https://www.motherjones.com/politics/2025/12/donald-trump-polls-lame-duck-venezuela-hegseth-political-gravity/

It’s far too early to make any predictions. External circumstances can always change any political equation. What happens if there’s a war in Venezuela? Or if the White House can find a trans migrant who commits a heinous crime? And we all ought to worry about Trump and his crew concocting ways to screw with next year’s elections.

Don’t put on any rose-colored glasses. Trump has done so much harm and damage. According to Impactcounter.com, the ending of US foreign assistance and the demolition of USAID has led to nearly 700,000 deaths, including the deaths of 451,000 children. There’s still much harm and damage to come, here and abroad. But it is reassuring that the laws of politics remain partially intact. Trump, the GOP, and MAGA are not immune. But their opponents need to keep in mind that these vulnerabilities do not predetermine a downfall; they only provide an opportunity for a fight.

#### Like Venezuela

Hannah Knowles 1/4, Knowles is national politics reporter covering campaigns at The Washington Post, former general assignment reporter covering 2020 election, Stanford University graduate, "How Trump's foreign intervention could shake up the midterm elections," Washington Post, 1/4/2026, https://www.washingtonpost.com/politics/2026/01/04/trump-venezuela-midterms-regime-change/

Democrats immediately argued that U.S. military action in Venezuela was an abandonment of the president’s promise to focus on improving lives at home.

President Donald Trump’s intervention in Venezuela will test Americans’ appetite for regime change, inserting a new and unpredictable element ahead of midterm elections this year that have so far been dominated by domestic issues.

The comments express strong criticism of President Trump's intervention in Venezuela, with many viewing it as an act driven by personal and economic interests, particularly oil, rather than genuine concern for the Venezuelan people. Commenters draw parallels to past U.S.

#### GOP can’t pivot on affordability.

Gregory Svirnovskiy 1/16, Svirnovskiy is breaking news reporter at POLITICO, former Congressional Reporter at Medill School of Journalism, "Americans give Trump low marks on handling of economy as midterms likely to center on affordability," POLITICO, 01/16/2026, https://www.politico.com/news/2026/01/16/cnn-poll-americans-trump-economy-affordability-00733331

Sixty-one percent of voters told a CNN poll released Friday that they disapprove of the way Trump is handling the economy.

Americans are increasingly holding Donald Trump responsible for an economy they give low marks. And with the midterms now just under 10 months away, they have less faith than ever in the president’s ability to make things better.

Sixty-one percent of Americans in a CNN poll released Friday said they disapprove of Trump’s handling of the economy, tied for the worst mark of the president’s career in the White House as he approaches the one-year mark of his second term. And just 42 percent of respondents think the economy will be very good or somewhat good in a year’s time, down from 56 percent of adults expressing that optimism when Trump returned to office in January 2025.

Americans overwhelmingly cast the economy and stubbornly high cost of living as the most important issue facing the country, standing at 20 points higher than the second-ranked issue, the state of American democracy.

The numbers come as Republicans work to recalibrate their political messaging around affordability ahead of the upcoming midterms, in which Trump has conceded the party in power may be hard-pressed to retain their governing trifecta.

In the last few weeks, Trump has proposed temporarily capping credit card interest rates — a move unpopular among GOP leadership — scrapped Biden-era fuel economy requirements and released a new health care framework calling for, among other things, greater pricing transparency from insurance companies.

In a statement, White House spokesperson Kush Desai defended the administration.

“President Trump pledged to turn the page on Joe Biden’s economic disaster of runaway inflation and anemic growth. Much work remains, but President Trump in one year has delivered accelerating GDP growth, private sector job creation, over a dozen new trade agreements, historic drug pricing deals, and cooled inflation,” Desai said. “President Trump’s economic agenda created a historic economy in his first term, and it’s laying the groundwork to repeat the success in his second term.”

The White House got good news in this week’s inflation report, which showed prices climbing at a lower rate than expected in December. “LOW and UNDER CONTROL,” the White House proclaimed on X.

But Trump has struggled to stay on message, and even Republicans say he hasn’t necessarily delivered on the economy. Just roughly 4 in 10 GOP respondents in a January AP-NORC poll said he had improved the cost of living since returning to the White House.

