# CAPITALISM KRITIK

# EXPLANATION

This critique argues that intellectual property, and property broadly, are neoliberal. Most affirmatives will rely on several neoliberal assumptions: people should own property and the government should protect that ownership, individuals are motivated by financial incentives, property rights should supersede other rights, property owners should be able to self-select who accesses their property, when creative advances do enter the public domain, they should be monetized, and others. The critique disagrees with each of those assumptions, thus providing good “epistemology” and “turns case” arguments.

The negative’s alternative is to **reject the ideology of property**. This means that private property should cease to exist. This would shatter a lot of what we know about the world, but the negative position is that drastic actions are necessary to escape the neoliberal dilemma of the status quo.

The affirmative has several options. One is to use the permutation to argue that property rights are important for solving the aff, but can be accompanied by measures that place the innovations in the public domain for free access. Another is to impact turn with capitalism good. Which avenue the aff chooses should be heavily dictated by the structure of the 1ac.

# NEGATIVE

## 1NC

### First Negative Constructive – Capitalism Kritik

#### The next off-case is the capitalism kritik.

#### The affirmative’s expansion of IP cements neoliberal exploitation

Dottridge 12, MA in Communication and Culture (Yacine, “Creative Exploitation: Intellectual Property as a Form of Neoliberal Cultural Policy,” Thesis written under the advisement of Rosemary Coombe, https://tinyurl.com/bdh48u6f)//BB

I argue that IP has become a form of neoliberal cultural policy According to David Harvey (2007a: 21), "[N]eoliberalism is a theory of political economic practices proposing that human well-being can best be advanced by the maximization of entrepreneurial freedoms within an institutional framework characterized by private property rights, individual liberty, unencumbered markets, and free trade," and that "The role of the state is to create and preserve an institutional framework appropriate to such practices." Despite the centrality of commercial interests in the creation of IP from its earliest historical beginnings, IP rights have traditionally been the result of a negotiation between private and public interests oriented towards the social good. With the rise of IP to the centre of industrialized economies, this social orientation seems to have been replaced by an exclusive focus on private rights, particularly the right to profit. I will argue that IP's original character as a cultural and social policy to promote learning and creativity with the aim of producing tangible benefits for society by empowering creators has been replaced with the tendency to view IP as economic and trade policy centred on increasing private wealth, where the primary stakeholders in issues surrounding IP are private parties committed primarily if not exclusively to the accumulation of capital. This shift in focus has stripped IP of its social dimensions, drawing attention away from its cultural and social consequences. Just as neoliberalism adopts classical liberal theories while ignoring their fundamental moral characteristics (W. Brown 2003), IP has been adopted as a tool while being voided of its substantive social and cultural objectives. It is these goals — creativity, education, cultural diversity, social vibrancy — that suffer as a consequence of IP's reorientation as policy directed towards economic objectives rather than social or cultural ones. The current practice of IP results in: undue restrictions on free speech and creativity (Amani forthcoming 2013; Gordon 3 1993; Netanel 2008; Vaver 1990); the expansion of markets into all spheres of cultural life (Coombe 1998; Jameson 1998); the reorganization and fragmentation of global labour (Gill & Pratt 2008; McGuigan 2004, 2009; Miller 1996, 2010; Ross 2008, 2009; Rossiter 2003); the destruction of biodiversity (Prudham 2007), unequal access to technology, knowledge, and medicine (Drahos 2003; Halbert 2005); the concentration of economic and cultural resources (Harvey 2002; May 2002) leading to a widening gap in social power between corporations and citizens (Bettig 1996; Halbert 2006); and the increased marginalization of already marginalized groups (Coombe 2003; Amani & Coombe 2005). To many, these developments present significant cause for alarm.

#### IP’s unequal and non-distributed gains are intrinsically unethical and unsustainable. Abolition frees up space for local alternatives.

Andrews 19, Associate Professor of Cultural Studies at Columbia College Chicago, PhD in Cultural Studies (Sean, “The Cultural Production of Intellectual Property Rights,” p. 38-40)//BB

If the previous chapter looks at the political/legal defense of a certain economic model, Chapter 4 continues by exploring the obverse: the economic arguments in defense of a certain political/legal model. It highlights a disconnect between neoclassical indexes of value (e.g., price) and the social process of valorization from which they are abstracted. Although critics of IPR are able to see the latter with regard to “creative” work, their observations would apply to the products of most other kinds of labor. The chapter outlines the ways in which some concepts from Marx—commodification, primitive accumulation, and the division of labor—help describe, on the one hand, the inadequacy of this index and, on the other hand, the historical, social, and material process whereby it came to appear descriptive in the U.S. context. It develops more fully the concept of “cultural efficacy” to denote the process whereby top-down programs and products gain bottom-up legitimacy. It argues that the implementation of IPR in its current form is indeed a form of unjust appropriation, but this injustice is not limited to intangible property— it is intrinsic to the system that critics of this program otherwise defend.

On this ground, we can turn to the global, digital spaces of the limited reification of the culture of property in general and the culture of IP in particular—and the attempts by policy makers to impose both through trade agreements and other forms of international law. In the end, this is what Herbert Schiller and others meant by cultural imperialism: the attempt to completely transfer the cultural framework of capitalism throughout the developing world, resulting in the global rule of capitalist social relations and the international protection of private property rights, capital investment, and “shareholder value.” But only by recognizing this cultural formation, only by working from a coherent, complete conceptualization of culture, with the animating and attenuating dialectics outlined above, can this complete system, idealized in theory and coercive in practice, be critically engaged—nor can the resistance to its imposition be fully comprehended.

The paradox between liberalism and democracy remains salient at this level, and, in part, the uneven development of these processes creates the conflicts that continue to stall the smooth imposition of a global legal environment that would serve capital and property alone. Locally conceived alternatives, emerging in indigenous communities and what Ankie Hoogvelt terms the “post-development” countries of Latin America, are able to witness the limits of the liberal culture of property and rethink the contours of this model in their own context. This resistance, termed “irrational” or “autocratic,” also opens a contradictory space of counterhegemonic struggle. The lesson for scholars of cultural studies is not that these areas will produce an alternative model to be applied from the top down elsewhere but that the more deliberative, collaborative understanding of culture—and value and, therefore, property—that emerges from these struggles can inform our criticism of the dominant culture of the hegemonic core. In other words, the lessons to draw from the space where this culture of property is yet to become reified can clarify the limits that current critics of IP set on the prospects for social change. On the other hand, the fact of uneven development should alert us to the continued expropriation of the periphery for the benefit of the core— and show that the simple suturing of the IP regime at the global scale for the benefit of core, postindustrial economies is unethical and unsustainable.

#### Every ‘advantage’ under neoliberalism is built on imperialism, violent austerity and white supremacy.

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To answer these questions, we must come to grips with a key feature of the world economy—one that pundits in the global North tend either to ignore or wish away—namely, the fact that capitalist growth is fundamentally dependent on imperialism. This arrangement, which has persisted now for 500 years in various forms, is beginning to come under significant strain, and climate breakdown is likely to widen the cracks. This opens up opportunities for change, but also poses significant dangers. Everything depends on how governments and social movements choose to respond.

The key thing to grasp is that, under capitalism, “growth” is not about increasing production in order to meet human needs. It is about increasing production in order to extract and accumulate profit. That is the overriding objective. To keep such a system going requires several interventions. First, you have to cheapen the prices of inputs (labor, land, materials, energy, suppliers, etc.) as much as possible, and maintain those prices at a low level. Second, you have to ensure a constantly increasing supply of those cheap inputs. And third, you need to establish control over captive markets that will absorb your output.

Growth along these lines cannot occur within an isolated system. If you place too much pressure on your domestic resource base or your domestic working class, sooner or later you are likely to face a revolution. To avoid such an outcome, capitalism always requires an “outside,” external to itself, where it can cheapen labor and nature with impunity and appropriate them on a vast scale; an outside where it can “externalize” social and ecological damages, where rebellions can be contained, and where it does not have to negotiate with local grievances or demands.

This is where the colonies come in. From the origins of capitalism in the late 15th century, growth in the “core” of the world economy (Western Europe, the United States, Canada, Australia, New Zealand and Japan) has always depended on the sabotage of labor and resources in the “periphery”. Consider the silver plundered from the Andes, the sugar and cotton extracted from land appropriated from Indigenous Americans, the grain, rubber, gold and countless other resources appropriated from Asia and Africa, and the mass enslavement and indenture of African and Indigenous people—all of which exacted a staggering human and ecological toll. On top of this, colonizers destroyed local industries and self-sufficient economies wherever they went, in order to establish captive markets. There was no lag between the rise of capitalism and the imperial project. Imperialism was the *mechanism* of capitalist expansion.

As the Indian economists Utsa Patnaik and Prabhat Patnaik put it, capitalist growth requires an imperial arrangement—not as a side gig but as a *structurally necessary feature*. Imperialism ensures that inputs remain cheap, and thus maintains the conditions for capital accumulation. But it also underpins the fragile inter-class truce that prevails in the core states. If you’re going to raise the real wages of the working classes in the core, or take steps to protect the local ecology, then in order to maintain capital accumulation you have to compensate for this by depressing the costs of labor and nature elsewhere, namely, among workers and producers in the global South. Ever since the rise of the labor movement in the late 19th century, capital’s concessions to the working classes in Europe and the United States have been possible in large part because of imperialism.

This arrangement came under strain in the middle of the 20th century, however, as radical anti-imperialist movements gained traction across the global South. After winning political independence, many Southern governments set about dismantling colonial systems of extraction. They protected their economies and supported their domestic producers using tariffs, subsidies and capital controls; they instituted land reforms; they nationalized key resources and industries; they rolled out public services and improved workers’ wages. This movement was successful in advancing economic sovereignty and improving human development across much of the South. But it also constrained the core’s access to cheap labor and nature, and reduced their control over Southern markets.

The collapse of the imperial arrangement posed a significant threat to Northern capital accumulation. This problem was mitigated for a time by Keynesian policy: massive government expenditure boosted aggregate demand in the global North and generated an extraordinary economic expansion, providing a temporary “fix” for capital. Further concessions to the working classes of the core were sustained under these conditions, permitting the rise of social democracy in some states. But this fix could only hold for so long. As wages rose in the core and the supply price rose in the periphery, growth ground to a halt, capital accumulation became increasingly untenable, and by the mid-1970s the economies of the global North were overcome by a full-blown crisis of stagflation. As it turns out, capitalism cannot function for long under conditions of global justice. Fair wages and decolonization are compatible with a functioning economy, but they are not compatible with a functioning capitalist economy, because they limit the possibility of capital accumulation.

To deal with the crisis of the 1970s, capital needed a way to restore the imperial arrangement, to once again depress Southern prices and regain access to Southern markets. To achieve this, the core states intervened to depose progressive leaders in the global South—including, most prominently, Mossadegh in Iran, Arbenz in Guatemala, Sukarno in Indonesia, Nkrumah in Ghana, and Allende in Chile—replacing them with regimes more amenable to Northern economic interests. But the final blow was delivered by the World Bank and the IMF, which during the 1980s and 1990s imposed neoliberal structural adjustment programs (SAPs) across the region. This move shifted control over economic policy from the national parliaments of the South to technocrats in Washington and bankers in New York and London, ending the brief era of economic sovereignty. SAPs dismantled protections on labor and the environment, privatized public goods and cut public spending, reversing the reforms of the anti-colonial movement in one fell swoop.

It worked: wages and prices in the South collapsed under structural adjustment, and the new “free trade” regime allowed Northern capital to shift production abroad in order to take direct advantage of cheap labor and inputs. This enabled a massive increase in the scale and intensity of appropriation from the global South during the 1980s and 1990s, restoring the imperial arrangement and resolving the crisis of capitalism. Those who see neoliberalism as the main problem, and who fantasize about reverting to a less destructive version of capitalist growth, fail to grasp this point. The neoliberal turn was not some kind of mistake; it was necessary to restore the conditions for growth in the core. It was the obligatory next step in capitalist development.

But now, as the 21st century wears on, the engines of imperial appropriation are slowing down again. This reality is evident in the declining rate of economic growth in the core states, which economists have come to refer to as “secular stagnation.” This is happening for several reasons.

First, in the wake of structural adjustment, the collapse of the USSR, and the semi-integration of China, there are few nation-states and territories left that have not been brought into the remit of the capitalist world system. Imperialist expansion has effectively reached the limits of the planet. Now, instead of shifting production to new pools of cheap labor, capital has to deal with the existing workforce and their demands for higher wages. Second, certain regions of the South—specifically China and the leftist states of South America—are managing to push back against imperialism and improve their terms of trade, even while operating within the basic structure of the capitalist economy. All of this is leading to a rising supply price, which spells trouble for capital accumulation — and growth — in the core.

But perhaps most importantly — and this is the clincher — climate change and ecological breakdown are beginning to undermine the conditions of production on the tropical landmass. This is beginning to manifest already, with climate chaos ravaging parts of Central America, the Middle East and North Africa, driving social dislocation and human displacement. Without some kind of dramatic change in direction it will get much worse. With existing policies, we are headed for 2.7 degrees of heating this century, which is likely to trigger multi-breadbasket failure and sustained food supply disruptions across large parts of the global South, displace more than 1.5 billion people, wipe out 30–50% of species, and render much of the tropics uninhabitable for humans.

This is a problem for capital, because growth in the global North depends utterly on production in the global South and depends utterly on Southern land and resources—today just as much as during the colonial period. Recent research finds that rich countries rely on a net appropriation of land equal to twice the size of India, a net appropriation of 10 billion tons of material resources per year, and a net appropriation of embodied labor equivalent to a standing army of 180 million workers. This means that as labor is displaced and disrupted, and as the productive capacity of land is constrained by heatwaves, wildfires, storms and desertification, this will lead to a rising supply price in the core that will trigger a severe crisis for capital—more serious than anything it has yet encountered.

The question is, how will the core states respond? To maintain the rate of growth and capital accumulation in the face of this crisis, they will have to find a way to cut the supply price once again.

There are two obvious possibilities. One option is to cut wages in the core states, shred the welfare system and privatize public services, all of which would help cheapen inputs and open up new frontiers for accumulation, giving some reprieve to capital. This option — domestic neoliberal austerity — was deployed in the US and Britain during the 1980s as part of the response to the initial collapse of the imperial arrangement. Now it is being increasingly taken up by the European social democracies themselves, including the Nordics.

Of course, the risk of this approach is that it could trigger a backlash from the domestic working class, which could coalesce into a socialist revolution. Aware of this danger, politicians will seek to promote anti-immigrant and white nationalist narratives. By directing working-class grievance toward an “other,” this approach gets people to accept their own immiseration, so long as they can feel an affinity with the ruling class on the basis of race, and feel superior to people of colour who are kept in conditions more miserable than their own. This strategy has long been used to support the neoliberal project in the United States, and the ruling classes of the UK and Europe are now also turning to this playbook. Boris Johnson is a master of this in British politics.

The second option is that the core states could double down on imperialism. It is not difficult to imagine new rounds of invasion and occupation intended to force Southern prices back down. The recent coup in Bolivia, backed by the U.S. with its rising appetite for cheap lithium, offers hints of what might come. And it is clear that the Biden administration, just as under Trump before him , is already preparing the grounds for aggression against China, among other things to constrain China’s domestic demand for resources. Imperialist interventions that cheapen the supply price would allow capitalists in the global North to maintain accumulation and sustain their truce with the working classes of the core for a little while longer, even as the world crumbles around them.

If left to itself, this is how the capitalist story will play out in the 21st century: neoliberal austerity, white supremacist ideology, and violent imperialist interventions—all for the sake of maintaining growth and capital accumulation in the core. Indeed, this barbarism is already well underway. Liberal politicians denounce the barbarism at every opportunity, and yet they cannot bring themselves to address its underlying causes because they remain fundamentally committed to capitalist growth. The solution that the liberals offer—capital accumulation without barbarism— is a chimera.

There is an alternative ending to this story, however. If the core states shift to a post-growth, post-capitalist economic model—in other words, if they abandon the growth imperative and curtail capital accumulation—this would obviate the need for austerity and imperialist interventions. This is the power of post-growth transition: it would liberate all of us, in North and South alike, from the predatory interventions that are required to sustain capital accumulation.

#### Reject the ideology of property. That facilitates movements against neoliberalism broadly, tears down white supremacy, inequality and carcerality.

Andrews 19, Associate Professor of Cultural Studies at Columbia College Chicago, PhD in Cultural Studies (Sean, “The Cultural Production of Intellectual Property Rights,” p. 22-23)//BB

Fraser argues that these recent articulations of the counter movement should alert us to the need for a movement that will combine the impulses behind the social protection from neoliberalism and the emancipation from resurgent misogyny, racism, and xenophobia. I agree that the current conjunction—and especially the U.S. context—demands just this approach. However, given the recent emphases of cultural studies on issues of emancipation and liberation in terms of these diverse categories of subjectivity, I contend that it is most important to consider the ways in which neoliberalism and the culture of property have influenced the category that most of us have in common: that of laborers. As Christopher May says in his critique of the idea of “the information society”: Most of us still need to go to work, where there remains an important division between those who run the company and those who work for it, not least in terms of rewards. When we look at what allows some of us to become rich and the rest of us to get by on our pay and pensions, this still has something to do with who owns what. (2002, p. 2) My critique of IPR (and of the so-called Free Culture movement of Lessig and others) understands these rights’ expansion in scope and scale as part of a larger neoliberal assault on the rights of citizens and workers and of the reactionary reorientation of the U.S. state (and, through the WTO, the International Monetary Fund [IMF], and the World Bank, the direction of many other states) toward the protection of capitalist profits over the needs of the larger society. Insofar as we now live in a society that claims culture as part of the economy, and insofar as our legal system is increasingly structured to prioritize the needs of capitalist property owners, there is nothing unique about the value produced around IP or the protection of that value by the neoliberal state. The Free Culture movement has identified the renewed visibility of the social production of value, which should inspire a deeper reflection on property rights and neoliberalism more generally. The only way to truly challenge the increased rule and role of IPR, therefore, is to challenge the “propertarian ideology” (Travis 2000) of the neoliberal state. This challenge, in turn, will provide the grounding for precisely the kind of multipronged movement to combat not only the resurgent white-male supremacy but also the ~~crippling~~ [devastating] economic policies that have created the inequality, carceral discipline, and diseases of despair that are likely to be the scourge of all in the coming years.

#### Epistemology first. Every affirmative advantage is a fabrication grounded in the culture of property. Reject the affirmative to shatter the terms of IP debate.

Andrews 19, Associate Professor of Cultural Studies at Columbia College Chicago, PhD in Cultural Studies (Sean, “The Cultural Production of Intellectual Property Rights,” p. 3-6)//BB

Limiting the range of political economic options is fundamental to the modern, capitalist conception of the state, dating back to John Locke’s Second Treatise of Government but rearticulated in the present era in what Chantal Mouffe (2000) calls “the democratic paradox,” which is a hegemonic stabilization of the inherent tension between liberty and equality. Mouffe asserts that “the unchallenged hegemony of neo-liberalism represents a threat for democratic institutions”: Neo-liberal dogmas about the unviolable [sic] rights of property, the all-encompassing virtues of the market and the dangers of interfering with its logics constitute nowadays the “common sense” in liberaldemocratic societies and they are having a profound impact on the left, as many left parties are moving to the right and euphemistically redefining themselves as “centre-left.” In a very similar way, Blair’s “third way” and Schroder’s “neue Mitte,” both inspired by Clinton’s strategy of “triangulation,” accept the terrain established by their neoliberal predecessors. (Ibid., p. 6) This study focuses especially on the dogma of “the unviolable rights of property” and the ways in which the leaders of the balanced copyright movement— including Lessig and other neoliberal stalwarts—have gone out of their way to affirm what I call the reified culture of property, even as they present evidence of the social production of value that should challenge the moral and philosophical foundations of this dogma. Following Georg Lukács’s (1971) elaboration of the concept, by reification I mean the epistemological fallacy whereby processes and relations between people are perceived as natural, ahistorical, thingly obstacles to be navigated rather than social constructs to be negotiated or altered. And, as I show herein, since the early days of English capitalism, its advocates have argued that its preferred social property relations are rooted in “natural law,” unchangeable by people, politics, and, especially, the law or the state.