### AT: Golden Dome

#### No space war.

Pavur & Martinovic 19 – James Pavur, DPhil Researcher, Cybersecurity Centre for Doctoral Training, Oxford University. Ivan Martinovic, Professor of Computer Science, Oxford University. [The Cyber-ASAT: On the Impact of Cyber Weapons in Outer Space, 2019 11th International Conference on Cyber Conflict, https://ccdcoe.org/uploads/2019/06/Art\_12\_The-Cyber-ASAT.pdf]

3. STABILITY IN SPACE

Given the uncomfortable combination of high dependency and low survivability, one might expect to observe frequent attacks against critical military assets in orbit. However, despite decades of recurring prophesies of impending space war, no such conflict has broken out [14]–[18]. It is true that a handful of space security crises have occurred; most notably, the 2007 Chinese anti-satellite weapon (ASAT) test and the 2008 US ASAT demonstration in response [19]. Moreover, a recent Centre for Strategic and International Studies report suggests increasing interest in attacking US space assets, particularly among the Chinese, Russian, North Korean and Iranian militaries [20]. Overall, however, the space domain has remained puzzlingly peaceful. In this section, we outline three major contributors to this enduring stability: limited accessibility, attributable norms, and environmental interdependence.

A. Limited Accessibility

Space is difficult. Over 60 years have passed since the first Sputnik launch and only nine countries (ten including the EU) have orbital launch capabilities. Moreover, a launch programme alone does not guarantee the resources and precision required to operate a meaningful ASAT capability. Given this, one possible reason why space wars have not broken out is simply because only the US has ever had the ability to fight one [21, p. 402], [22, pp. 419–420].

Although launch technology may become cheaper and easier, it is unclear to what extent these advances will be distributed among presently non-spacefaring nations. Limited access to orbit necessarily reduces the scenarios which could plausibly escalate to ASAT usage. Only major conflicts between the handful of states with ‘space club’ membership could be considered possible flashpoints. Even then, the fragility of an attacker’s own space assets creates de-escalatory pressures due to the deterrent effect of retaliation. Since the earliest days of the space race, dominant powers have recognized this dynamic and demonstrated an inclination towards de-escalatory space strategies [23].

B. Attributable Norms

There also exists a long-standing normative framework favouring the peaceful use of space. The effectiveness of this regime, centred around the Outer Space Treaty (OST), is highly contentious and many have pointed out its serious legal and political shortcomings [24]–[26]. Nevertheless, this status quo framework has somehow supported over six decades of relative peace in orbit.

Over these six decades, norms have become deeply ingrained into the way states describe and perceive space weaponization. This de facto codification was dramatically demonstrated in 2005 when the US found itself on the short end of a 160-1 UN vote after opposing a non-binding resolution on space weaponization. Although states have occasionally pushed the boundaries of these norms, this has typically occurred through incremental legal re-interpretation rather than outright opposition [27]. Even the most notable incidents, such as the 2007-2008 US and Chinese ASAT demonstrations, were couched in rhetoric from both the norm violators and defenders, depicting space as a peaceful global commons [27, p. 56]. Altogether, this suggests that states perceive real costs to breaking this normative tradition and may even moderate their behaviours accordingly.

One further factor supporting this norms regime is the high degree of attributability surrounding ASAT weapons. For kinetic ASAT technology, plausible deniability and stealth are essentially impossible. The literally explosive act of launching a rocket cannot evade detection and, if used offensively, retaliation. This imposes high diplomatic costs on ASAT usage and testing, particularly during peacetime.

C. Environmental Interdependence

A third stabilizing force relates to the orbital debris consequences of ASATs. China’s 2007 ASAT demonstration was the largest debris-generating event in history, as the targeted satellite dissipated into thousands of dangerous debris particles [28, p. 4]. Since debris particles are indiscriminate and unpredictable, they often threaten the attacker’s own space assets [22, p. 420]. This is compounded by Kessler syndrome, a phenomenon whereby orbital debris ‘breeds’ as large pieces of debris collide and disintegrate. As space debris remains in orbit for hundreds of years, the cascade effect of an ASAT attack can constrain the attacker’s long-term use of space [29, pp. 295– 296]. Any state with kinetic ASAT capabilities will likely also operate satellites of its own, and they are necessarily exposed to this collateral damage threat. Space debris thus acts as a strong strategic deterrent to ASAT usage.