From one perspective then, this book is not about IPR. Instead, it concerns the mainstream debate over IPR and what that debate reveals about what I call the reified culture of property that pervades Western capitalist societies. The debate about IPR is usually centered on the way digitization and globalization have changed how the properties in question are produced and distributed and their owners remunerated, but the rupture created by these global, digital processes should inspire broader questions regarding the social production of value and the liberal (or neoliberal, as it is often discussed) defense of law and the state. I argue that the opening created by globalization and digitization and evidenced by the debate over IPR allows us to reevaluate this broader culture surrounding property, its social valorization, and the role of the state in its protection. The early rhetoric of globalization and digitization promised amazing, liberatory possibilities: Technological progress! The spread of democratic freedoms! A more humane, environmentally friendly labor and production process! As usual, the myths of the global village and the “end of work” have yet to be realized: this book argues that tugging at the political, economic, cultural, and technological threads woven through the concept, laws, and practices surrounding IPR is an important start toward the creation of a more democratic, humane society, to paraphrase Stuart Hall.

## LINKS

### Link: Generic IP

#### Strengthening IP rights cements neoliberal biopower

Hull 19, PhD, Professor of Philosophy @ UNC-Charlotte (Gordon, “The Biopolitics of Intellectual Property,” p. 9)//BB

In the years since Foucault’s death in 1984, it has become clear that biopower has at least two forms. One is concerned with the productivity of populations in a general sense, and can be seen in large-scale, publicly funded infrastructure programs. The second, a neoliberal variant, attempts to achieve many of the same results by directly incentivizing individual behaviors. The strategies and techniques of neoliberal biopolitics derive from an extension of economic reasoning to all factors of life. If classical liberalism attempted to allow markets to function, neoliberalism not only tries to create markets where previously there had been none, it also understands problems and regulations only insofar as they are presented in market-oriented terms. Individuals are no longer rights-bearing subjects or equivalent members of a population; instead, they are understood to be economically rational agents, seeking to maximize their own outcomes. Good policies are those which are efficient in facilitating this process. For example, if developing human capital is a goal of government, then citizens need to understand themselves as involved in developing their human capital; a decision to pursue education or good health practices should be something that people make on the basis of expected returns on that investment. Similarly, people should avoid behaviors that are likely to damage their future earning capacity. This process of subject formation, accomplished through a complex web of nudges, pushes, legal strictures, environmental and architectural restraints, works to create the sorts of individuals who most easily work toward neoliberal biopolitical aims.

A quick look at the US Constitutional text suggests that IP exists at the nexus of juridical and public biopower.10 The goal – progress in the arts and sciences – is clearly biopolitical, but the mechanism – property rights – is juridical. It is my central contention that IP has shifted markedly (if unevenly) in the last twenty years or so in the direction of neoliberal biopolitics. Even when they were economically justified, earlier iterations of IP functioned much more along the public biopower model, attempting to improve the welfare of the public as a whole, with provisions such as limits on term length designed to ensure that the public benefited as much and as quickly as possible. Neoliberal IP maintains the idea of welfare enhancement, but it grants many more rights to producers, and instead of benefiting the public at large, it increasingly targets individuals in the public directly, reconceptualizing them as consumers and their welfare in strictly economic terms.

#### “IP rights” are a colonial lie designed to siphon resources away from the Global South---COVID proves any US tech advances will be hoarded.

Shirazi & Johnson 21, Nima Shirazi: Editor at Muftah, a digital foreign affairs magazine, and co-host of the media criticism podcast, Citations Needed. Adam Johnson: Host, The Appeal podcast. Media analyst at FAIR.org and host of the Citations Needed podcast (January 27th, “Episode 129: Vaccine Apartheid and US Media’s Uncritical Adoption of Racist “Intellectual Property” Dogma,” *Citations Needed Podcast*, https://citationsneeded.medium.com/episode-129-vaccine-apartheid-us-medias-uncritical-adoption-of-racist-intellectual-property-b7fed9e288e6)//BB

Nima: “The COVID-19 vaccine is ripe for the blackmarket,” warns an NBC News opinion piece. “Iran-linked hackers recently targeted coronavirus drugmaker Gilead,” reports Reuters. “Hackers ‘try to steal COVID vaccine secrets in intellectual property war,’” blares a Guardian headline. As the COVID-19 pandemic raged and pharmaceutical companies raced to develop a vaccine, Western media routinely asserted without question or criticism the premise that vaccine “intellectual property” is a zero-sum possession that’s been “stolen” by malicious foreign actors, blackmarket criminals, and of course, dreaded “pirates.”

Adam: With rare exception, the conceit that intellectual property for the COVID-19 vaccine is a finite thing that can be leaked, spied on or stolen — presumably to the detriment of the average American, somehow — is simply taken for granted. Similarly, assumed across corporate media reports is the notion that it is the US government’s job — no, their duty — is to protect sacred American intellectual property. National security experts, weapons contractor-funded think tanks, and national security reporters uniformly decry the sinister and shadowy agents and adversaries out to snatch America’s hard-earned vaccine dominance.

Nima: Nowhere in all this fear mongering and hand-wringing is there any sense of the much greater injustice at work: that the vaccine is in fact hoarded by the security states of wealthy nations, secured for power and securitized for profit. It is virtually unquestioned that only some countries or companies should be allowed access to the knowledge of finding and developing a vaccine, and no consideration that, maybe, there’s no such thing as too many countries working toward the management and eradication of a deadly virus.

Adam: From this default capitalist — and as we will show, racist — mindset has emerged what activists have long argued would be inevitable: a global apartheid regime of vaccine access that tracks almost one-to-one with historical currents of colonialism. An extension of an IP regime that has cut off the Global South from other life-saving medicines for decades, exacerbating the devastating effects of epidemics such as malaria and AIDS.

Nima: In the wake of the George Floyd protests in the summer of 2020, much of American corporate media decided to audit their own internally racist practices, but for reasons of partisan expediency and capitalist ideology, this sudden concern for historical racism seems to have stopped at the water’s edge, and U.S. media has largely covered the emerging Vaccine Apartheid regime as an inevitable act of god, rather than springing from explicit white supremacist IP fetishization, codified and defended by leaders of both American political parties. Indeed, if one were to place a map of when a country can expect to be fully vaccinated over the next few years on top of a map of economic exploitation, colonial extraction and capitalism-imposed poverty in the Global South, it would be an almost exact match. This emerging Vaccine Apartheid — while potentially complicated by Chinese soft power efforts to vaccinate the Global South — is not only inevitable, but the deliberate result of our 1990s-era, post-Cold War economic order created by the World Trade Organization.

Adam: On this week’s episode, we will trace the colonial origins of American media’s uncritical adoption of “intellectual property above all else,” why the WTO is functioning exactly how it was designed to, and how US corporate anti-racism discourse goes out its way to make sure discussions of white supremacy never examine the manifestly racist effects of the American and European-led capitalist order.

### Link: Patents

#### Patents facilitate capital accumulation. The impact is existential.

McGillivray 17, PhD in Philosophy (James, “'Pyrates' of the Lyceum: Big Pharma, Patents, and Academic Freedom in Neoliberal Times,” *Osgoode Hall Law School Dissertations*, https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1030&context=phd)//BB

Patents are not merely a license bestowing a right for a limited period. Patents also exist as financial instruments136 used to increase shareholder value 137 and accumulate capital. As such, intellectual property can be a very devious instrument brandished by the ‘invisible hand’ of the market. As instruments of corporate (and class) power and ownership over the productive assets of society, patents and intellectual property can be decisive existential weapons used to create and broaden inequality and destabilise the democracy of the modern state. In a more innocent time, Mr. Justice Brandeis claimed that we had to make an existential choice. Our choice comes down to the fact that “[w]e may have democracy, or we may have wealth concentrated in the hands of a few, but we can’t have both. 138 Or, more recently, as David Cay Johnston puts it, in terms of funding democratic institutions and in accordance to the logic and process of globalisation: Corporations are busy moving intellectual property such as patents, trademarks and the title to the company logo to entities organized in tax havens like Bermuda. These corporations then pay royalties to use their own intellectual property, allowing them to convert taxable profits in the United States [and Canada] into tax-deductible payments sent to Bermuda and other havens that impose little or no tax. You pay for this through higher taxes, reduced services or your rising share of our growing national debt. You also pay for it through incentives in the tax system for companies to build new factories overseas and to reduce employment in America, [Canada and Britain]. 139

### Link: Trademark

#### Strengthening trademark rights corporatizes identity by equating consumption and subjecthood. That greases the wheels for corporate accumulation.

Hull 19, PhD, Professor of Philosophy @ UNC-Charlotte (Gordon, “The Biopolitics of Intellectual Property,” p. 110-111)//BB

A second way that dilution evidences a neoliberal turn in trademark is that it reflects the shifting weight of market and monopolies in economic theory, a shift that has significant implications for subjectification. Traditional trademark doctrine was explicitly designed to promote markets and fairness in markets. Dilution subordinates markets to the ability of brands to generate consumer welfare. After all, disallowing noncompetitive uses of a trademark could easily be seen as antimarket. It instead treats the consumer welfare model as detachable from markets. On this logic, monopoly providers of certain signifiers are better for consumer welfare than markets. Indeed, even competition is in this instance subordinated to the logic of consumer welfare. A clear moment of transition occurs in Bork. After defending an informational view of advertising (in which he concedes that advertising does not in fact provide much information), as one might associate with a search-costs rationale for trademark, Bork notes that “advertising has other functions,” that “advertisers often attempt to wrap their product in an aura, a daydream” and that “only a modern Puritan can object to these evanescent satisfactions which advertisers provide us” (1993, p. 318).

Advertising has not been primarily informational since the nineteenth century. As Bone notes, psychological advertising, which relies on manipulating basic needs and emotions, was celebrated in the early twentieth century for “its ability to align consumer preferences with the needs of a vigorously expanding economy” (2008, p. 479). Part of this effort was involved in constructing markets and types of consumers. Early magazine advertising, for example, segmented readers into largely imaginary types of households; this later gave way to empirical analysis through mechanisms such as focus groups (Arvidsson, 2004). Brands can also serve to create market segmentation. For example, Barton Beebe suggests that intellectual property (IP) law can increasingly be seen to function as a reinforcement of a sumptuary code, i.e., a “system of consumption practices ... by which individuals in the society signal through their consumption their differences from and similarities to others” (2010, p. 812). By offering legal protection to luxury goods in particular, trademark allows for consumers to sort (or be sorted) into different social groups based on their available human capital; signaling group affiliation can in turn be a mechanism for attaining further human capital. Examples such as these underscore that the value assigned to such immaterial markers is an effect of an IP regime, not its cause. If there were no trademark, there would be no scarcity in logos, they would lose economic value, and the creation and sorting of consumers would have to be enacted differently. My desires as an agent, in other words, cannot be separated from the social environment in which I find myself; this environment quite literally structures my sense of who I am and what my possibilities are.

This commodification of affect then becomes an important aspect of subjectification, as individuals are encouraged to become entrepreneurs of themselves by consuming a portfolio of such affects, “seeking to maximize their ‘quality of life’ through the artful assembly of a ‘life style’ put together through the world of goods” (Miller and Rose, 1990, p. 25). In this sense, trademark becomes a technology of subjectification, in the sense of a “matrix of practical reason” that: Permit[s] individuals to effect by their own means or with the help of others a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality. (Foucault, 1988b, p. 18) Specifically, as with the Greek technologies of the self studied by Foucault, encouraging individuals to develop affective attachments to brands serves to prepare them as citizens of the polis, with the caveat that the neoliberal blurring of the economic and the political means that social welfare is measured as consumer welfare. Sonia Katyal underscores the confluence of individual subjectivity and corporate interest: “brands permeate the fabric of our lives – they help construct our identities, our expressions, our desires, and our language. Yet inasmuch as they serve as powerful expressions of consumer identity and desire, they are also an important vessel of corporate identity and property” (2010a, pp. 796–797)

#### Trademark enhancement facilitates neoliberal biopower by assuming people are exclusively assemblages of their branded property.

Hull 19, PhD, Professor of Philosophy @ UNC-Charlotte (Gordon, “The Biopolitics of Intellectual Property,” p. 111-112)//BB

If copyright law constructs authors and audiences, trademark constructs consumers. The stylization demanded by capital and abetted by neoliberal trademark is in terms of proprietization. We are to produce ourselves as an assemblage of various brand identities. This particular assemblage identifies us; that the components of the assemblage are not owned by us serves to govern in advance the various processes through which individuation could take place. The tensions in these subjectification strategies are evident precisely in the difficulty of explaining dilution doctrine on economic grounds noted earlier. Desai points to the incoherence of trademark’s construction of consumers. On the one hand, the efficient-search version of the law presupposes that individuals are deliberative, calculating rational choice actors. On the other hand, “when it comes to issues of infringement and protecting the consumer, this highly rational consumer morphs into a dullard who must not be asked to use any extra thought to discern what a mark may signify” (2012, p. 1029). Desai continues: When the law abandons the rational consumer model, it inserts a view that is not only suspect, but rejects what brand literature acknowledges: consumers are rather savvy about brands, to the point where they take brands and imbue them with personal meanings. Insofar as the law adheres to a behavioral model, in which the company pushes the psychological buttons of the consumer who is shaped by the message and helpless to resist that message, the law adheres to a view that business practice has questioned and in some cases rejected ... as the full ownership of the consumer is discredited in consumer brand theory ... Ironically, trademark law’s role has been to use consumers as a lever in prying trademark law away from consumer protection towards brand protection. (2012, pp. 1029–1030)

It is in this precise sense that trademark is engaged in a process of subjectification, one that renders consumers as the passive recipients of corporate meanings. As Desai puts it in a slightly different context, “insofar as companies use brands to build relationships with customers and offer them ways to embrace the brand as a way of life in many if not all parts of their lives, merchandising rights protect a company’s interest in generating and controlling consumer identity” (2012, p. 1018). In this regard, it does not seem accidental that trademark law’s move to neoliberal biopower favors corporate over noncorporate uses of a mark. For the neoliberal, all usage is market based, just as in neoliberal patent law, where even university research is commercial, or in copyright where all legitimate use is passive consumption.

### Link: Copyright

#### Strengthening copyright neoliberal-izes the author and consumer---that leads to knowledge enclosures that prevent diffusion of any advancements

Hull 19, PhD, Professor of Philosophy @ UNC-Charlotte (Gordon, “The Biopolitics of Intellectual Property,” p. 59-60)//BB

As noted in Chapter 2, intellectual property (IP) helps to make us who we are. Nowhere is this more directly evident than in the case of copyright, which directly regulates the structure of our information environment. Changes to copyright can therefore produce, directly or indirectly, changes to ourselves. Early copyright law exhibited the concerns of public biopolitics. It has been also moving steadily away from public biopolitics toward its neoliberal variant for some time, increasingly codifying the view that authors are entitled to appropriate all the potential gains of their creative activities. When John Locke wrote to complain about the British Licensing Act that the first copyright law, the 1710 Statute of Anne, replaced, he registered a complaint about the damaging effects of monopoly on the literary public.1 The original US Copyright Act of 1790 protected only maps, charts, and books. It provided for a fourteen-year term, renewable once if the author was still alive at the end of it. It also required that the work in question be officially registered. After this, or in the absence of registration, or if the work did not originate in the United States, it could be freely published by anyone. By 1976, the term was being extended to the length of the author’s life plus fifty years; in 2003, the Supreme Court upheld the addition of twenty years on top of that (Eldred). Although it codified fair use defenses for the first time, the 1976 Act also dropped the registration requirement (although it heavily rewarded creators who were sophisticated enough to register their works) and provided explicit protection for so-called derivative works, like sequels, allowing authors to control much of what the public could creatively do with their works, other than consume them passively.

The aggregate result has been a substantial shift in how copyright approaches artistic and literary expression. Of course, more such expression is covered by copyright, and it is covered longer. But the experience itself changes as well. Nineteenth-century practice involved the widespread remixing and reinterpretation of popular works (Tehranian, 2012); such practices today are limited. So too, historically, much of the experience of reading was under the reader’s control; they did not have to read a book in any particular order, and were free to skip the copyright notice. Today, DVDs force users to view not just copyright notices, but often advertising as well. This expansion of copyright is typically the lead example in complaints about what James Boyle (2008) calls the “enclosure of the commons of the mind.” Not only that, this process has largely been accepted by the Supreme Court; the Court’s defense of parody as fair use stands out as anomalous, and even that is limited in ways that I will discuss.2

To understand this shift in copyright, I begin first with an outline of its initial articulation as a form of public biopower. I then turn to the theory of incentives at the core of current copyright theory, as this model of production offers a clear window into the contours of a neoliberal view according to which everyone involved in copyright is primarily or even exclusively a market actor, operating according to the rules of homo economicus. I then look at two kinds of consequence of this view. One is the difficult relation between copyright and hip hop sampling, which illustrates why the ability to internalize all possible externalities of a work is impossible to reconcile with public biopolitics, including as it has tended to evolve in related areas of fair use. Fair use that protects public interests, including not just participants and listeners, but also those not recognized as “authors” by the dominant narrative of creation, is the exception, not the rule. The second is a ban on circumventing “digital rights management” (DRM) technologies in 1998. By banning the circumvention of DRM, the Digital Millennium Copyright Act (DMCA) enabled content owners to force much of the public’s interaction with their products into a consumer model, facilitating the subjectification of individuals as consumers by changing the experience of interacting with content. Embodying the view that externalities are to be internalized (taking a limited range of fair uses as exceptions), that all of society should be understood in market terms, and that monopolies are an efficient way to generate consumer welfare, current copyright increasingly expresses a neoliberal understanding of power. In so doing, the legal regime itself works to create certain kinds of subjects – those whose incentive structures map more accurately onto the economic model used to describe them.

#### Treating authorial property as “progress” leads to global marginalization and disenfranchisement

Rosenblatt 19, Visiting Professor of Law @ UC Davis (Elizabeth, “Copyright’s One-Way Racial Appropriation Ratchet,” *UC Davis Law Review*, 53.2)//BB

There is nothing inherently racial about copyright’s line-drawing exercises. But like many systems that manipulate value and power, copyright law contains structural elements that disproportionately reward the already-privileged and disproportionately burden the already-oppressed. Post-colonial literary theory provides some useful insights into the process by which copyright law reinforces racial hierarchies. Because their rules are written by the powerful, systems of property ownership have always worked in favor of colonizers over the colonized, and intellectual property law systems are no different.18 One might describe geopolitical colonialisms as involving a double domination: (1) gaining control over a colonized people’s culture; and (2) elevating the colonizer’s own language above that of the colonized.19 Although it is more conceptual than territorial, copyright law incorporates both aspects of this domination. First, it provides mechanisms for dominant-culture creators to gain ownership over the expressive creations of speakers of color; and second, it promotes a discourse that advances the values and contributions of those dominant-culture creators, while devaluing the creative practices and priorities of subaltern communities. And, like many colonial laws, copyright goes a step farther to entrench its discourse: because copyright inherently gives owners some control over the means of expression, it allows them to silence challenges to copyright’s value hierarchy. In post-colonial theory terms, “to control a people’s culture is to control their tools of self-definition in relationship to others.”20 Thus, perhaps inadvertently, copyright law elevates the creations and creative practices of dominant cultures over those they dominate, and the rhetoric of copyright law — framed in terms of economic benefit and “deserving” authors — teaches that this hierarchy is somehow necessary or correct.21 In a Bordieuian sense, copyright law is thus a pedagogical action that “reproduce[s] the structure of the distribution of cultural capital” (where the cultural capital is copyright exclusivity and its message of value) and therefore reinforces racial inequalities.22

Specifically, this Article argues that the copyright system favors a historically Eurocentric, male conception of authorship over more collective, cumulative, or improvisatory creative processes, and assigns ownership accordingly. It rewards appropriation of materials perceived as primitive, raw, or “folk” by purveyors of dominant culture, while punishing appropriation of materials that it associates with higher culture or views as already completed.23 By granting ownership to majority appropriators, copyright law not only grants them superior status, but also gives them exclusive rights to control the tools of discourse.24 As a result, the law permits majority appropriators to colonize the art forms of disadvantaged creators, but denies those disadvantaged creators the tools to talk back. The mechanisms of assigning ownership reinforce and feed on biases of lawmakers, judges, and juries about the cultural value of certain kinds of expression and creative practices. At the same time, copyright’s focus on exclusive ownership as the sole lever for promoting “progress” denigrates the norms and expectations of creators with collective, cumulative, improvisatory, or other non-exclusivity-based cultural foundations. Copyright law is, in that sense, the language of the colonizer, and its operation as law compels creators to make a choice: either “buy in” to its conceptions of creative incentives and processes, or step out of the power structure and economic opportunity it creates.2

### Link: Copyright --- Journalism-Specific

#### Public service journalism under capitalism is an oxy moron

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Capitalist control over the news media has always been problematic: commercial values have tended to be incongruous with journalism as a public service; and owners have enjoyed using the political power of the press to their advantage. That prerogative was generally weighted toward advancing the interests of the owning classes. In fact, “professional journalism” emerged as a form of industry self-regulation in the first half of the twentieth century, to some extent to allay concerns about monopolistic or commercial control over public information. It did so by informally delegating control of the newsroom to professionally trained editors and reporters. The professional system was probably at its peak in the 1960s or 1970s, and even then it was far from perfect.38

The current crisis of journalism began in the 1970s, owing in part to increasing corporate consolidation of ownership, which exploded in the 1980s. In monopolistic markets, media owners had incentive to lowball the resources to newsrooms, assuming they would keep their customers and advertisers. These firms were out to maximize profit, and journalism was merely a means to that end.

The system of professional journalism began to wither. Corporate owners increasingly found journalism too expensive for their tastes. The number of working journalists per capita began to decline by the late 1980s, though corporate news media profits were booming, and in the first decade of the new century, the number of journalists fell off a cliff. In 1960 the ratio of public relations people—attempting surreptitiously to doctor the news—to working journalists was around 1-to-1. In 2011 the ratio approaches 4-to-1. Large sections of public life are barely covered anymore, and those that are rely to a much larger extent on the unfiltered missives of PR firms. Add to this the rabid right-wing partisan ramblings of commercial media, and we are, in many respects, in the midst of a golden age of propaganda.

The Internet did not cause the crisis of journalism, but it certainly accentuated it. It took away tens of billions of dollars of advertising—in one decade, Craigslist alone all but wiped out $20 billion in newspaper classified advertising. Advertisers had no particular commitment to newspapers any more than journalism, and the digital world created new and better alternatives. The Internet also provided one more reason for young people to avoid reading increasingly flaccid newspapers or watching TV news. The one thing news media had done that was unique—provide original coverage of events in their communities and on their beats—had been cut back. What they replaced it with—sports, entertainment news, trivia—could be found anywhere and had no connection to “hard” news.

Journalism has many traits of a public good. It is something society needs and something a self-governing society requires. But the market cannot produce journalism in sufficient quantity or quality. Public goods generally require public subsidy and explicit public policies to exist. This was implicitly understood during the first century of U.S. history, but the role of advertising in supporting journalism masked its public good characteristics thereafter. For the past century, media critics have concentrated on how the market has negatively affected the quality of journalism; now, as the dust clears, the issue of the quantity of the news, of the very existence of popular journalism under capitalist auspices, has moved to the fore.

### Answer to Link Turn --- “Plan Makes IP Ethical”

#### There is no counterhegemonic IP---“rights” of IP actively preclude enforcement of all other human rights. AND, working within IP, through public-domain doctrines, facilitates neoliberal enclosures.

Borghi 23, PhD, Full Professor of Commercial Law at the Department of Law, University of Turin (Maurizio, “Commodification of intangibles in post-IP capitalism: rethinking the counter-hegemonic discourse,” *European Law Open*, 2.2)//BB

The crux of much intellectual property (IP) scholarship in the last two decades has been how to define a progressive, counter-hegemonic research agenda vis-à-vis the seemingly irresistible expansion of property rights and the consequent contraction of the public domain in every corner of the intellectual public sphere. Footnote1 To be sure, the very notion of a ‘progressive’ agenda is highly subjective. For lawyers working for – or on behalf of – private corporations or institutions that defend corporate interests, the research agenda will consist essentially in (re)searching the best solutions to maximise extraction of value and capital accumulation by taking advantage of IP rights. In this context, a progressive agenda is simply the one that ‘progresses’ the capital’s interests and increases market power. By contrast, academic researchers have the right to set their own agenda and they may choose to use this constitutionally protected freedom to question, interrogate, and criticise dominant power structures – and specifically the way in which those structures influence, shape and make use of IP rights.

The problem is that power structures change over time and so does the interpretation of what should be defined a truly counter-hegemonic approach to IP.Footnote2 Therefore, it may be the case that a research agenda loses its progressive feature, or even becomes regressive, if it does not take into due account the changes in the dominant power structures. I argue that this is precisely the risk of IP scholarship today.

I will develop my argument focusing on two related aspects, namely the role of IP law in the commodification of intangibles and the boundaries imposed on commodification by the claims of the public domain. Since the latter is the single most defining element of ‘progressivism’ in IP research, I will address in particular the changing role of traditional public-domain-enhancing IP doctrines, such as fair use and exceptions, in today’s phase of capitalism. I will make my point with the aid of three ‘case studies’, covering three distinct areas of IP law.Footnote3 But before that, I will delve a bit into social and economic history in an attempt to extract the key dynamics that led to the current global system of IP law.

2. The ‘great transformation’ and the making of IP law

The IP regime as we know it today took much of its shape, in so-called industrialised countries, in the second half of 19th Century. It is the result of a law-governed process of enabling market forces to extract value from instances that are not even ‘things’, let alone commodities: actions like writing a book, composing a melody, inventing a new device, designing the shape of an object, indicating the source of origin of goods – all these actions and more, abstracted from the respective intellectual commons to which they belong, could be transformed into tradeable commodities by operation of law.Footnote4

Such commodification is the result of a process that coincides, historically, with the rise of industrial capitalism and the market economy. To be sure, patents, copyright, and trademarks have been around at least since the 16th Century, when the market economy did not yet exist, let alone a capitalist market economy. In fact, not only can the actions mentioned above be protected by law while remaining an integral part of their respective intellectual commons and without being abstracted from those commons and commodified,Footnote5 but also even markets in products resulting from those actions can subsist and thrive in the absence of capitalist forms of production.Footnote6 So capitalism did not ‘invent’ patents, copyright and trademarks: rather, it took them from the existing arsenal of legal tools and transformed them gradually into forms of property over tradeable commodities – and into commodities themselves to be exchanged in the marketplace. These commodities are not less ‘fictitious’ than the three factors of production – land, labour, and capital – described as such by Karl Polanyi in his seminal work on the ‘great transformation’.Footnote7

Historically, the symbolic landmark of this first transformation is represented by the international treaties signed at the height of the age of classic liberalism and free trade, namely the Paris Convention on industrial property of 1883 and the Berne Convention on literary and artistic property of 1886.Footnote8 The success of the resulting IP regime – which was destined to remain in force, essentially unaltered in its structural elements, for a good century – depended on the tacit assumption that legitimate competing interests over intangible commodities created by law – works, inventions, badges of origin etc – can be defined and balanced ex ante by the law itself. Such ex ante determination operated in various ways, for example by establishing that exclusive rights over certain protected subject matter have limited duration, limited scope (eg expressions and not ideas) and are subject to exceptions (eg fair use in copyright, government’s use in patent law, etc) or to other provisions that temper the exclusionary nature of property rights (eg compulsory licensing). By defining de jure the dividing line between what can be claimed as private property and what should remain in the commons, the law enacted a commodification of intangibles that was strictly functional to the correct operation of the market. From a Polanyian perspective, the limits embedded in IP law can be interpreted as part of the ‘protective counter-movement’ that arises in response to unrestrained marketisation and the degradation resulting from treating human life and nature activities as mere commodities. Such counter-movement does not just protect society and nature from the destructive forces of the market, but is also required for the continued existence of the market structures themselves vis-à-vis the threat of self-destruction. In Polanyi’s words:

For a century the dynamics of modern society were governed by a double movement: the market expanded continuously but this movement was met by a countermovement checking the expansion in definite directions. [This countermovement] was more than the usual defensive behaviour of a society faced with change; it was a reaction against a dislocation which would have destroyed the very organization of production that the market had called into being.Footnote9

The double movement results from the action of two opposing organising principles, namely economic liberalism and laissez-faire on the one side, pushing towards the establishment of a self-regulating market for the factors of production (land, labour and capital), and the ‘principle of social protection’ on the other side, aiming at the ‘conservation of man and nature as well as productive organization’ by means of protective legislation and other regulatory techniques.Footnote10

Commodification of intangibles followed a similar pattern, with market forces on the one side pressing for the complete alienation of creative actions from their original collective meaning and their fixation into mere exchange values, and societal forces on the other side seeking to protect universal freedom to access intellectual commons through regulation, legislation and resistance.Footnote11 The IP regime that took shape in the second half of 19th Century can be seen as the outcome of the double movement consisting of capitalism’s seizure of economy and society’s regulative reaction. In this way, the resulting IP system operated a commodification of certain intangibles while at the same time defining the boundaries of such commodification – and all this by keeping a neutral stance and leaving entirely to the market the task of determining the exchange value of the thus created commodities. Otherwise put, IP law established itself as an integral component of the rule-set of the capitalism game – a component whose relevance grew exponentially, without changing qualitatively its nature, in the course of the 20th Century.

3. The second transformation and the age of IP expansionism

The institutional structures that, within the IP regime, made possible a defence of the freedom to access intellectual commons against unlimited propertisation remained relatively unchallenged for a good part of the 20th Century up to post-World War II ‘regulated capitalism’.Footnote12 These structures started shaking at the end of the 1970s with the transition to a new phase of capitalism dominated by a medley of political, economic and intellectual approaches which is now commonly referred to as ‘neoliberalism’.Footnote13 At the heart of neoliberalism is the basic idea that human well-being can be best advanced by liberating individual, instead of collective, entrepreneurial forces, and that the precondition to achieve this is an institutional framework characterised by strong private property rights and weak regulatory barriers. Neoliberalism does not necessarily imply a weakened role of the state vis-à-vis the ‘market forces’ – as per the hegemonic narrative that began to take shape in those years – but rather a new and different role of the state in the capitalist system. As far as IP law is concerned, the most visible consequence of the transition from regulated to neoliberal capitalism was that the interests of the owners of the means of production – which in the classic IP regime represented only one of the competing interests in intangible commodities – were now taken directly onboard by the state. In other words, the neoliberal state diverted the IP regime from its neutral, rule-setting role and converted it to a pure instrument of capital accumulation. Indeed, according to the new hegemonic ideology of IP law-making, inspired by neoliberal economic theories, strong property rights over intangible commodities are the necessary incentives to release individual entrepreneurial forces which in turn ensure expansion, growth and market competitiveness. The ideology triggered a legislative process starting in the 1980s and 1990s in USA and in EuropeFootnote14 as an erosion of the limits to commodification imposed under the classic IP regime, which paved the way to the expansion of exclusive rights into every corner of the society and of the globe – a process whose symbolic landmark is represented by the TRIPs Agreement 1994.Footnote15 Legislations of states under the influence of neo-liberal ideology assisted informational capitalism in bringing commodification of intangibles to a new level, both quantitatively and qualitatively. Examples of IP expansionism abound: broadening of the scope of patent subject matter,Footnote16 extension of copyright duration,Footnote17 extended protection for pharmaceutical patents,Footnote18 world-wide enforceability of patents and copyrights (with increasingly high standards of protection imposed on low-income countries),Footnote19 extended trademark protection for ‘famous’ brands,Footnote20 introduction of new IP rights (semiconductor chips,Footnote21 sui generis database right),Footnote22 establishment of stronger and more effective enforcement measures and remedies.Footnote23

Seen from the angle of the distinction between private property and the public domain, as established within the traditional IP regime, the process of IP expansionism appears as the latest frontier of a law-driven plunder of the commons.Footnote24 This was not just a quantitative empowerment of existing rights, but a transformation of the very raison d’être of those rights. In fact, the process of plunder is consistent with the changing nature of IP law in the hands of neoliberal states, which loses its original neutral rule-setting character to become a mere instrument of value extraction and capital accumulation. It can be observed that, within the logic of never-ending capital accumulation, no boundaries can be set to the expansion of instruments that make accumulation possible.Footnote25 This inherent indefinability of limits to IP expansion is captured implicitly in the language of legislators and courts alike. A case in point is the proclamation of ensuring ‘a high level of protection’ that features in key EU directives and is regularly reiterated in the judgements of the European Court.Footnote26 The judiciary has interpreted the expression as requiring generally a ‘broad’ interpretation of the property rights harmonised by the EU legislator.Footnote27 Yet, in the absence of a defined yardstick, the concept of ‘highness’, as referred to the quantum of protection to be ensured by property rights, cannot function as a meaningful hermeneutic principle. It is rather a blunt assertion of an imperative: that of ensuring that the interests protected by IP rights are given default priority over any other competing interests. The quantum of protection is at liberty of expanding indefinitely to ensure that such priority is met. In its abstractness, the language of the legislator seconds the logic of capital accumulation in that, by definition, no ‘high level’ is ever high enough.Footnote28

Within the legal framework inspired by neoliberal ideology, commodification of intangibles loses the character of a legal fiction strictly functional to the operation of markets in works, inventions and other intellectual instances and turns into a never-ending task that law is permanently summoned to achieve (and is never good enough at achieving) on behalf of capital accumulation.

## IMPACT

### Impact: Cultural Imperialism / Ethics

#### Any purported benefit will remain exclusively in the domain of elite monopolists, which guarantees rampant inequality and exploitation.

McGillivray 17, PhD in Philosophy (James, “'Pyrates' of the Lyceum: Big Pharma, Patents, and Academic Freedom in Neoliberal Times,” *Osgoode Hall Law School Dissertations*, https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1030&context=phd)//BB

In “liberal capitalist countries” intellectual property regimes and peonage have been instrumental tools and used as legal mechanisms to create, form, constitute and legitimate a political economy that structures the restrictive allocation and adjudication of fundamental (universal?) incorporeal “rights” and resources. This relationship shapes the distribution of wealth, the development of future technology, the progress of knowledge and the general welfare of humanity. Indeed, it is a central feature of intellectual property regimes and peonage that it possesses the unique ability to colonise material and intellectual interests and structure a “particular form of intellectual organization”628 that make it such a powerful metaphor in shaping modernity and the modern world. C.B. Macpherson noted that “[p]roperty has always been a central concern of political theory, and of none more so than liberal theory.”629 It is in this sense that this study seeks to be equally concerned with the political economy of our liberal intellectual property tradition: yet, it is also to support and extend the case that human understanding, freedom, democracy, knowledge and creativity is best actualised when it is organised for the common good and against privatising monopolies. The one caution that haunts this study is that intellectual property regimes have a propensity to always-already constitute and create a neo-colonialism of the mind. It could be said that intellectual property is but another form of “legal imperialism.”630 Indeed, in as much as this imperialising strategy of discourse is true, intellectual property rarely touches on or speaks to “freedom of the [legal] imagination”631 and “to work out in… [our collective] imagination various future possibilities.”632 Intellectual property is about raising fencing and making enclosures. Its default setting is about exploitation: despite claims to the contrary, it is not about the exploration of human possibilities.

#### Property culture legalizes crimes against humanity

McGillivray 17, PhD in Philosophy (James, “'Pyrates' of the Lyceum: Big Pharma, Patents, and Academic Freedom in Neoliberal Times,” Osgoode Hall Law School Dissertations, https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1030&context=phd)//BB

The theoretical position advanced here is against standard econometrics of neoliberalism and neoclassical economics. A critical political economy is perhaps the most theoretically sensible, reasonable and cogent approach to analyse and unpack the complex and multi-layered subject of intellectual property. This is a position that rejects the blanket application of “academic econometrics” to justify intellectual property policies. As a unit of analysis, intellectual property does not easily fit into a hermetically sealed and comprehensible subject of economics. Nonetheless, neoliberalism first principle ideologically is a commitment to a type of free market that inevitably leads to monopoly capitalism:375 something that as an end result flies in the face of the rhetoric of deregulation, the mind-set of ‘supply-siders’ 376 and the content and claims of their purported free market ideology. Steve Keen ironically notes that this “naive faith in economic theory has led to outcomes which, had they been inflicted by weapons rather than by policy, would have led their perpetrators to the International Court of Justice.”377 In other words, a critical political economy intellectual property is well equipped to confront and examine the literature on academic and econometric economics. As noted, much of academic economics consists of elaborate mathematical models. As such, the empirical work behind these mathematical models consists in finding consistent data that correctly fits into its model. Arguably, econometrics is the most abstract branch of economics and it is the most mathematisied example of an under-theorised aspect of economic and financial theory. It is a branch that tries to make the future predictable, but as Stanford economist Ezra Solomon noted: “The only function of economic forecasting is to make astrology look respectable.”378 That said, as complex as economic forecasting can be, one can always rest assured that in the highly complex realm of global latecapitalism and finance that the outcome will always result with “[n]o banker [or lawyer] left behind.” 379

### Impact: Global Inequality

#### Patents produce an unequal exchange that allow the Global North maintain inequality through resource and labor expropriation

Hickel 22, PhD, professor at the Autonomous University of Barcelona, et al, (Jason, “Imperialist appropriation in the world economy: Drain from the global South through unequal exchange, 1990–2015,” *Global Environmental Change*, 73, https://www.sciencedirect.com/science/article/pii/S095937802200005X)//BB

In previous research, Dorninger et al. (2021) found that the main predictor of high export prices (and therefore the capacity for net appropriation) was economic power, as measured by GDP. In other words, rich countries are able to maintain price inequalities simply by virtue of being rich. This finding supports longstanding claims by political economists that, all else being equal, price inequalities are an artefact of power. Just as in a national economy wage rates are an artefact of the relative bargaining power of labour vis-à-vis capital, so too in international trade prices are an artefact of the relative bargaining power of national economies and corporate actors vis-à-vis their trading partners and suppliers. Countries that grew rich during the colonial period are now able to leverage their economic dominance to depress the costs of labour and resources extracted from the South. In other words, the North “finances” net appropriation from the South not with money, but rather by maintaining the prices of Southern resources and labour below the global average level. There are a number of mechanisms that enable this pattern. In section 1 we mentioned that Northern firms leverage monopsony and monopoly power to depress Southern suppliers’ prices while setting final prices artificially high. Patents play a key role here: 97% of all patents are held by corporations in high-income countries (Chang, 2008:141). We can see how this plays out in the case of major products like iPhones. The iPhone is produced almost entirely in the global South, by arms-length suppliers. Apple, headquartered in the North, forces its suppliers to compete to drive prices down to cost, with wages depressed to the level of subsistence. This allows Apple to obtain the iPhone for cheap, and then, leveraging its patent monopoly (a privilege granted and enforced not by the market but by the state), mark up the final price by over 100% (see Smith, 2016). In some cases, patents involve forcing people in the South to pay for access to resources they might otherwise have obtained much more affordably, or even for free (Shiva, 2001, Shiva, 2016).

#### IP maintains colonialism

---no protection of non-European epistemology

---Enlightenment individualism

---rich-country hoarding

Vizoso and Byrnes 23, \*Senior Non-Resident Fellow at the Arab Reform Initiative, \*\*intellectual property (IP) lawyer, independent scholar, and co-founder of the art collective AbolishIP, (Julia and Chris, “Abolitionist creativity,” Transnational Institute, https://www.tni.org/en/article/abolitionist-creativity)//BB

Founded on concepts of labour and individualism developed by Enlightenment philosophers, IP was imposed throughout the globe through European colonial and settler-colonial projects and trade agreements. To this day, the IP system remains rigidly Euro-centric with no agreed means to recognise and respect non-European epistemologies or conceptions of the individual. The regime is fortified by powerful and legally vindictive institutions whose jurisdiction extends to all members of the World Trade Organization (WTO). Under the banner of policing ‘IP infringement’, IP laws can block any good at the border and preclude even the most essential innovations from being made available to the public. And its power seems to only expand. Under pressure from a wide array of corporate lobbyists, exclusive rights that at one time elapsed have become perpetual and expansive, eroding the public domain. Naturally, such a system inspires resistance. Critical voices resist the colonial capitalist worldview of property rights that undergirds the system. Pirates and free-culture advocates insist that ‘information wants to be free’, establishing alternative platforms for sharing culture. Even liberal defenders of IP regimes grudgingly admit that while the initial set-up was wise – it would promote ‘the ideal of progress, a transparent marketplace, easy and cheap access to information, decentralized and iconoclastic cultural production, self-correcting innovation policy’– the system has been corrupted by corporate influence, undermining a culture of sharing and remixing.

### Answer to “Consequentialism Good”

#### Utilitarianism is a new link---under market fundamentalism it necessitates the sacrifice of the Global South---only actively prioritizing discardable populations can break this cycle of devastation.

Santos 3, Leading Portuguese social theorist, director of the Center for Social Studies at the University of Coimbra, has written and published widely on the issue of globalization (Boaventura de Sousa, March 26th, “Collective suicide or globalization from below?” *Eurozine*, <https://www.eurozine.com/collective-suicide-or-globalization-from-below/>)

According to the German philosopher Franz Hinkelammert, living in Costa Rica, the West has repeatedly been under the illusion that it should try to save humanity by destroying part of it. This is a salvific and sacrificial destruction, committed in the name of the need to fulfill radically all the possibilities opened up by a given social and political reality over which it is supposed to have total power. This is how it was in colonialism, with the genocide of indigenous peoples, and the African slaves. This is how it was in the period of imperialist struggles, which caused millions of deaths in two world wars and many other colonial wars. This is how it was in Stalinism, with the Gulag and in Nazism, with the holocaust. And now today, this is how it is in neoliberalism, with the collective sacrifice of the periphery of the world system. With the war against Iraq, it is fitting to ask whether what is in progress is a new genocidal and sacrificial illusion, and what its scope might be. It is above all appropriate to ask if the new illusion will not herald the radicalization and the ultimate perversion of the western illusion: destroying all of humanity in the illusion of saving it.

Sacrificial genocide arises from a totalitarian illusion that is manifested in the belief that there are no alternatives to the present-day reality and that the problems and difficulties confronting it arise from failing to take its logic of development to its ultimate consequences. If there is unemployment, hunger and death in the Third World, this is not the result of market failures; instead, it is the outcome of the market laws not having been fully applied. If there is terrorism, this is not due to the violence of the conditions that generate it; it is due, rather, to the fact that total violence has not been employed to physically eradicate all terrorists and potential terrorists.

This political logic is based on the supposition of total power and knowledge, and on the radical rejection of alternatives; it is ultra-conservative in that it aims to infinitely reproduce the status quo. Inherent to it is the notion of the end of history. During the last hundred years, the West has experienced three versions of this logic, and, therefore, seen three versions of the end of history: Stalinism, with its logic of insuperable efficiency of the plan; Nazism, with its logic of racial superiority; and neoliberalism, with its logic of insuperable efficiency of the market. The first two periods involved the destruction of democracy. The last one trivializes democracy, disarming it in the face of social actors sufficiently powerful to be able to privatize the State and international institutions in their favour. I have described this situation as a combination of political democracy and social fascism. One current manifestation of this combination resides in the fact that intensely strong public opinion, worldwide, against the war is found to be incapable of halting the war machine set in motion by supposedly democratic rulers.

At all these moments, a death drive, a catastrophic heroism, predominates, the idea of a looming collective suicide, only preventable by the massive destruction of the other. Paradoxically, the broader the definition of the other and the efficacy of its destruction, the more likely collective suicide becomes. In its sacrificial genocide version, neoliberalism is a mixture of market radicalization, neoconservatism and Christian fundamentalism. Its death drive takes a number of forms, from the idea of “discardable populations”, referring to citizens of the Third World not capable of being exploited as workers and consumers, to the concept of “collateral damage”, to refer to the deaths, as a result of war, of thousands of innocent civilians. The last, catastrophic heroism, is quite clear on two facts: according to reliable calculations by the Non-Governmental Organization MEDACT, in London, between 48 and 260 thousand civilians will die during the war against Iraq and in the three months after (this is without there being civil war or a nuclear attack); the war will cost 100 billion dollars, – and much more if the costs of reconstruction are added – enough to pay the health costs of the world’s poorest countries for four years.

Is it possible to fight this death drive? We must bear in mind that, historically, sacrificial destruction has always been linked to the economic pillage of natural resources and the labor force, to the imperial design of radically changing the terms of economic, social, political and cultural exchanges in the face of falling efficiency rates postulated by the maximalist logic of the totalitarian illusion in operation. It is as though hegemonic powers, both when they are on the rise and when they are in decline, repeatedly go through times of primitive accumulation, legitimizing the most shameful violence in the name of futures where, by definition, there is no room for what must be destroyed. In today’s version, the period of primitive accumulation consists of combining neoliberal economic globalization with the globalization of war. The machine of democracy and liberty turns into a machine of horror and destruction.

### Answer to Cap Good --- “Life and Happiness”

#### Global inequality is increasing---structural adjustment policies and net outflows have reversed progress and stagnated growth.

Hickel et al. 18, Jason Hickel: Anthropologist, author, and fellow of the Royal Society of Arts. He serves on the Labour Party Task Force on International Development and works as Policy Director for The Rules collective. Nima Shirazi: Editor at Muftah, a digital foreign affairs magazine, and co-host of the media criticism podcast, Citations Needed. Adam Johnson: Host, The Appeal podcast. Media analyst at FAIR.org and host of the Citations Needed podcast (November 28th, “Episode 58: The Neoliberal Optimism Industry,” *Citations Needed*, https://citationsneeded.medium.com/episode-58-the-neoliberal-optimism-industry-and-development-shaming-the-global-south-cf399e88510e, Accessed 09-25-2021)

Nima: Can you dig a little deeper into, based on your work Jason, how the terms “development” and “growth” are really, not only misunderstood, but often deliberately misrepresented both in a political context and also throughout the media, like who do these misperceptions benefit?

Jason Hickel: So I think that there’s a narrative out there that poor countries are basically effectively catching up to rich countries, right? Because we know that, there’s China and they’re becoming a powerful player in the world stage and so on. And we’re seeing people lift out of poverty in China and India also, you know, a booming tech industry and whatnot. So clearly, you know, the gap between the rich and the poor on the global stage is shrinking. This is the dominant narrative we have. And unfortunately it’s simply not true. There are, in fact, was a period when that gap was shrinking, in the immediate postcolonial decades in the 1960s and the 1970s when newly independent governments were rolling out progressive economic reforms using Keynesian policy, protecting their economies with tariffs, using subsidies to promote infant industry developments, etcetera, etcetera. But, you know, and using land reform and labor laws to improve wages and so on. But these policies turned out to be a threat to Global North investors. Which, during the colonial years had enjoyed really easy access to cheap labor and raw materials and so on in those countries. And that was being cut off. And so they responded during the 1980s and 1990s by rolling back those progressive policies through structural adjustments imposed by the World Bank and the IMF, right? Which basically forced Global South countries to privatize public assets, to get rid of tariff barriers and subsidies, to cut spending on education and healthcare. Like all of the crucial elements necessary for real developments were basically denied to Global South countries. The vast majority of them at least. So that’s not true of East Asia and in China, and as a consequence, that region of the world did remarkably well, but what we see in the rest of the world is that the per capita income gap between the Global North and the Global South has tripled since 1960 in real terms and shows no sign of slowing down. I mean, there’s basically been, on per capita level, virtually stagnation in the Global South since the 1980s. And that’s, you know, that’s really not part of our narrative and that’s something that is a structural consequence of the way that the economy was organized during those decades.

Nima: Yeah. I think that actually leads into something that I’ve been so fascinated about while reading your work, which is that the conception that wealthy countries, countries that have historically colonized most of the world are now in a position to give back, right? To, to help out through aid or debt relief or whatever poorer countries in the Global South. So can you tell us how that view of things, that colonialism is a thing of the past that there’s no more extraction or exploitation, but now rather resources are flowing North to South from rich to poor, can you tell us how that might not exactly be true?

Jason Hickel: The dominant narrative development is that rich countries became rich kind of by their own hard work, their good institutions, their scientific inventions and so on, and poor countries are poor and remain poor because they have whatever bad governance or corruption, or maybe they’re lazy or have backwards cultural values in the more racist sense of the narrative, etcetera. But the idea is that rich countries, because they have this surplus, they’re able to sort of reach across the divide and give generously of their surplus to help poor countries up the development ladder. What I argue is that this narrative gets virtually everything about the story wrong, right? First of all, the determinants of success and failure in various countries around the world can’t be entirely attributed to only internal conditions, right? We live in a global economic system. We have done since at least the past 500 years since the onset of colonialism, and so we have to think about how the rules of that economy, of that global economic system affect the outcomes that we see around the world, right? You know, of course, that’s very easy to see during the colonial period, during the structural adjustment period in the 1980s and 1990s as well. And we can see it very clearly now in the way that capital flows around the world, right? And so if we look at total flows of money around the world right now, between the Global North and the Global South, we see something quite remarkable. This is using 2012 data, which is the last data that we have on this. But in 2012, developing countries received a total of $2 trillion US dollars in total inflows from the Global North, right? That includes aid, foreign investments, loans, remittances, everything, every bit of money, which is a lot, but in the same year, some $5 trillion flowed the other direction from South to North. So in that year there were $3 trillion in net outflows from South to North, so the South is in fact a net creditor to the North rather than the other way around. So we might be able to say that it’s, in fact, the Global South that’s developing the North rather than the North developing the South. And that really does flip the aid narrative on its head. And if we compare those outflows to aid, what we see is that for every dollar of aid that the South receives from the North, they lose $24 in net outflows, which is a tremendous reversal of the way we normally think about the situation. There’s lots of ways we can see this kind of reverse flow happening that are important to pay attention to. So one of course is the most obvious one, which is, you know, interest payments on exportable debts, which in and of itself outstrips the global aid budget, you know, almost twice over. But then we also have profit repatriation for multinational companies from host countries back to where they’re listed, which is about $500 billion per year. Sometimes even outstrips foreign direct investment flows themselves, but probably the biggest single cause of this in that outflow situation is illicit financial flows, which are largely through, you know, for the sake of tax evasion by multinational companies who are using basically tax havens and secrecy jurisdictions which are almost entirely in Global North countries controlled by Global North governments in order to secret money out of developing countries into Western bank accounts.

#### Poverty is increasing because of capitalism---they put a happy face on colonialism.

Hickel 19, An academic at the University of London and a fellow of the Royal Society of Arts (Jason, January 29th, “Bill Gates says poverty is decreasing. He couldn’t be more wrong,” *The Guardian*, <https://www.theguardian.com/commentisfree/2019/jan/29/bill-gates-davos-global-poverty-infographic-neoliberal>, Accessed 07-12-2021)

There are a number of problems with this graph, though. First of all, real data on poverty has only been collected since 1981. Anything before that is extremely sketchy, and to go back as far as 1820 is meaningless. Roser draws on a dataset that was never intended to describe poverty, but rather inequality in the distribution of world GDP – and that for only a limited range of countries. There is no actual research to bolster the claims about long-term poverty. It’s not science; it’s social media.

What Roser’s numbers actually reveal is that the world went from a situation where most of humanity had no need of money at all to one where today most of humanity struggles to survive on extremely small amounts of money. The graph casts this as a decline in poverty, but in reality what was going on was a process of dispossession that bulldozed people into the capitalist labour system, during the enclosure movements in Europe and the colonisation of the global south.

Prior to colonisation, most people lived in subsistence economies where they enjoyed access to abundant commons – land, water, forests, livestock and robust systems of sharing and reciprocity. They had little if any money, but then they didn’t need it in order to live well – so it makes little sense to claim that they were poor. This way of life was violently destroyed by colonisers who forced people off the land and into European-owned mines, factories and plantations, where they were paid paltry wages for work they never wanted to do in the first place.

In other words, Roser’s graph illustrates a story of coerced proletarianisation. It is not at all clear that this represents an improvement in people’s lives, as in most cases we know that the new income people earned from wages didn’t come anywhere close to compensating for their loss of land and resources, which were of course gobbled up by colonisers. Gates’s favourite infographic takes the violence of colonisation and repackages it as a happy story of progress.

But that’s not all that’s wrong here. The trend that the graph depicts is based on a poverty line of $1.90 (£1.44) per day, which is the equivalent of what $1.90 could buy in the US in 2011. It’s obscenely low by any standard, and we now have piles of evidence that people living just above this line have terrible levels of malnutrition and mortality. Earning $2 per day doesn’t mean that you’re somehow suddenly free of extreme poverty. Not by a long shot.

Scholars have been calling for a more reasonable poverty line for many years. Most agree that people need a minimum of about $7.40 per day to achieve basic nutrition and normal human life expectancy, plus a half-decent chance of seeing their kids survive their fifth birthday. And many scholars, including Harvard economist Lant Pritchett, insist that the poverty line should be set even higher, at $10 to $15 per day.

So what happens if we measure global poverty at the low end of this more realistic spectrum – $7.40 per day, to be extra conservative? Well, we see that the number of people living under this line has increased dramatically since measurements began in 1981, reaching some 4.2 billion people today. Suddenly the happy Davos narrative melts away.

Moreover, the few gains that have been made have virtually all happened in one place: China. It is disingenuous, then, for the likes of Gates and Pinker to claim these gains as victories for Washington-consensus neoliberalism. Take China out of the equation, and the numbers look even worse. Over the four decades since 1981, not only has the number of people in poverty gone up, the proportion of people in poverty has remained stagnant at about 60%. It would be difficult to overstate the suffering that these numbers represent.

This is a ringing indictment of our global economic system, which is failing the vast majority of humanity. Our world is richer than ever before, but virtually all of it is being captured by a small elite. Only 5% of all new income from global growth trickles down to the poorest 60% – and yet they are the people who produce most of the food and goods that the world consumes, toiling away in those factories, plantations and mines to which they were condemned 200 years ago. It is madness – and no amount of mansplaining from billionaires will be adequate to justify it.

### Answer to Cap Good --- “War”

#### The neoliberal order is unsustainable---populist backlash ensures instability and conflict that flips any benefit to globalization.

---Specifically indicts interdependence theory.

Gonzalez-Vicente 18, University Lecturer in Global Political Economy @ U Leiden (Ruben, “The liberal peace fallacy: violent neoliberalism and the temporal and spatial traps of state-based approaches to peace,” *Territoriality, Politics, Governance*, 8.1)//BB

Yet, the contemporary ascension of nationalist and populist movements and leaders that herald deeply illiberal views (Xi included) must come as no surprise after decades of neoliberal triumphalism and the promotion of a transnational order that placed the crafting of a world market above the needs of societies themselves. In such a context, the contemporary rise of nationalism and populisms across the world is not some liberal order antithesis emerging from a vacuum, but rather a logical consequence of this liberal order, constituting an often reactionary ‘counter movement’ that cannot be tackled with liberal prescriptions for increased market globalization (Polanyi, 2001). This paper takes aim at the now long-held and recently revitalized argument for a liberal peace. While not attempting to predict any specific outcome regarding the future of global peace, it argues that the rise of illiberal and reactionary discourses that we now observe, and their potential corollaries, must be understood in a dialectical sense as the result of a liberal market-oriented inter-state order that failed to tackle the great social dislocation that it played a fundamental role in fomenting.

To develop this critique, I draw upon three main bodies of literature that, despite their apparent affinities, are seldom brought together. These include Polanyi and Gramsci-inspired understandings of hegemonic crisis, counter-movements, and the rise of nationalism and populism (Gill, 2015; Gonzalez-Vicente & Carroll, 2017); critical political economies of social conflict within a context of neoliberal globalization (Harvey, 2005; Springer, 2015); and political geography analyses of international relations theory (IRT), and more specifically critical geographies of peace (Agnew & Corbridge, 1995; Flint, 2005; Koopman, 2016; McConnell, Megoran, & Williams, 2014; Megoran, 2011; Nagle, 2010; Williams & McConnell, 2011). Elaborating upon these, I contend that the methodological nationalism of the disciplines of economics and international relations – in which much of the liberal view is based – has left them in a sorry state in making sense of recent political development throughout the world, specifically when addressing the contemporary rise of reactionary forms of populism.

In this sense, the high degrees of violence and vulnerability associated with processes of market integration have often escaped the radars of economics and IR analyses, fixated as they are with mono-scale scrutiny of national economies and state-to-state relations. Although some liberal IR scholars have laid the grounds for a less normative paradigm that incorporates domestic variables and bottom-up societal processes into the understanding of state action, the assumption remains that policy interdependence and compatibility between states, combined with the Pareto-efficient outcomes of globally integrated production and trade, result in ‘strong incentives for coexistence with low conflict’ (Moravcsik, 1997, p. 521; see also Oneal & Russett, 1997; McDonald & Sweeney, 2007). Recent developments suggest there are fundamental flaws with this largely deductive hypothesis. Whereas on aggregate terms, and according to some measurements, nation-states may have benefitted more or less from globalization, social conflict occurring at multiple scales – and indeed in a class-based dimension – is an undeniable constitutive element of state action, the latter reflecting and/or attempting to contain particular constellations of social forces and their interests. In this way, the damage inflicted upon many by increasingly disembedded markets and post-political states that shield policy from popular deliberation (both the products of the liberal agenda) are at the very root of the current crisis of liberal hegemony (Gonzalez-Vicente & Carroll, 2017).

In what follows, I draw upon a variety of cases to explain how a dialectical approach to liberalism, neoliberalism and their illiberal responses,1 and a multi-scalar analysis of market violence are indispensable in explaining much of the turbulence that world politics faces today. To be clear, the paper’s goal is not to deny that state leaders factor in the economic repercussions of conflict when they contemplate its possibility – a logical assumption of liberal international relations scholarship. The aim is instead to argue that these calculations tell very little about the nature of peace and conflict as historically bounded processes that need to be studied in relation to broader transformations in the global political economy, the latter affecting state behaviour in terms of both economic policy and inter-state rivalry. In this way, and crucially, I also wish to refute the liberal argument that the pursuit of economic integration at any (social) cost will unequivocally lower the prospects for international conflict or, indeed, structural violence more broadly understood as a multi-scalar phenomenon.

The paper is structured as follows. The next section problematizes the concept of peace in IRT, with a more detailed discussion of economic liberalism. The following section presents a temporal critique, contextualizing the contemporary rise of illiberal politics within the transformation of the global political economy under world market capitalism. After this, I build upon Agnew (1994) to develop a scalar critique and argue that liberalism’s methodological nationalism hampers a proper assessment of the transnational dimensions of processes such as development, violence or peace. I chart various scales of market-induced violence and vulnerability (as a form of economic violence) in the global era, tracing the rescaling of violence and risk from the interstate scale to the individual sphere. I conclude by discussing the transition from a ‘durable disorder’ (Cerny, 1998) to an emerging (albeit contested) new populist order under world market capitalism. To do so, I echo Polanyi and Marx in contending that processes of marketization, replete as they are with contradiction, cannot engender liberal or capitalist peace, but result instead in anti-liberal reactions of various kinds (what Polanyi called ‘counter movements’) to the violence of unrestrained markets. Importantly, these counter movements can often take reactionary characteristics, as people under threat or the perception of threat retreat into culture and nationalism against the ‘other’ and internationalism in all its variants.

INTERNATIONAL RELATIONS AND THE LIBERAL PEACE

While the pursuit of peace is a central preoccupation for progressive IR scholarship, peace as a concept and as an actual manifestation is rarely discussed in the IR literature. Instead, peace often appears as a negative occurrence, intuitively understood as the avoidance of war or an absence of overt inter-state violence (Galtung, 1969; Richmond, 2016, p. 57). Thereby, most IR literature focuses on the challenges to state-based peace, with commentary typically dominated by the two main competing schools, realism and liberalism, both subdivided into further dissenting subcamps. Conventional realist approaches take the ‘anarchic’ or violent nature of international politics as a given and place their focus on states’ survival strategies. Offensive realists warn of the disruptive effects of ‘power transitions’ and in the contemporary context claim, for example, that as China grows economically and militarily, and as its interests expand and it seeks greater influence, tensions with other countries are certain to arise (Mearsheimer, 2014). Defensive neorealists hold similar assumptions about the foundations of the international system, yet contend that states privilege security over domination and that the incentives for conflict are contingent rather than endemic, with balances of power potentially keeping states at bay and preventing conflict (Waltz, 1979).

Liberal theorists dispute these interpretations and reject that competition alone guides state behaviour. Elaborating on the Kantian ideal of ‘perpetual peace’, and drawing upon Adam Smith, David Ricardo or John Stuart Mill, liberal theories contend that economic integration and institutional enmeshment or socialization exercise a constraining force on conflict and are conductive to peaceful scenarios (Doyle, 1986; Howard, 1981; Johnston, 2008; Keohane & Nye, 1977). While there is no absolute agreement on the exact shape that such ‘interdependence’ should take (Mansfield & Pollins, 2001), liberal IR scholars often hold that large-scale conflict in the 21st century can be avoided if the liberal world order survives the relative decline of the United States and manages to assimilate rising powers such as China. The emphasis is placed both on institutions and norms of reciprocity, on the one hand, and on economic integration, on the other. Regarding the latter, and evoking Smithian language, the agenda for a ‘capitalist peace’ assumes that free markets represent ‘“a hidden hand” that  …  build(s) up irrevocable and peaceful connections between states’ (Gartzke, 2007; Richmond, 2008, p. 23), and that ‘put simply, globalisation promotes peace’ (Gartzke & Li, 2003, p. 562). The theory is in many ways deductive, but relies also on the statistical data that on aggregate tends partially to support the liberal peace argument (except for the period leading to the First World War; see also Barbieri, 1996) and on the ‘logic’ that national leaders are not expected to act irrationally or be insensitive ‘to economic loss and the preferences of powerful domestic actors’ (Hegre, Oneal, & Russett, 2010, p. 772).

A more nuanced exposition of the liberal argument suggests that what brings nations together and heightens the opportunity cost of conflict is market integration according to a set of commonly devised regulations – rather than the realization of an ideal ‘free’ trade archetype (Moravcsik, 2005). This results in a sort of ‘embedded liberalism’, with the successful integration of post-Soviet states and China in world market capitalism through World Trade Organization (WTO) membership and other liberalizing initiatives understood as a deterrent to military action and, hence, as an effective strategy for both global growth and security, particularly in the face of China’s rising economic and military might (Funabashi, Oksenberg, & Weiss, 1994). From this perspective, not only is violence avoidable but also peace may indeed be engineered with the creation of a world market society being key to this endeavour as well as to the broader goal of crafting a liberal hegemony able to deliver a veritable ‘end of history’ where markets and functioning liberal democracies prevail (Fukuyama, 1992). The engineering of market-orientated democracies has indeed often been the main task of liberal peace- and state-building operatives in post-conflict areas (Campbell, Chandler, & Sabaratnam, 2011).

Yet, decades of neoliberal integration have not brought Fukuyama’s prophecy closer to its realization. Across the world, liberal market integration has facilitated convivial relations among key countries and paid important dividends to elites, yet it has also resulted in the concentration of wealth in ever fewer hands, rising inequalities within countries (although not between them) and higher concentration of wealth at the top, and increased risks and vulnerability as the logic of market competitiveness takes hold of many aspects of our lives (Anand & Segal, 2015; Lynch, 2006). The relation between the United States and China or the processes of economic integration in the European Union are clear examples of these trends. In these places as well as others, inequalities, precarization and economic insecurity have given way to a populist and nationalist momentum that can be interpreted both as a popular response to the extreme and diverse forms of violence engendered by processes of market integration, or as a manoeuvre to channel discontent towards the ‘other’ in order to protect elite interests (Gonzalez-Vicente & Carroll, 2017). By prescribing ever more market globalization to counter populist politics and avoid conflict, liberal elites add fuel to the fire as they sever the very conditions that led to the disfranchisement of significant segments of the population in the first place. Thereby, it is crucial to understand how the argument for capitalist peace fails to factor in the crisis-prone and socially destructive tendencies of capitalism, particularly in a context of unfenced global competitiveness along market lines.2

Two of the underlying problems in the liberal peace argument stand out. The first has to do with the statistical selection of fixed points in time that suggest correlations between growth in trade and diminished conflict – while failing to discern mechanisms of causation (Hayes, 2012). A wider temporal lens is needed to situate the contemporary rise of mercantilist and illiberal politics in the context of neoliberal globalization, representing the same sort of ‘counter movement’ that Polanyi had warned of in his reading of the 19th-century downward spiral towards war – aided in our contemporary case by the demise of the traditional left (Blyth & Matthijs, 2017; Carroll & Gonzalez-Vicente, 2017). The second problem relates to liberal international political economy and IRT’s scalar fixation on inter-state matters and hence their inability to factor in violence in the absence of war. I turn now to these two points.

NEOLIBERALISM’S ILLIBERAL MOMENT AS COUNTER MOVEMENT

On paper, the two intertwined arguments for liberal peace would seem to make sense: if countries remove the barriers to trade and investment and choose to specialize in their comparative advantages, international productivity will be raised and we will enjoy a more prosperous global economy with satisfied consumers and states; also, if states develop close economic linkages, they will have important material incentives to avoid conflict with one another. In the real world, competition between jurisdictions and social groups implies often that the development and prosperity of some is based on the exploitation and vulnerability of others, as typically emphasized by the extensive literature on bifurcated economies, temporally constrained and contradictory growth patterns, and uneven and destructive forms of development. In this way, it is not that economic interdependence, when removed from its social context and put under the microscope, does not raise the costs of conflict. However, the political choices and social transformations needed to achieve interdependence are a key variable to understanding a state’s behaviour and predisposition to conflict. And while governments may in many junctures align with the interests of capital, they are not immune to crises of legitimacy, and will need to mediate issues of accumulation and social cohesion when people perceive the social transformations required to achieve interdependence to have a negative impact on their lives (Jessop, 2016, p. 189). This will reflect in a way or another on state behaviour as political elites, current and prospective, jostle for votes and/or legitimacy.

A key problem with the argument for liberal peace lies in its emphasis on narrow temporal correlations between trade and (lack of) conflict, which removes interdependence from its broader political economic context, disembedding peace and conflict from the broader set of historically bounded and politically contingent social relations that underpin them. A widened analytical timeframe renders clear the dialectical relationship between (neo)liberal social projects and their social responses, both progressive and reactionary. Whereas high volumes of trade may coincide at a particular ‘optimal’ period of liberal expansionism with interstate peace, they may also transform societies in ways that engender the conditions for a potential ‘illiberal’ turn or counter movement resulting in a higher risk of conflict as beggar-thy-neighbour positions emerge and new enemies need to be sought by political elites to bind national-constrained constituencies to their agendas to maintain power.

We can observe this temporal incongruity in the work of some of the key proponents of the capitalist peace. For example, Oneal and Russett (1999, p. 439) argue that trade ‘sharply reduces the onset of or involvement in militarized disputes among contiguous and major-power pairs’, which are identified by Maoz and Russett (1993) as the set of countries more likely to enter into conflict with each other. Despite Oneal and Russett’s sophisticated approach to the data (modelling, for example, to avoid ‘false negatives’ by factoring in geographic contiguity, or controlling for alliances) and the attention paid to statistical rejections of the liberal peace argument, trade interdependence and the occurrence of conflict are analyzed on a year-by-year basis (Oneal & Russett, 1999, p. 428). This is also the case with other comparable studies (Hegre, 2000; Oneal & Russett, 2001; Souva & Prins, 2006). This temporal frame is problematic, as inter-national conflict tends to build up over prolonged periods of time, and the adverse impacts of interdependence and liberal integration are more likely to result first in crisis and social dislocation, followed by some sort of economic distancing (perhaps under a new administration that replaces the one that embraced liberalization) and a wide range of policy measures, before leading to military conflict – underpinned either by the state that perceives that liberal integration is having negative impacts on socioeconomic development, or more often than not by the one which wants to prevent the deterioration of important trade and investment links.

Here, one vital issue often left out of the liberal peace equations is the fact that most military interventions in the post-Second World War period were aimed at disciplining countries that opted out of the United States’ global liberalizing project and sought to pursue a variety of indigenous pathways to modernity, often including many that did so under the rubric of socialism, democratically achieved or otherwise. The reverse is also true, as countries that chose to ally with the United States during the Cold War were shielded from attacks, and in some cases given preferential trade access, technology transfer and allowed to engage in market protection. In this context, associating conflict with the lack of strong trade links, rather than to the meticulous unfolding of a market-based imperial agenda, would be tantamount to concluding that low opium consumption was responsible for British military expeditions in 19th-century China. While there is certainly a correlation between China’s ban on opium and British intervention, nobody could seriously suggest that opium consumption reduces interstate conflict. Similarly, in many of these cases, it is not that the absence of trade results in conflict, but on the contrary, that military intervention has often been aimed at expanding markets and protecting investment.

### Answer to Cap Good --- “Warming”

#### Green capitalism fails, reinforces imperialism, and linearly increases extractive violence.

Brand & Wissen 21, Ulrich Brand: Professor for International Politics @ University of Vienna. Markus Wissen: Professor of Social Sciences at the Berlin School of Economics and Law. Translated by Zachary King (The Imperial Mode of Living: Everyday Life and the Ecological Crisis of Capitalism, *Verso Books*)

EXTERNALIZATION AND RESISTANCE

Green capitalism is anything but inevitable. In many places, the creation of a green economy has encountered resistance from the fossil factions of capital and from people’s everyday practices. In the US especially, these forces have received an additional boost with the presidency of Donald Trump. There is a boom in the extraction of oil and gas through fracking, in tar sand oil extraction and in the exploration and exploitation of deep sea fossil energy sources. 42 In the EU, the transition to a renewable energy regime is slowed down by the Visegrád Group (Poland, the Czech Republic, Slovakia and Hungary). And even in places where green capital factions and practices are becoming socially relevant, they are in constant conflict with retrograde social forces. This description even applies to the ‘pioneer’ in renewable energies, Germany, where powerful social forces from industry, energy suppliers and trade unions are increasingly aggressive in articulating their resistance to the energy transition and find political advocates in state apparatus such as the German Federal Ministry for Economic Affairs and Energy. 43

Eventually, green capitalism will neither effectively manage the ecological crisis nor reduce inequality, let alone create good living conditions for all; instead, it will generate and externalize new socioecological costs. It will impose these costs on the workers in China, Africa or elsewhere who under miserable conditions extract rare earth metals and other raw materials that are indispensable for ‘green’ technologies; on the sugar cane workers on Brazilian plantations who risk life and limb to supply the US and European markets with ‘biofuels’; on the peasants who are evicted from their farms and villages because of land grabbing; on Kenyan women as they are ‘rewarded’ for reforestation activities with certificates of dubious value while they sacrifice food security to protect the climate; and on unpaid care work and poorly paid personalized services that are not considered in green economy concepts. 44

The power relationships between different factions of capital, as well as between the developed capitalist world and the emerging economies of the global South, will be readjusted; inequality will increase within industrialized and industrializing countries; relations with other parts of the world will be reorganized on the basis of military coercion and by actively pursuing ‘a raw materials diplomacy’. 45 The green capitalism project will therefore necessarily represent a spatially ‘fragmented hegemony’ with a highly unclear temporal perspective; it is characterized by exclusion and exploitation, and yet ensures the continuation of the imperial mode of living. 46

#### Growth and emissions are recoupling. Past decoupling was insufficient and temporary.

Parrique 21, PhD in economics from the Centre d’Études et de Recherches sur le Développement—University of Clermont Auvergne, France and the Stockholm Resilience Centre—Stockholm University, Sweden (Timothée, April 29th, “Is green growth happening?” *Uneven Earth*, <https://unevenearth.org/2021/04/is-green-growth-happening/>)

The decoupling rates are minuscule

The study analyses 18 developed economies (Sweden, Romania, France, Ireland, Spain, UK, Bulgaria, The Netherlands, Italy, United States, Germany, Denmark, Portugal, Austria, Hungary, Belgium, Finland, and Croatia) between 2005 and 2015, finding that emissions decreased by a median -2.4% per year during that decade.

This is tiny – three times smaller than the yearly 7.6% cut of global emissions that would be necessary to meet 1.5°C Paris target (and this number is from 2019; the cuts would need to be even larger today). One striking example is France. The study indicates that France decreased its consumption-based emissions by a yearly -1.9% over the period with barely any GDP growth (+0.9%). Now compare this to the French climate target, which is to reach 80 MtCO2 by 2050, an 80% reduction compared to 2019 levels of emissions.

The UK is another case in point. The country is often lauded to have achieved the fastest experience of decoupling on Earth. In the Le Quéré study, its consumption-based emissions decreased by -2.1% per year between 2005 and 2015 with positive GDP rates of around 1.1%. This is not much in the way of decoupling; the country has pledged to reduce emissions by twice that amount (5.1% per year). To actually comply with the Paris Agreement, the UK must achieve a yearly 13% cut in emissions, starting now and for the decades to come. This is much – much – more than what green growth can provide.

The authors themselves err on the side of caution: “as significant as they have been, the emissions reductions observed […] fall a long way short of the deep and rapid global decarbonization of the energy system implied by the Paris Agreement temperature goals, especially given the increases in global CO2 emissions in 2017 and 2018, and the slowdown of decarbonization in Europe since 2014.” Data from this year supports the authors’ precaution: de-carbonisation in many high-income economies has slowed down after 2015.

The fact that these rates are so small is worrying because we’re dealing here with the supposedly best country cases of decoupling. Assuming these rates can now suddenly accelerate would be like expecting Usain Bolt to triple his running speed. Even more unlikely, we would need all countries in the world to match the triple of these record levels.

A “sustainable” economy in any meaningful understanding of the term must consider all the complex interactions it has with ecosystems, and not only carbon

Minuscule is a long way from enough

In March 2021, the authors published a new study showing that 64 countries managed to cut their CO2 emissions by 0.16 GtCO2 every year between 2016 and 2019. This is good, but again, not good enough. And not good enough has dire consequences. To be precise, this is one tenth of what would be needed at the global level to meet the Paris climate goals; and if 64 countries managed to reduce emissions, 150 others did not. The latter increased their emissions by 0.37 GtCO2 each year. Put the two numbers together and you realise that global emissions have actually been growing by 0.21 billion tonnes per year.

This puts pressure on high-income economies. For developing countries to be able to increase their ecological footprint, affluent nations must reduce theirs as much as possible. Climate-neutrality at the national level by 2050 is not enough if we want today’s poorest to have the option of increasing their material consumption. And rates of reduction in rich nations of 1-3% are far from enough to compensate for the surge in resource use currently taking place in the global South.

This is only fair considering historical emissions. The global North is responsible for 92% of excess global CO2 emissions (the ones past the 350ppm threshold). For example, France has already overshot its fair share of the climate budget by 29.4 GtCO2. The Le Quéré study shows that it has decreased its emissions by 10 MtCO2 every year between 2005 and 2015. At that pace, and assuming carbon neutrality, it would take almost three millennia for France to resorb its climate debt.

Green growth without growth

Emissions in the 18 studied countries decreased by -2.4% each year, but how big was GDP growth during that period? The answer: small. These economies grew by a median +1.1%. Denmark, Italy, and Spain are leading the decoupling pack with yearly carbon reductions of -3.7%, -3.3%, and -3.2% respectively. This, however, can hardly be called green growth because these economies barely grew – or actually receded (+0.6% of GDP in the case of Denmark, -3.3% for Italy, and -3.2% for Spain).

The authors acknowledge that this period is nothing extraordinary: “These reductions in the energy intensity of GDP in 2005-2015 do no stand out compared to similar reductions observed since the 1970s, indicating that decreases in energy use in the peak-and-decline group could be explained at least in part by the lower growth in GDP.”

So, the paper most popularly cited to assert that carbon-free economic growth is possible also shows that part of the decarbonisation is due to the fact that there was little or no growth. It comes as no surprise then that, using simulations, the authors estimate that “if GDP returns to strong growth in the peak-and-decline group, reductions in energy use may weaken or be reversed unless strong climate and energy policies are implemented.”

Sustainability is more than just carbon

The authors’ study is about carbon, but carbon is one environmental problem among many others. Unfortunately, it is the only one that is adequately researched, with 80% of decoupling studies focusing on primary energy and greenhouse gases. This leaves only a few studies that have been conducted on other aspects of ecological breakdown, including material use, water use, land change, water pollution, waste, and biodiversity loss.

While there are a few inspiring stories of decoupling concerning carbon emissions, studies that track other indicators tell us a different story, one in which the economy is still strongly coupled with biophysical throughput. Materials are a good case in point. If the world economy was gradually de-materializing in the 20th century, this trend has since been reversing in the last two decades. This alone should temper optimism concerning an assumption of endless supplies of renewable energy, which after all, are dependent on the mining of finite quantities of minerals.

My point is that a “sustainable” economy in any meaningful understanding of the term must consider all the complex interactions it has with ecosystems, and not only carbon. A genuinely sustainable economy should not only be carbon neutral, but also remains within the regenerative capacities of all renewable resources, within the acceptable stocks of non-renewable resources, and within the assimilative capacities of ecosystems. Although sustainability ought to be understood as being about much more than only the condition of the biophysical environment, it seems evident that living within planetary boundaries is a minimum, non-negotiable condition for any kind of long-lasting prosperity.

Since GDP remains significantly coupled with carbon emissions and other environmental pressures, a good way of limiting ecological wreckage is to put limits on the scale of the economy

Temporary decoupling

Mitigating environmental pressures in a growing economy not only implies achieving absolute decoupling from GDP, but also requires maintaining such decoupling in time for as long as the economy grows (recalling that emissions must be reduced by at least 7.6% every year from now on). Said differently, continuous economic growth requires a permanent absolute decoupling between GDP growth and environmental pressures. Yet, in the same way that economic growth and environmental pressures can decouple at one point in time, they can just as easily recouple later on.

This happens more often than we think. Let’s reflect upon the time when the International Energy Agency declared that decoupling was “confirmed” after observing a levelling of global emissions in 2015 and 2016. Yet, this decoupling was short-lived. In fact, it was mainly due to China moving from coal to oil and gas at the same time that the United States was shifting to shale gas. The shift was temporary. After that, economic growth recoupled with carbon emissions.

Situations of recoupling can also happen with renewables. In the decade between 2005 and 2015, Austria, Finland, and Sweden greened their energy mix and, as a result, lowered their emissions. But once this shift is complete, further growth will require an expansion of the energy infrastructure, which will imply additional environmental pressures. In fact, this is what happened after the studied period. Austria decreased its emissions by -0.6% in 2006-2010 and -1.6% in 2011-2015, but emissions returned positive by +0.3% in 2016-2019. A similar story took place in Finland and Sweden; the rates of reduction accelerated between 2006 and 2015 but slowed down after that.

Some commentators hypothesized that the return of economic growth after the pandemic would be green, or at least, greener. Yet, global energy-related carbon dioxide emissions are on course to surge by 1.5 billion tons in 2021 – the second-largest increase in history – reversing most of the decline caused by the pandemic. The lesson from the corona crisis is this: slight oscillations from light to heavy ecological beating are not enough – we need to radically and immediately transform the economy.

## ALTERNATIVE / FRAMEWORK

### Answer to “2AC Framework”

#### The debate is about the ideological paradigm of the 1ac. Epistemology and ethics are prior to analysis of consequences.

#### Epistemology first. It’s the *story* of IP that makes it seem so appealing. But, those benefits are a fiction created through neoliberal subjectification of the masses.

Hull 19, PhD, Professor of Philosophy @ UNC-Charlotte (Gordon, “The Biopolitics of Intellectual Property,” p. 55)//BB

Fourth, and perhaps most importantly, as Kapczynski (2012) notes, contemporary information economics tells a much more nuanced story about other kinds of incentives to creation, which are not obviously inferior to markets. When Demsetz says property rights are not clearly inefficient, he is comparing them to the “socialist ideal,” which stacks the deck in favor of neoliberal property rights by mischaracterizing the alternatives. It is here that one can clearly see the production of a social truth: Based on a Hayekian claim about the efficiency of markets, the neoliberal account of IP ignores serious challenges to its central claims about efficiency, producing a discourse about the production of information that presupposes the merits of proprietization. Ignoring the potential benefits of positive externalities and structurally downplaying the risks of negative externalities makes a public biopolitics unintelligible. Not only that, this supposed truth about the necessity of IP then generates the need to create both a regulatory infrastructure and individual market actors that subscribe to its basic framework.

Those actors do not just think economically; they accept a very specific narrative about epistemically independent market actors making investment decisions based on the price mechanism. They believe that the best way to deal with information is through proprietary exclusion mechanisms, and not as a public good. Indeed, they think that being too solicitous of a nebulous public interest poses an unacceptable risk to future innovation. This framing then makes it difficult for them to articulate distributive or other concerns, because they always live in a theoretical world where access is in conflict with creation. In this way, neoliberal reliance on prices, its tolerance of monopoly, and the radical extension of market mechanisms into all of life becomes the truth through which the production of information is understood. Because people are not necessarily born with the beliefs and dispositions necessary to support the Demsetzian account of property, they will have to be created. The theory, in other words, encourages a process of subjectification. How such a process is to happen emerges as a question even in the basic articulation of the theory. As Carol Rose notes, the Demsetzian account basically takes a before and an after snapshot, and proposes that “people figured it out” in between. However, one needs immediately to ask where the norms on which the property regime relies came from, and how they became generally accepted (2006, p. 10). The only plausible answer to this question is that these governing norms had to be created, which is to say that the property regime has to make people who follow these norms and that the presence of a mass of people who follow the norms is central to making the property regime.39 As the following chapters will argue, making people who assent to the basic Demsetzian narrative about IP is a central task of current IP regimes.

#### The alternative is not vague. If you think it is, that’s because the debate is heavily controlled by neoliberal dogmatists. That doesn’t mean there ISN’T one, just that questioning pro-IP propaganda is an absolute pre-requisite to realizing it.

Shirazi & Johnson 21, Nima Shirazi: Editor at Muftah, a digital foreign affairs magazine, and co-host of the media criticism podcast, Citations Needed. Adam Johnson: Host, The Appeal podcast. Media analyst at FAIR.org and host of the Citations Needed podcast (January 27th, “Episode 129: Vaccine Apartheid and US Media’s Uncritical Adoption of Racist “Intellectual Property” Dogma,” *Citations Needed Podcast*, https://citationsneeded.medium.com/episode-129-vaccine-apartheid-us-medias-uncritical-adoption-of-racist-intellectual-property-b7fed9e288e6)//BB

Adam: Yeah, I think one of the things, one of the barriers that we come up against, and we talked about this a great deal, and I’m sure you come across this as well, is that many, most of the media, at least here in the United States, I assume in UK as well, they frame the issue of intellectual property fidelity or fetishism, if you will, as a law of nature, like gravity or the tides, it’s just something that always is, and always will be, and it’s sort of, you know, you saw this all the time with dozens of headlines throughout the summer and the fall about people hacking the vaccine technology, and it was sort of done in a sinister way. Now, if it’s zero sum, there’s problems there, right? If you’re like physically stealing vaccines, I can understand why that’s a problem, but I mean, if you’re just stealing the quote-unquote “intellectual property,” I have a hard time getting too upset about that, because the real crime here is that we’re proprietary about life saving medicine. I want to take some time to sort of, without getting a little too dorm-room-bong-hit here, I want to sort of analyze the existential, or the sort of fundamental premises here about the sanctity of intellectual property, and how so much of our leaders in the media sort of take for granted these constructs that were largely invented by a kind of post World War Two and post Cold War more specifically, arrangements — WTO, TRIPS, all that fun stuff — and what you’re hearing activists are saying is that we have to sort of begin to deprogram this dogma to really kind of get to the core of the issue, and that these things are just things we made up. They’re not actual, they’re not commandments handed down by god.

Heidi Chow: Yeah, yeah, no, you’re right, I think you really hit the nail on the head and you talked about, you mentioned TRIPS, I’m not sure if your listeners know what TRIPS is, but TRIPS is the global trade agreement where the standards for intellectual property have been enshrined. And you know, for decades prior to TRIPS, the pharmaceutical industry were really active in lobbying for global standards, intellectual property, so that they could go into any part of the world and have strong intellectual property rights to protect their monopolies and so I think that they’ve actually been really successful, like you said, they’ve actually pushed this so that actually, the idea of intellectual property rights has become normalized, has become, like you said said, a law of nature. And actually, what we’ve seen that really deadly result of that is that we’ve seen time and time again, public health being sacrificed to protect this kind of, yeah, this dogma or this altar of intellectual property rights. And it was, like you said, completely a construct, and I would say, campaign success of the pharmaceutical industry to essentially stitch up the global rules to work in their favor, in perpetuity. And they were very, you know, they were very savvy about it, they knew that sticking in these rules into a global trade agreement would mean that these rules would have teeth, that these rules would have the force of law behind them. And so now we have a situation where the intellectual property rights are now enshrined in such a way that no one can touch them, and no one has touched them for the last 20 years, I would say. And so what I find really exciting is the proposal that’s being discussed at the World Trade Organization right now being put forward by the South African and Indian governments to actually suspend four chapters of the TRIPS agreement which covers patents, industrial design, copyrights and trade secrets, to suspend them in the current context of a global pandemic, to allow all countries to have access to the health tools and health technologies that they’re going to need to tackle this pandemic. And so for me, this proposal when it came onto the table in October, it was like the first time in two decades since TRIPS was set up that actually we are beginning to wake up and actually start to question, like you said, that law of nature.

Nima: Yeah, this idea that the capitalization of innovation is supreme over any kind of public benefit and that the kind of association between invention and ownership is so enshrined and I think that, you know, much of this criticism around what we’ve been calling vaccine apartheid, mirror those leveled by activists for years now, if not decades, right? This is sadly not a new scenario, you know, especially when we look at the issue of access to HIV and AIDS drugs in the Global South over the past number of decades. So obviously, there are differences here between HIV and AIDS and COVID-19 pandemic, but can we, Heidi, talk about some of the similarities here and maybe what previous examples of Big Pharma and WTO working against the interests of the poor and others in the Global South and what that kind of can tell us what we can learn from that and then how we can mobilize most effectively during this current crisis?

### Answer to “Market Fill-in Turn”

#### The alternative is to reject the ideology of property. That’s vital to a democratic reorganization of society that equalizes the benefits of knowledge.

Andrews 19, Associate Professor of Cultural Studies at Columbia College Chicago, PhD in Cultural Studies (Sean, “The Cultural Production of Intellectual Property Rights,” p. 170)//BB

The contemporary Law and Economics movement is a reaction against the appearance of an active U.S. welfare state and a radical set of legal ideas, both of which seemed to be kowtowing to militant pressure from below. The goal of this movement, like Locke’s at the end of the English Civil War, is to reinstate the liberal understanding of the state. In Locke’s time, the choice was to use the religious ideology ascendant in his culture; in the second half of the twentieth century, activist scholars in the Law and Economics movement have used what they argue is a scientific understanding of human behavior known as “economics.” In both cases, these reactionary doctrines are largely successful because they help uphold—or, in the case of the Law and Economics movement, reinstantiate—the functional power of property owners. In short, both movements attempt to impose (or reimpose) a liberal doctrine of natural law that matches the dictates of what I have called “the reified culture of property.” We must not shrink from critiquing the more fundamental, neoliberal, Law and Economics ideology of property and its nearly authoritarian resistance to the democratic reorganization of society: they begin by defending class property but must end by bolstering the patriarchy, neocolonialism, and white supremacy that have helped bring current distribution of all property into existence. The power of property is not a neutral question of liberty, particularly when the effective liberty of the majority relies on stifling that power, ideally through the expropriation and redistribution of that property. This position is certainly political: it is supported by Piketty and other economists studying the toxic—and growing—social effects of inequality. Pretending that the defense of property rights—or IPR—is somehow innocent of politics overlooks the longue durée of the coercive, state-led imposition of capitalist social relations. The advent of participatory digital media—and the emergence of new forms of digital labor—should provide us an opportunity to look anew at the fundamental premises and faulty conclusions of the Law and Economics movement and to reconsider the role that the law and the state can play in helping secure a more just and humane society and culture, where the benefits of effective liberty are enjoyed by more than the top 1 percent of the population.

### Answer to “Alternative Fails”

#### Abolition solves by producing a revolution

Vizoso and Byrnes 23, \*Senior Non-Resident Fellow at the Arab Reform Initiative, \*\*intellectual property (IP) lawyer, independent scholar, and co-founder of the art collective AbolishIP, (Julia and Chris, “Abolitionist creativity,” *Transnational Institute*, https://www.tni.org/en/article/abolitionist-creativity)//BB

We cannot understand digital capitalism today, and its many inequities, without understanding how it has transformed every act of the human imagination, every data point, past and present, into a potential commodity. A new generation of ‘disruptive’ tech firms have found ways to use IP as an important part of their arsenal to control and exploit the labour and data of digital workers and consumers alike in the so-called sharing economy. Yet perhaps no other asset class is as ripe for revolution. For all its power in the economy, IP is also uniquely vulnerable. We can occupy the vulnerabilities of the current system, untether creativity and data from exclusion and personal possession, and forge it instead as a radically imaginative, generative, and socially productive community-building practice. Abolitionist creativity Today, trillions of imaginary dollars are exchanged for rights to imaginary property, yet we lack the imagination necessary to transform the economy into something that could help life flourish. Now, more than ever, creativity is the way out of the deadlocks we face. But for it to thrive we must first abolish the economic and legal codes that shackle it.

# AFFIRMATIVE

## FRAMEWORK

### Framework

#### Framework---the ballot is a referendum on the hypothetical consequences of the plan. Any links must be to the plan and there must be an alt that causally solves their harms, with the inclusion of the plan precluding that solvency.

#### The impact is fairness---plan vs agential alternative is the most stable and non-arbitrary. Any other interp reactively shifts the goalposts which moots the 1AC and makes aff victory impossible.

#### Independently, vague alternatives are a voting issue --- aff offense versus the alt AND perms are impossible. The impact turns the K---specifying an actor and a clear process for achieving the alt’s outcome is better for actualizing whatever subjects the neg wants to form.

#### Our epistemology is valid. Economic data restricts biases, promotes critical thinking, and prevents flawed decision-making errors---rejecting economists plagues public discourse with innumeracy that results in worse outcomes.

Ip 17, Canadian-American journalist, currently the chief economics commentator for The Wall Street Journal (Greg, “In Defense of the Dismal Science,” https://www.wsj.com/articles/in-defense-of-the-dismal-science-1503679118)

Thus, when economists preach the virtues of globalization, market solutions or cost-benefit analysis, they sound to critics on the left like corporate shills lacking any moral anchor. To critics on the right, they sound like globalist elites who despise patriotism.

Yet it is precisely their love of numbers that makes economists invaluable. By stripping the emotions from pressing problems, economists can often illuminate the most practical ways to tackle them—but only if ordinary people and their representatives are prepared to listen.

Economics emerged in the 1700s as an offshoot of moral philosophy. Known then as political economy, its pioneering practitioners—such as David Hume and Adam Smith —believed that liberating individual self-interest, rather than following religious or political authority, maximized society’s well-being.

Smith made this case most memorably in “The Wealth of Nations” (1776), in which he famously invoked the benevolent “invisible hand” of the free market. But for today’s economists, David Ricardo’s “The Principles of Political Economy and Taxation,” published in 1817, was even more of a breakthrough.

Most people aren’t surprised if a doctor, who could be a better caregiver to her children than a nanny, chooses instead to spend that time seeing patients and pays a nanny out of what she earns. Thanks to Ricardo, economists know that the same principle applies to countries. The average American worker can probably make more tires than a foreign worker, but his edge at producing grain is even greater—and thus the U.S. should export grain and import tires. This theory, known as “comparative advantage,” is both counterintuitive and powerful.

Ricardo went further, extolling the pacifying power of free trade: It “binds together, by one common tie of interest and intercourse, the universal society of nations throughout the civilized world,” he wrote. Most economists still agree that globalization fosters political stability and cooperation.

Non-economists have always found this emphasis on material interests and motives somewhat distasteful. In 1790, Edmund Burke, who was friends with Hume and Smith, wrote in “Reflections on the Revolution in France,” “The age of chivalry is gone. That of sophisters, economists, and calculators has succeeded; and the glory of Europe is extinguished forever.”

The influence of economists truly blossomed in the 20th century. The Great Depression gave birth to macroeconomics, the study of how consumption, investment, income and interest rates interact in the aggregate.

In search of better tools to manage the economy, the federal government commissioned economists in the 1930s to calculate gross national product. Convinced that the economy could no longer be left to its own devices, Congress passed the Employment Act in 1946, which established, among other things, a Council of Economic Advisers to provide the president with the necessary expert guidance.

The next year, Paul Samuelson’s seminal book, “Foundations of Economic Analysis,” used mathematics to formalize the key axioms of economics. He touched off a revolution that equipped economists with ever more powerful methods for explaining and analyzing economic behavior. They increasingly adopted the trappings of the physical sciences, hoping to achieve a similar degree of objective truth and predictive power.

Math did clarify economic thinking, but it didn’t improve its forecasting accuracy, which remains dreadful. Virtually no economists predicted the financial crisis of 2007-08 and the recession that followed. Nor has economics rid itself of bias. Economists who advise presidents and prime ministers routinely shape their analyses to validate particular political views.

In recent decades, the stature of economists has taken a beating from two critiques in particular. The first, popular especially on the left, argues that economists are slaves to the assumption that individuals act rationally and in their own best interests. These critics point to psychological and experimental evidence that shows how often people violate the axioms of Econ 101: Our spending and investment habits are often driven by emotions, rules of thumb, ignorance and shortsightedness. The financial crisis seemed to be the ultimate proof, as highly paid bankers and traders, armed with state-of-the-art economic techniques, took on so much risk that they nearly destroyed the global financial system.

Economists consider national borders and sovereignty annoying obstacles to the free flow of goods, capital and people.

The second critique originates from populist, nativist and nationalist movements in the world’s more prosperous countries. Economists consider national borders and sovereignty annoying obstacles to the free flow of goods, capital and people. The new movements of the right see them as essential preconditions for national identity and cohesion. Many Britons voted for Brexit because control over immigration and their laws mattered more to them than the pecuniary advantages of the European common market.

These trends have fed a broader mistrust of experts and elites. During last year’s election campaign, Mike Pence, Mr. Trump’s vice-presidential running mate, dismissed statistical evidence of the U.S. economy’s health by saying, “People in Fort Wayne, Indiana, know different.” In the months after Mr. Trump’s victory, his team wondered whether it should even appoint a chairman of the Council of Economic Advisers. (The administration eventually nominated Kevin Hassett, a highly regarded economist from the conservative American Enterprise Institute.)

In Greece, economists aren’t simply mistrusted; they’re prosecuted. During the 2000s, Eurostat, the EU’s statistical arm, had repeatedly questioned the accuracy and political independence of Greek statistics. Soaring deficits in 2009 triggered a crisis and forced Greece to seek a bailout in 2010. Mr. Georgiou, a Greek native who received his Ph.D. from the University of Michigan and spent 21 years at the International Monetary Fund, took over Greece’s statistical agency that August. Officials had already shown previous debt and deficit figures to be understated. He revised them further upward and earned for his agency a clean bill of health from Eurostat.

Politicians of the left and right accused him of inflating Greece’s debts to justify its creditors’ demands for austerity. Prosecutors charged him with making false statements and improperly disseminating statistics without his board’s approval. Courts acquitted him, but the second set of charges was reinstated, resulting in this month’s conviction. Mr. Georgiou, who now lives in a suburb of Washington, D.C., plans to ask Greece’s supreme court for a retrial.

Mr. Georgiou says that his real offense, in the politicians’ eyes, was breaking from the past practice of “resisting” and “negotiating” with outsiders, such as the EU, over what official Greek data would show. The politicians needed a scapegoat to preserve their own “political narratives,” he says. He calls the implications of his case “terrifying” for other professionals responsible for economic statistics.

Economists bear some blame for the public and political backlash. Their disagreement with populist policies has often colored their predictions. British economists, including Mr. Carney, thought that Brexit would unleash so much uncertainty that markets and the economy would tank. American economists foresaw similar swoons if Mr. Trump became president. Both were wrong, at least thus far: Economies in both countries have chugged along, and stock markets in particular have soared. There may be long-term costs, of course, but those may be hard to detect.

Economists didn’t predict the financial crisis, but they did help to arrest it.

But such misjudgments don’t justify the charges leveled at economists. Take, for example, their inability to predict financial meltdowns. Crises almost by definition are unpredictable. In a recent essay, Ricardo Reis, an economist at the London School of Economics, argues that failing to foretell a financial crash is no more an indictment of economics than failing to predict when a patient will die is an indictment of medicine. Economists didn’t predict the financial crisis, Prof. Reis notes, but they did help to arrest it by applying theory and experience: “The economy did not die, and a Great Depression was avoided, in no small part due to the advances of economics over many decades.”

Another caricature of economists is that they try to emulate physicists, fetishizing elegant, abstract mathematical models disconnected from economic reality. Paul Romer, the chief economist at the World Bank, derisively calls this approach “mathiness.” The critique is certainly fair in some corners of academia, but it is increasingly untrue of the profession as a whole.

In 1963, roughly half the papers published in the top three American economics journals were theoretical, according to a tally by Daniel Hamermesh, now at Royal Holloway, University of London. By 2011, that figure had shrunk to 28%; the remainder were empirical papers based on public data, on data gathered by the authors or on experiments. Economic debates these days are won not by the best theory but by the best data: Statistics are more important than calculus. Economists are far more obsessed with measurement than with math. When public discourse is plagued by innumeracy, this capacity to count is no small thing.

Economists are also instinctively skeptical of simple explanations. They are trained to look for equilibrium, which is another way of saying, “When you change one thing, how do other things respond? Where do things settle once all interactions have occurred?”

Advocates for a higher minimum wage extol the benefits to workers. Economists ask: Will it change employers’ demand for workers who earn the minimum wage? Or what they pay workers who earn just above the minimum? Or the prices they charge, or how much market share they lose to companies that don’t face the higher minimum or how much they invest in automation? Does it reduce turnover and thus make workers more productive?

Advocates of tariffs on imported steel focus on the benefit to domestic steelmakers and their workers. But economists ask: What happens to steel-consuming companies that now face higher prices, as well as to their workers and customers? Does penalizing imports boost the dollar and hurt U.S. exports?

The more data economists collect, the better they can map such complex interactions. Seemingly simple questions seldom have simple answers. A higher minimum wage helps workers in some circumstances but hurts them in others. Tariffs help some workers but hurt many others. Global warming will do some economic harm, but not enough to justify banning fossil fuels.

Sometimes, this attachment to numbers conveys a false precision. Critics say that the Congressional Budget Office overestimated how many people would get insurance under Obamacare and must therefore be overestimating how many will lose it if the law were to be replaced. But the CBO always warned that its estimates were highly uncertain; what no economists doubted, including those working in Mr. Trump’s administration, is that the number would be large. Economists could confidently predict that price controls would lead to shortages in Venezuela, though not how severe they would be.

Non-economists see all this as hopeless equivocation, but it is actually the way that evidence drives science. Economists still have their ideological leanings, but data has helped to restrict these biases. Surveys of top academic economists by the University of Chicago show considerable agreement, even among liberals and conservatives.

For example, the scholars almost all agree that fiscal stimulus reduced unemployment after the last recession and that trade with China benefits Americans by providing them with cheap goods. A study by Gordon Dahl and Roger Gordon of the University of California, San Diego, found that disagreement among economists was greatest where the empirical research was most sparse, as with the issue of whether natural-gas fracking helps U.S. exports.

Though economics remains an imperfect science, it has come a long way in 200 years. Its greatest challenge today isn’t the quality of the analysis it supplies, but whether there is still sufficient demand for it.

## ANSWER TO LINKS [PERMUTATION]

### Permutation Do Both

#### Permutation do both. The plan’s IP promotes innovations. COMBINING that with the anti-neoliberal ethos of the alternative ensures that goods reach the public domain.

Hale 18, J.D., UA Little Rock, William H. Bowen School of Law, May 2018; Master of Public Service, Clinton School of Public Service, May 2018. (Zach, “Patently Unfair: The Tensions Between Human Rights and Intellectual Property Protection,” *THE ARKANSAS JOURNAL OF SOCIAL CHANGE AND PUBLIC SERVICE*, https://ualr.edu/socialchange/2018/04/04/patently-unfair/)

A. Prioritizing Rights through Exceptions

One of the most appealing approaches to intellectual property reform is to work within current norms to carve out exceptions for life-saving or life-improving technologies that are currently protected by stringent patent laws. At a domestic level, this can include judicial and administrative procedures that allow the citizens of a particular nation to request exclusions and exemptions from intellectual property protection when such protection comes into conflict with the enjoyment of human rights. This solution is consistent with the United Nation’s statement that, “States have a positive obligation to provide for a robust and flexible system of patent exclusions, exceptions, and flexibilities,” in order to safeguard the human rights of citizens. At the international level, states that are negotiating agreements within and outside of the World Trade Organization can draft provisions that exempt developing nations from complying with strict patent protections, such as those found in the Trade Related Aspects of Intellectual Property.

B. Leveraging Public Funding and Creating Distributive Commons

To ensure greater access to life-saving innovations that were developed through federally funded research, government agencies can condition research support on the non-exclusive licensing of resulting products. For example, if the National Institutes of Health provide money for biotechnology research that produces a breakthrough cancer treatment, the government can require that the treatment be excluded from patent protection.[49] Similar approaches could be used in the field of agriculture, with the goal of securing public access to technologies that were developed using public money. Although this approach would not result in cost-free access, it would allow multiple organizations to develop competing products based on open-source technology, breaking the current monopolies that artificially inflate the prices of life-saving drugs for HIV/AIDS and cancer.

Intellectual property scholar James Love proposes a similar approach at the global level known as the Medical Research and Development Treaty.[50] This treaty would provide a mechanism through which wealthier nations would fund research for essential medicines to combat epidemics. Love suggests using development capital to support privately managed research in order to liberate life-saving health innovations from the cycle of patent protection.[51] This and similar approaches seek to ensure that protection of intellectual property does not prolong humanitarian crises in the name of market values. On their own, however, these models do not provide a sufficient solution to the conflicts between intellectual property protection and the enjoyment of human rights, as has been recognized by the UN.[52]

C. Seizing Innovations for the Common Good

Finally, national governments can actively prioritize the rights to health and food, as well as other fundamental human rights, over intellectual property rights by seizing the patented technology and placing it in the commons. This may seem like an unorthodox solution, similar to the land reform policies adopted by some revolutionary governments, but it is better understood as an intellectual property analogue of eminent domain takings. For example, if the government decides that it is necessary for the public good to provide unhindered access to certain pharmaceutical or agricultural innovations, it could “buy out” the patent and create a commonly available product using the previously-patented technology.

Ultimately, all three of the approaches discussed in this paper can work jointly, with particular solutions being deployed based on a situational assessment that takes into account the severity of the human rights deprivation and the likelihood that alternative approaches will sustainably improve the condition of impacted individuals.

#### Even if the perm keeps some property, that’s necessary to defend the commons against capitalist appropriation

Frase 13, on the editorial board of Jacobin and the author of Four Futures: Life After Capitalism (Peter, “Property and Theft,” Jacobin, https://jacobin.com/2013/09/property-and-theft)//BB

A socialist, however, can recognize that law and the state are contested terrain, and that replacing the regime of capitalist private property requires erecting, at least in the interim, an alternative form of socialized property, in order to defend the commons against the persistent efforts of the capitalist class to enclose and appropriate it. The struggle over traditional physical property provides many examples of this. Land trusts that are available to the public are an alternative to private ownership. Worker coooperatives and B Corporations, which are dedicated to a social purpose rather than only maximizing profit, are being pursued as alternatives to the traditional corporate form. This is an appealing model for a potentially non-capitalist approach to the cultural commons that isn’t simply hostile to the legal system, but attempts to use it as a mechanism for contesting the narrow capitalist definition of property. But as we attempt to forge new property forms, new contradictions and unintended consequences will arise. In embracing a superficially appealing new licensing model, we could end up accidentally imprisoning ourselves in something just as bad as or worse than what we have now.

## ANSWER TO IMPACT

### Consequentialism Good

#### The goal of policy-making should be to maximize benefit and minimize costs---that requires analysis of consequences, not adherence to moral aboslutes

Fettweis 13, Professor of IR @ Tulane (Chris, “The Pathologies of Power,” p. 242-243)

Classical realists have long considered prudence, in Hans Morgenthau's words, "the supreme virtue in politics."47 Their conception of the term, and how it has traditionally been used in U.S. foreign policy, is similar to the dictionary definition: wisdom, caution, circumspection, and "provident care in the management of resources."48 Simply put, a prudent foreign policy would aim above all to minimize cost and maximize benefits.49 It would strive to be rational, careful, and restrained, and it would not waste national resources pursuing low-priority goals or addressing minor threats. Prudence is essentially the ability to weigh potential consequences of alternative political actions. It demands that the main criteria for any decision be a cost-benefit analysis, or an honest attempt to assess the implications for the national interest. Although such calculations are by necessity uncertain in a world where rationality is bounded and values unquantifiable, if policy makers were to value prudence above all other virtues they would by force of habit explain and justify their decisions using a rational framework, with reference to reason and evidence rather than emotion. Were prudence the defining virtue in policy debates, the ideal for which policy makers strive, it would quickly silence the voices of fear, honor, glory, and hubris. The process of evaluation can never be foolproof, but by insisting that it be at the center of decision making at the very least prudence can make assumptions clear and offer a basis for evaluation absent in those decisions driven by pathology. The evaluation of policy cannot be done without recognition of cost. Simply achieving a goal - or winning - does not justify action. To be considered rational, the other side of the ledger must be considered as well. This may sound obvious, but a surprising number of scholars and analysts judge foreign policies based solely on whether or not objectives are fulfilled.50 Neoconservatives in particular tend to ignore costs, assuming that the United States is capable of paying virtually any price in the fight against evil. The war in Iraq, that exemplar of imprudence, was not preceded by extensive projections of the likely price tag. When pressed, Bush administration officials repeatedly deferred such discussions by denying such estimates were possible.5' At best, they were of secondary relevance. In the war's aftermath, the same officials stress how much better the world is without Saddam rather than how much worse it is without those who gave their lives in removing him.∂ Like realism itself, prudence is hardly amoral. It merely demands a focus on the morality of outcomes, not intentions. Actions that produce bad results are imprudent, no matter how good the intent. On this, Morgenthau quotes Lincoln:∂ I do the very best I know, the very best I can, and I mean to keep doing so until the end. If the end brings me out all right, what is said against me won't amount to anything. If the end brings me out wrong, ten angels swearing I was right would make no difference.2∂ Although the central criteria for prudent cost-benefit analyses must be the national interest, no abnegation of national ideals or international responsibility need follow. Foreign humanitarian assistance is cheap, relatively speaking, and often carries benefits for donor and recipient alike. The entire operation in Somalia, during which as many as a quarter million lives were saved, cost U.S. taxpayers less than two billion dollars.53 More was spent every week at the height of the Iraq war. Qaddafi was removed for half that. A focus on the outcome makes it clear that the Iraq war was a blunder of the first order. Even if the intentions of the Bush administration were indeed good, it is hard to see how the outcome can be said to be worth the cost. Thomas Ricks quotes a senior intelligence official in Iraq as saying that the long-term American goal after the surge is "a stable Iraq that is unified, at peace with its neighbors, and is able to police its inter-nal affairs, so it isn't a sanctuary for Al Qaeda. Preferably a friend to us, but it doesn't have to be."54 Presumably one could add the absence of weapons of mass destruction to this rather scaled-back list of goals, and perhaps the continuation of the uninterrupted flow of oil from the Gulf. In other words, if all goes well over the course of the next few years -and there is obviously no guarantee it will - Iraq might look quite a bit like it did in 2003, only with a marginally more friendly dictator in charge. The cost of this restoration of the virtual status quo ante will be at least forty-five hundred American dead and some thirty thousand wounded, at least a hundred thousand Iraqis killed and millions more displaced, and up to as many as three trillion U.S. taxpayer dollars spent.55 The war inspired many young Arabs, such as Ibrahim Hassan al-Asiri, to join the∂ ranks ofjihadi terrorists, swelling the ranks of America's true enemies. Al-Asiri is currently the main bomb maker for "Al Qaeda in the Arabian Peninsula," the group that operates out of Yemen and continues to try to take down Western airliners, and he is considered the "most dangerous man in the world" according to many people who maintain such rankings.56 The decision to invade Iraq may well turn out to be the most imprudent action this country has ever taken.∂ Another operation from the same year might serve as a counterexample to Iraq, a prudent foreign policy adventure where the benefits outweighed the costs. The July 2003 intervention in Liberia may be little remembered, but that is partially because it was such a success. The United States deployed around two thousand Marines to Monrovia and ended a siege during a particularly brutal civil war. Security returned to the capital and an unknowable number of lives were saved. Unlike in Somalia, die mission did not creep into nation building, proving that intervention need not be tainted by hubris. By October the civil war had effectively ended and the Marines withdrew, having suffered no casualties and incurring little cost to the U.S. taxpayer. In the years since, Charles Taylor, the paragon of the West African kleptocradc despot, was put on trial at The Hague and the security situation in Liberia has improved markedly. The Marines have not returned.∂ No assessment of costs and benefits can guarantee good decisions, of course. But by making assumptions clear, by inculcating and rewarding a systematic evaluation of alternatives, expectations can be assessed more rationally and decisions rescued from emotion. If leaders work actively to minimize pathologies and replace them with rational, fact-based beliefs, the odds of arriving at rational conclusions rise. If prudence is the goal, therefore, the following should form the core of the foreign policy conventional wisdom:∂ • The world is more peaceful than ever before.∂ • While no country is ever completely safe, the United States has few - if any - serious security threats.

### Cap Good---Life and Happiness Indicators

#### Inequalities in global poverty, health, education, mortality and famine are declining drastically---thank capitalism.

McAfee 19, \*Andrew Paul McAfee, a principal research scientist at MIT, is cofounder and codirector of the MIT Initiative on the Digital Economy at the MIT Sloan School of Management; (2019, “More from Less: The Surprising Story of How We Learned to Prosper Using Fewer Resources and What Happens Next”, <https://b-ok.cc/book/5327561/8acdbe>)

The World’s War on Poverty

The total number of poor people in the world peaked right at the time of the first Earth Day in 1970, then started to slowly decrease. But the real miracle came when this happy decline accelerated during the twenty-first century. In 1999, 1.76 billion people were living in extreme poverty. Just sixteen years later, this number had declined by 60 percent, to 705 million. Hundreds of millions fewer people are living in poverty now than in 1820, when the world’s total population was seven times smaller than it is today.

Much of this decline is reflective of what occurred in China, which, as we saw in the previous chapter, threw off economic socialism beginning in 1978 and let capitalism work its poverty-reducing miracles. But the story of global poverty reduction isn’t a purely Chinese one. As the graph below shows, every region around the world has seen large poverty reductions in recent years. The speed of the recent decline indicates that it’s no longer ridiculous to talk about completely eliminating extreme poverty from the planet. The World Bank thinks this might be possible by 2030.

It’s not just incomes that have improved. As I consult Our World in Data and other comprehensive sources of evidence, I struggle to find even a single important measure of human material well-being that’s not getting better in most regions around the world.

Here are recent trends in a few key areas.

Daily Bread

As recently as 1980, the global average number of available daily calories wasn’t enough to permit an active adult male to maintain his body weight. Less than thirty-five years later, however, every region in the world met this standard of twenty-five hundred daily calories.

Clean Living

More than 90 percent of the world’s people now have access to improved water; VII in 1990 only a bit more than 75 percent did. The situation is similar for sanitation: in 1990 only a bit more than half of the world’s people had it; now, more than two-thirds do.

Young Minds

The trend in secondary education enrollment around the world is similar to the one for sanitation, but even sharper: in 1986 fewer than half of the world’s teenagers were in school; at present, more than 75 percent are.

One Thing We Say to Death: Not Today

By now the pattern should be familiar: life expectancy at birth has gone up around the world in recent decades:

As we saw in chapter 1, global life expectancy was about 28.5 years in 1800. Over the next 150 years, that number increased by 20 years. Then, in the years between 1950 and 2015, it increased by 25 more. These gains are now universal; Southern Africa has regained the 10 years of expected life lost during its terrifying AIDS crisis.

One of the reasons life expectancy has gone up so quickly is the collapse in both child and maternal mortality around the world:

I find these mortality declines especially fast, large, and broad. Today, we still have desperately poor regions, failed states, and the decimations of war. But in no region today is the child mortality rate higher than the world’s average rate was in 1998.

Convergent

Trends in maternal and child mortality highlight a critical fact that’s often overlooked: around the world, inequality in most important measures of human material well-being is decreasing. Poor countries are catching up to rich ones, and gaps that were once large are shrinking. Inequalities in income and wealth dominate the news, and in many places these gaps are large and growing. They’re also important, so we’ll look at economic inequality in the next two chapters.

But it’s true, too, that there are other kinds of inequality that we should care about as we examine the human condition: inequalities in health, education, diet, sanitation, and other things that matter deeply for the quality of a person’s life. Here the news is profoundly good; these inequalities are collapsing. As the four horsemen have galloped around the world in recent decades, they’ve made life better not only for those people and countries that were already rich but for just about everyone else. Everywhere, fewer mothers and babies are dying, more kids are getting an education, more people have adequate nutrition and sanitation.

It’s essential to acknowledge these global victories because they show us that what we’re doing is working. Tech progress, capitalism, public awareness, and responsive government are spreading around the world, and improving it. It’s often said that insanity is doing the same thing over and over but expecting different results. The corollary might be that ignorance is not examining the results of what’s being done. Over and over, when we look at the evidence, we see that the four horsemen are improving our world.

### Cap Good---War

#### Interdependence isn’t perfect but it checks war

Krugman 22, has been an Opinion columnist since 2000 and is also a distinguished professor at the City University of New York Graduate Center. He won the 2008 Nobel Memorial Prize in Economic Sciences for his work on international trade and economic geography. (Paul, 03-01-2022, “War, What Is It Good For?” The New York Times, https://www.nytimes.com/2022/03/01/opinion/ukraine-russia-war-economy.html)

The Ukrainian miracle may not last. Vladimir Putin’s attempt to win a quick victory on the cheap, seizing major cities with relatively light forces, has faced major resistance, but the tanks and big guns are moving up. And despite the incredible heroism of Ukraine’s people, it’s still more likely than not that the Russian flag will eventually be planted amid the rubble of Kyiv and Kharkiv. But even if that happens, the Russian Federation will be left weaker and poorer than it was before the invasion. Conquest doesn’t pay. Why not? If you go back in history, there are plenty of examples of powers that enriched themselves through military prowess. The Romans surely profited from the conquest of the Hellenistic world, as did Spain from the conquest of the Aztecs and the Incas. But the modern world is different — where by “modern,” I mean at least the past century and a half. The British author Norman Angell published his famous tract “The Great Illusion” in 1909, arguing that war had become obsolete. His book was widely misinterpreted as saying that war could no longer happen, a proposition proved horribly wrong over the next two generations. What Angell actually said was that even the victors in war could no longer derive any profit from their success. And he was surely right about that. We’re all thankful that the Allies prevailed in World War II, but Britain emerged as a diminished power, suffering through years of austerity as it struggled to overcome a shortage of foreign exchange. Even the United States had a harder postwar adjustment than many realize, experiencing a bout of price increases that for a time pushed inflation above 20 percent. And conversely, even utter defeat didn’t prevent Germany and Japan from eventually achieving unprecedented prosperity. Why and when did conquest become unprofitable? Angell argued that everything changed with the rise of a “vital interdependence” among nations, “cutting athwart international frontiers,” which he suggested was “largely the work of the past forty years” — beginning around 1870. That seems like a fair guess: 1870 was roughly when railroads, steamships and telegraphs made possible the creation of what some economists call the first global economy:

In such a global economy, it’s hard to conquer another country without cutting that country — and yourself — off from the international division of labor, not to mention the international financial system, at great cost. We can see that dynamic happening to Russia as we speak. Angell also emphasized the limits to confiscation in a modern economy: You can’t just seize industrial assets the way preindustrial conquerors could seize land, because arbitrary confiscation destroys the incentives and sense of security an advanced society needs to stay productive. Again, history vindicated his analysis. For a while, Nazi Germany occupied nations with a combined prewar gross domestic product roughly twice its own — but despite ruthless exploitation, the occupied territories seem to have paid for only about 30 percent of the German war effort, in part because many of the economies Germany tried to exploit collapsed under the burden. An aside: Isn’t it extraordinary and horrible to find ourselves in a situation where Hitler’s economic failures tell us useful things about future prospects? But that’s where we are. Thanks, Putin. I’d add two more factors that explain why conquest is futile. The first is that modern war uses an incredible amount of resources. Pre-modern armies used limited amounts of ammunition and could, to some extent, live off the land. As late as 1864, Union General William Tecumseh Sherman could cut loose from his supply lines and march across Georgia carrying only 20 days’ worth of rations. But modern armies require huge amounts of ammunition, replacement parts and, above all, fuel for their vehicles. Indeed, the latest assessment from Britain’s Ministry of Defense says that the Russian advance on Kyiv has temporarily stalled “probably as a result of continuing logistical difficulties.” What this means for would-be conquerors is that conquest, even if successful, is extremely expensive, making it even less likely that it can ever pay. Second, we now live in a world of passionate nationalism. Ancient and medieval peasants probably didn’t care who was exploiting them; modern workers do. Putin’s attempt to seize Ukraine appears to be predicated not just on his belief that there is no such thing as a Ukrainian nation, but also on the assumption that the Ukrainians themselves can be persuaded to consider themselves Russians. That seems very unlikely to happen, so even if Kyiv and other major cities fall, Russia will find itself spending years trying to hold down a hostile population. So conquest is a losing proposition. This has been true for at least a century and a half; it has been obvious to anyone willing to look at the facts for more than a century. Unfortunately, there are still madmen and fanatics who refuse to believe this — and some of them control nations and armies. Quick Hits The victors tried to make Germany pay for World War I. John Maynard Keynes predicted disaster, and he was right. America learned from that experience, and helped defeated nations recover instead. Tracking the war. You-know-who still thinks Putin is smart.

### Cap Good---Climate

#### Growth’s sustainable, no impact, and transition fails

Boundry 22, translated by Nick Brown, Belgian philosopher, researcher, and teaching member of the Department of Philosophy and Moral Sciences at Ghent University (Maarten Boudry, 2-8-2022, “Growth is not the problem, but the solution,” NextNature, https://nextnature.net/magazine/story/2022/growth-is-not-the-problem)

And yet, amazingly, we're still here! Contrary to predictions of gloom and doom, in the last 50 years environmental pollution has decreased sharply (certainly in rich countries), global poverty has fallen faster than ever before, mass starvation events just didn’t happen, and raw materials actually became cheaper and more abundant. In 2021, the planet feeds far more mouths than the catastrophists ever imagined would be possible.

Should we thank the Club of Rome because we took their warnings to heart? Is this a case of a "self-defeating prophecy" where someone predicts a major disaster that doesn’t occur precisely because people actually listen to them? After all, who cares about the end of the world when the end of the month (or of the electoral cycle) is in sight?

Not quite. Humanity has never radically changed course in the way that the Club of Rome would have liked. The global economy continued to grow, the world continued to deplete finite resources, and there was no mass birth control (except in some countries, with catastrophic humanitarian consequences). Everyone was scared out of their pants for a while, but in the end, politicians and other policy makers carried on with business as usual. Economic growth was indispensable for prosperity and for social security and pensions. After all, who cares about the end of the world when the end of the month (or of the electoral cycle) is in sight? In reality, humanity figured out solutions that almost no catastrophist at the time had foreseen. Take the threatened worldwide shortage of food. This was averted, not by suppressing the birth rate, or by eating more frugally and redistributing food, but by spectacularly increasing agricultural productivity. While Paul Ehrlich preached on The Tonight Show about the impending food catastrophe, savvy scientists were busy developing solutions. In a backwater in Mexico, the agronomist Norman Borlaug put in years of painstaking work to develop new and better varieties of wheat, corn, and other crops. The combination of fertilizers, modern irrigation, and tractors resulted in a minor miracle: agricultural yields doubled everywhere, and in Mexico they were multiplied by a factor of six. The Club of Rome's warning that by the year 2000 there could be a “desperate land shortage,” even with optimistic assumptions about land use, turned out to be utterly wrong. So did the fatalism of Paul Ehrlich, who announced to anyone who would listen that a country like India could never feed itself and who wanted to make food aid dependent on drastic birth control. Twenty years later, India was a net exporter of food, thanks to Borlaug's Green Revolution.

Or consider the depletion of resources. The Club of Rome’s computer models completely ignored the price mechanism, which is the lubricant of any free-market economy. If a raw material temporarily becomes scarcer, producers are given an incentive to search harder for that substance or develop alternatives, and consumers are incentivized to use it more sparingly. All three of those things happened at the same time. Just as capitalists like to save on labor costs by increasing productivity per worker, they also like to save on material resources. The less they need, the bigger the profit.

Manufacturers sought and found other substances to perform the same functions. And environmental pollution? This, too, was solved not by consuming less or having fewer children, but by decoupling consumption from environmental impact, thanks to smart technological innovations. We didn't drive any less, but instead banned lead in gasoline. We continued to burn oil and coal, but all the while we installed filters on our chimneys and exhaust pipes to remove soot and sulfur. This is not to say that the market solved everything by itself; when there was no economic incentive to fix a problem, governments had to step in with smart legislation. Perhaps the most successful environmental measure ever was the 1987 Montreal Protocol, which phased out the CFCs that had been depleting our ozone layer. Manufacturers sought and found other substances to perform the same functions (such as pressurizing aerosol cans). Everyone continued to spray happily, but without destroying the ozone layer.

New ecological crisis This litany of failed prophecies is not only fascinating as a historical exercise. Today, we face a new ecological crisis, which 50 years ago appeared on the radar of only a few farsighted climatologists. The Club of Rome devoted at most a few sentences to the 'greenhouse effect'; Paul Ehrlich was unsure about whether human industrial activity would end up cooling or warming the earth.

Nevertheless, new prophets are appearing to preach the gospel of “less” to save the planet. In his book Less is More, the anthropologist Jason Hickel explicitly advocates the remedy of degrowth: poor countries are still allowed to continue to grow a bit, but rich countries must shrink their economic activity and give up their current levels of prosperity. Climate activists like Greta Thunberg have also spoken out against the “fairy tales of eternal economic growth.”

We have to invent a thousand and one low-carbon alternatives to the thousand and one different services that fossil fuels provide to humanity. It seems that these intellectual heirs of the Club of Rome have learned nothing at all. Growth is not the problem, but the solution. If we want to bring down global CO2 emissions to zero, we will need technological innovation and massive infrastructure projects. We have to invent a thousand and one low-carbon alternatives to the thousand and one different services that fossil fuels provide to humanity. The only realistic way to fulfill such a Herculean mission is through growth. Growth pays for the necessary innovations and infrastructure works, and growth will be needed to ensure public support for the massive transition.

In fact, "degrowth" would not only be disastrous for everyone, even in rich countries, but it would also hardly bring us closer to the end goal. An economy that stagnates or shrinks will still emit huge amounts of CO2, given current levels of technology. Remember the spring of 2020, when countless economic activities were abruptly shut down due to the Covid-19 pandemic? Planes were grounded, people left their cars in the garage and worked from home, and tourism trickled to a halt. Even with that unprecedented global degrowth episode – which no ~~sane~~ person would ever want to experience again – worldwide CO2 emissions fell by a paltry 7 percent in 2020.

The remedy is not to shut down the source of our prosperity; rather, we need to disconnect it from that harmful side effect, by creating more prosperity (in smart ways). In essence, our climate problem is no different from the impending ecological disasters of fifty years ago. Human progress is creating an unforeseen side effect, which we have to address. But the remedy is not to shut down the source of our prosperity; rather, we need to disconnect it from that harmful side effect, by creating more prosperity (in smart ways). The main difference between now and the 1970s is the scope and magnitude of the problem: fixing the hole in the ozone layer could be done by just banning a few substances, but fossil fuels are embedded in every aspect of our economy. The ecological crises of fifty years ago were just warm-ups, dry runs for the really big job. But this time as well, the solution will come from human ingenuity and technology – not from some form of mass impoverishment or radical system change. The forecasters of doom have been preaching about the latter for fifty years now, with little or no success. Which is fortunate, because it is a bogus “solution” anyway that would only make matters worse.

The solution will come from human ingenuity and technology – not from some form of mass impoverishment or radical system change.

#### Warming is existential---newest models agree.

Yang & Chen 23, \*M.D Ph.D from Zhejiang University \*\*Ph.D and professor iat the School of Medicine at Zhejiang University. (\*Ying \*\*Zhi, 1-5-2023, “Severe Situation of Human Impact on Climate Change, Impact on Infectious Diseases and Solutions,” SHS Web Conference, Volume 152, 8th Annual International Conference on Social Science and Contemporary Humanity Development, Article 05001, Chapter 5: Social Science and Contemporary Humanity Development, https://doi.org/10.1051/shsconf/202315205001)

Abstract. The activities of the human activities, especially since the industrial revolution caused the greenhouse effect and the severe climate change situation, leading to a variety of suffering such as natural disasters, the collapse of the food system and extinction, also infectious diseases and mental diseases and so on. These grim situation makes most countries reach a consensus of net zero discharge and limiting the temperature rise to 1.5° C. To cope with and adapt to climate change threat in the future, we should carry out cross-regional and multidisciplinary cooperation as much as possible, develop high-tech products for early warning of climate health risks, carry out a number of climate health monitoring projects, strengthen the monitoring and early warning capacity of climate change risks, and work together to maintain and promote a good climate for the earth and human health.

1 Introduction

The global human disaster caused by COVID-19 is not over yet, and climate change is increasingly becoming a global focus. Climate change not only exacerbates COVID-19, but also causes or aggravates other diseases or discomfort. Climate change and general health are issues that need to be addressed together with the strength of all mankind. After decades of discussion, climate change has become an urgent issue. Most countries in the world jointly participated in the Kyoto Protocol and the Paris Agreement, aiming at the core targets of carbon peak and carbon emission. This article also gives some examples of measures to solve the climate problem. We must respect nature, and the climate issue should be an issue that requires a high degree of solidarity among mankind. We should take this as an opportunity to build a cultural environment of solving problems through negotiation and mutual trust among countries on a global scale. Although it is difficult to unite and cooperate in this era of individualism, nationalism and the supremacy of interests, I believe that mankind can unite and find a solution after experiencing the pain of climate change and holding the clear understanding that if it is not solved, it will probably lead to the extinction of ~~mankind~~ [humankind].

2 Grim situation and consensus on human activities changing climate

A team consist of 93 scientists has published a exceptionally comprehensive record of paleoclimatic data across the past 12,000 years. It contains 1,319 data records collected from 679 sites around the world and from samples such as marine sediments, lake sediments, peat, coral, cave sediments and glacial ice cores. From this data, the researchers mapped changes in surface air temperatures over the 12,000 years since the last iceage. The figure is compared to the century average temperature between 1800 and 1900 to track changes likely to be brought about by the Industrial Revolution. As expected, temperatures at the start of the period were much cooler than the 19th century baseline. But over the next few thousand years, temperatures rose steadily, eventually surpassing the baseline. Temperatures peaked 6,500 years ago, and since then, the planet has been slowly but surely cooling, seemingly driven by slow cycles in Earth's orbit, which reduced the amount of sunlight in the northern hemisphere's summer and ultimately led to the 'Little Ice Age' of recent centuries. In a relatively short period since the middle of the 19th century, human activity has increased the average temperature by as much as 1℃, a huge peak that is higher than the peak of 6500 years ago (Fig.1) [1].

<<<Figure 1 Omitted>>>

A recent report by Xu Chi, a professor at the School of Life Sciences at Nanjing University, showed that, on a global scale, humans have been distributed in more stable climate conditions for the past 6,000 years. The research was conducted using interdisciplinary studies such as ecology, archaeology and climatology. If the global population is to remain in this climatic niche, according to the current trends in climate change, by 2070, some 3 billion people would be living in extreme temperatures similar to those currently found in the heart of the Sahara.

Max Callaghan and other researchers used Bert model machine learning to identify and classify 100,000 climate impact research papers, in an attempt to determine how many people in the world are already experiencing the effects of the climate crisis. They drawed important conclusions: For climate change research, it is more focused on richer countries in Europe and North America, with about twice as many studies as low-income countries such as Africa and the Pacific Islands. The combined results show that the vast majority of the world, with more than 80% of the land area and 85% of the population, is currently experiencing the impacts of the climate crisis (Fig.2) [2].

<<<Figure 2 Omitted>>>

The people of the Republic of Kiribati, an island nation in the central Pacific Ocean, have been forced to move their homes due to rising sea levels. They are at constant risk of flooding and waves. The rich and the rich countries emit more carbon, while the poor don't even own a house or a car. The poor who are most dependent on nature and want to live in harmony bear more of the impacts of climate change. The modern mode of development and industrialization were brought by the people of rich countries. Their technological strength, sustainable development concept, capital and management strength can also bring about visible results in a short period of time. There is no doubt that developed countries need to take the lead in solving the climate problem.

3 IPCC report

The effects of human activities on the climate system has been the core content of every assessment report by the United Nations' Intergovernmental Panel on Climate Change (IPCC).The latest sixth IPCC assessment report adopted climate models participating in the Coupled Model Intercomparison Project Phase 6 (CMIP6), so that the impacts of different anthropogenic forcing factors on the climate system can be further recognized and quantified, and the understanding of the effects of human activities on climate change can be deepened. The indicators in different layers of the climate system, including the atmosphere, oceans, cryosphere and the surface of the change of the climate change , can detect the influence of human activity.The sixth time evaluation report suggests extreme cold and extreme warm events change in global and most of the mainland are likely to be the main reason of the greenhouse gases caused by human activities. The intensification of global heavy rainfall in recent decades may also be due to the influence of human activities. The decline in spring snow cover in the Northern Hemisphere since 1950 has also been linked to human activity, which is also likely to be a major driver of the recent universal glacier retreat that has occurred nearly worldwide. Human activity is most likely the main driver of global sea-level rise and ocean heat content increase since the 1970s.On 28 February 2022, the IPCC released its report "Climate Change 2022: Impacts, Adaptation and Vulnerability". The report argues that warming has pushed the majority of the planet's ecosystems to "hard limits of human adaptation" -- the point at which human societies will be unable to adapt to any more change. Antonio Guterres, Secretary-General of the United Nations, said: Today's IPCC report is an 'atlas of human suffering' ", and the climate problem is worse than ever [3]. The latest IPCC report, which is more than 2,000 pages and was compiled by 270 scientists after reviewing numerous independent studies, provides a comprehensive overview of the entire body of scientific research on climate change, with a focus on its effects on ecosystems, wildlife and human societies. According to the IPCC report, some of the consequences we are already seeing at current levels of warming include:

1) The disease is spreading to more areas

2) Species are dying out everywhere

3) Local animal and plant populations die or migrate, irreversibly changing local ecosystems

4) Plants and mammals died in large numbers due to droughts and heat waves

5) Major food systems begin to collapse

6) Past carbon sinks, such as the Amazon rainforest and Arctic permafrost, turn into sources of greenhouse gas emissions

7) As a result of climate change, half of the world's living things are at present moving habitats, destroying ecosystems everywhere. Half the world's population faces water shortages for at least part of the year. The risks to the food system are high: about 8 percent of the world's farmland could become unusable if warming reaches 1.5 degrees.

### Answer to “Cultural Imperialism” Impact

#### Globalization is immensely beneficial for improving quality of life in the Global South---it’s also widely supported which proves their epistemic skepticism is from an ivory tower.

Horner et al. 18 (Rory, Global Development Institute, University of Manchester, Manchester, UK, “Globalisation, uneven development and the North–South ‘big switch’,” Cambridge Journal of Regions, Economy and Society 2018, 11, 17–33 doi:10.1093/cjres/rsx026)

Citizen surveys further reveal dramatic changes in attitudes to globalisation across and within the global North and South. While such surveys have methodological limitations,1 the results indicate distinctive trends that support the thesis of the ‘big switch’. Among people in the global South, polls have consistently found quite positive attitudes towards globalisation. In 2007, the Times of India claimed that ‘Indians believe globalisation benefits their country’, citing a poll by the Chicago Council on Global Affairs and World Public Opinion that 54% of Indians answered ‘good’ compared to 30% ‘bad’ to the question of whether increasing economic connections ‘with others around the world is mostly good or bad’. More recently, Stokes (2016) reported on Pew Research Surveys from 2016 which found that 60% of Chinese think their country’s involvement in the global economy is good (compared to 23% who think it is bad), while 52% of Indians surveyed thought it was good compared to 25% who said it was a problem. A recent YouGov survey of 20,000 people across 19 countries found a majority believed that globalisation has been a force for good. That survey found the most enthusiasm for globalisation in East and South-East Asia, where over 70% in all countries believed it has been a force for good. The highest approval, 91%, was in Vietnam, a relative latecomer to globalisation (Smith, 2017).

By contrast, public support for globalisation in the global North has plummeted. Bhagwati (2004) cited an Environics International Survey presented at the 2002 World Economic Forum Meetings to argue that disillusionment with globalisation was not universal; ‘anti-globalisation sentiments are more prevalent in the rich countries of the North, while pluralities of policy makers and the public in the poor countries of the South see globalisation instead as a positive force’ (2004, 8). Although Bhagwati suggested this was an ‘ironic reversal’, it proved to be in line with a 2007 BBC World Service poll that found 57% of people in G7 countries thought the pace of globalisation was too rapid, whereas the majority of those in ~~developing~~ countries surveyed thought it was just right or too slow (e.g. IMF, 2008; Pieterse, 2012). A 2007 Pew Global Poll similarly found a decline in the percentage of people in many Northern countries who believed trade had a positive impact. In its analysis of the survey results, Kohut and Wilke (2008, 6–7) commented that ‘it is in economically stagnant Western countries that we see the most trepidation about globalisation’. Almost 10 years later, The Economist (2016) reported on a YouGov survey of 19 countries, which found that fewer than half of people in the USA, UK and France believed that globalisation is a ‘force for good’ in the world. This broad change in attitude toward globalisation is playing out in national electoral politics as well as gatherings such as the World Economic Forum and the meeting of the Asia-Pacific Economic Cooperation.

The ‘big switch’ and the geography of uneven development

The ‘big switch’ seemingly confounds the predictions of the most vocal proponents and critics of globalisation alike. Uneven development is dynamic and relates to differences both within and among countries (Sheppard, 2016). Naïve claims that the world is flat or that economic globalisation is ‘win-win’ have rightly been dismissed (Baldwin, 2016; Christopherson et al., 2008; Turok et al., 2017), yet it is also insufficient to suggest that globalisation simply leads to a reproduction of existing inequalities, overlooking how that unevenness may be changing as a result of new macroeconomic geographies (Peck, 2016). While trade theory could predict that there would be ‘losers’ in the global North from international economic integration, proponents of economic globalisation have asserted that they would be few in number and could be compensated. More recently, it appears that a large group of people feel more forsaken than compensated. Similarly, for those who embraced Marxian political economy, and warned of its negative consequences in the South, the apparent optimism and support for globalisation in the South may have been unexpected. The sceptical internationalists (e.g. Evans, 2008; Kaplinsky, 2001; Stiglitz, 2006) should be acknowledged, however, for forecasting downsides in the global North. As we outline below, many people in the global North have experienced relative stagnation, whereas, albeit from a very low starting point and amidst considerable inequality, many people (but not all) have experienced improved development outcomes in the global South. We then explore what this apparent ‘big switch’ may tell us about contemporary economic globalisation.

The new geography of global uneven development

Significant portions of the population in the USA and other countries in the global North have experienced limited, if any, income gains in an era of globalisation. Milanovic’s (2016) ‘elephant graph’ (Figure 1) has quickly become a popular way to demonstrate the relative stagnation experienced in North America and Europe in recent decades. Exploring changes in real incomes between 1988 and 2008, he showed that those who particularly lost out on any relative gain in income were the global upper middle class (those between the 75th and 90th percentiles on the global income distribution) and the poorest 5% of the world population. Of these least successful percentiles, 86% of the population were from mature economies in the global North (Lakner and Milanovic, 2016, 23). Considering these contrasts more widely, a growing body of evidence shows that the global North’s dominance in the global economy is receding, with the share of high-income countries in global GDP having fallen from 76.8% in 2000 to 65.2% in 2015 (see Figure 1).

A different picture emerges in the global South. In Figure 1, it was Asians who comprised 90% of the population in the percentiles which did best in terms of relative income gains from 1988 to 2008 (Lakner and Milanovic, 2016, 223). The UNDP has remarked that

A striking feature of the world scene in recent years is the transformation of many ~~developing~~ countries into dynamic economies…doing well in economic growth and trade … they are collectively bolstering world economic growth, lifting other ~~developing~~ economies, reducing poverty and increasing wealth on a grand scale. (UNDP, 2013, 43)

The share of global GDP of low and middle income countries increased from 22.5% in 2000 to 34.1% in 2015 (Figure 2). Much of this increase is accounted for by China, as well as India and Brazil. Their share of global GDP, only 4.6% in 1960, 6.6% in 1990 and 9.3% in 2000, had almost doubled in the 21st century to 18% by 2015.

The development context of the global South has changed significantly since the turn of the Millennium, across a variety of important indicators. The total number of people in the world living on less than $1.90 per day (i.e. extreme poverty) has more than halved from 1.69 billion in 1999 to 766 million in 2013. At least by official estimates, the share of the population in the global South who are living in extreme poverty has fallen considerably this century. Whereas the percentage of the population in the global South with a daily consumption level of less than $1.90 was 33.4% in 1999, it was just 13.4% in 2013.2 The percentage of the world’s countries classified by the World Bank as low-income, albeit a very low threshold, more than halved within the first 15 years of the 21st century. Moreover, the total number of countries which are highly dependent on aid (having a net ODA > 9% of GNI) has fallen considerably, from 42 in 2000 to 29 in 2015, or from 34.1% to 23.2% of all low and middle-income countries with data available over that period.3

Considered overall, in comparison with the 1990s, the global South, in aggregate, now earns a much larger share of world GDP, has more middle-income countries, more middleclass people, less aid dependency, considerably greater life expectancy and lower child and maternal mortality. Table 1 provides some summary indicators for high-income countries (HICs) and low and middle-income countries (L&MICs), as somewhat imperfect approximations for global North and South.

After two hundred years of a ‘divergence, big time’ (Pritchett, 1997) between developed and ~~developing~~ countries following the Industrial Revolution, recent measurements suggest a change in the pattern of global inequality across a number of indicators (Horner and Hulme, 2017). The Global GINI of income distribution across all individuals in the world has fallen from 69.7 in 1988 to 66.8 in 2008 and 62.5 in 2013 (World Bank, 2016, 81). Analysis presented in the World Bank’s Taking on Inequality (2016) suggests that, in 1998, 26% of global income inequality was related to differences within countries, with the remaining 74% relating to differences among countries. By 2013, these shares were 35 and 65%. Two hundred years of a great divergence between global North and South now seems to have had some reversal, although more than half of an individual’s income can be accounted for by the country where he/she lives or was born (Milanovic, 2013). Inter-country inequality, rather than intra-country inequality, is still dominant, but it accounts for a diminished share of income-based and other inequalities (World Bank, 2016).

### Answer to “Inequality” Impact

#### No consistent link between economic freedom and inequality---capitalism net alleviates poverty.

Lazear 20, \*Edward P. Lazear was the Morris Arnold and Nona Jean Cox Senior Fellow at the Hoover Institution and the Davies Family Professor of Economics at Stanford University's Graduate School of Business.;(May 26th, 2020, “Socialism, Capitalism, And Income”, https://www.hoover.org/research/socialism-capitalism-and-income-0)

First, there is no evidence that, as a general matter, high-income groups benefit more from a move toward capitalism than low-income groups. The effect of changing state ownership and economic freedom on income is not larger for the rich than for the poor. Second, income growth is positively correlated across deciles. The situation is closer to a rising tide lifting all boats than to the fat man becoming fat by making the thin man thin. Finally, there is no consistent evidence across the large number of countries and time periods examined of any strong and widespread link between income growth and inequality. There are examples, like China, where income growth was coupled with large increases in inequality, but others like Chile, where strong income growth came about without much change in inequality, and South Korea, where inequality declined slightly as economic freedom and income grew over time.

Transfers and redistribution present the most complex picture of state involvement.

Transfers from rich to poor through the tax system are a luxury that only rich countries seem to be able to afford and are not a product of socialism per se. There is a very high correlation (-.67 in 2010) between contemporaneous median income and the low transfer index across countries.

High transfer countries like those in Scandinavia and other rich parts of Europe have primarily private ownership and economic freedom more like what prevails in the United States than in socialist countries. The poor definitely—and unsurprisingly—seem to benefit from higher transfers at a point in time. But the high taxes that generally go along with transfers do result in low income growth for median and high-income groups within a given country over time.

A similar pattern exists with respect to rule of law. The contemporaneous relation of rule of law to income is strong, but this seems to reflect the fact that countries that are wealthy demand rule of law rather than the reverse. Low state ownership at a point in time is a more consistent predictor of income growth within a country over the following decade than is rule of law at that same point in time.

Finally, not all transitions are alike. The Eastern European countries and the former Soviet Union saw large transitory declines in incomes for all groups during their transition to the market and the poor were more adversely affected than the rich. In China, and to a lesser extent India, market reforms brought about almost uninterrupted income growth. Venezuela provides an opposite example, moving from a more market-oriented economy to a socialist one.

Inequality fell slightly, but income growth was low for all groups and the poor have not regained the income levels that they had at the peak during the 1990s. The evidence suggests that it is economic shocks rather than transitions that disproportionately affect the poor. Transition from a command structure to the market is but one example of such a shock.

In sum, most income groups benefit from moves away from socialist command structures to free-market capitalism, but transfers can at least in the short run improve the well-being of those worst off.

## ANSWER TO ALTERNATIVE

### Market Fill-in Turn

#### Abolition doesn’t challenge neoliberal power, it just transfers decision-making directly to the market

Hull 19, PhD, Professor of Philosophy @ UNC-Charlotte (Gordon, “The Biopolitics of Intellectual Property,” p. 187)//BB

In terms of understanding IP, the most important result of this study is that it is useful to understand IP as a kind of power. Further, it is important to understand power in differential terms, as operating according to different logics. This has several implications. First, criticisms of IP that address primarily its quantity or decry it as a form of power only tell part of the story. It is true that there is “more” IP law now than in the past, measured both in terms of its extension into new areas and its intensity in the areas that it does cover. That argument is important, but it does not say why that quantitative increase in IP is either bad or good. Indeed, it runs the risk of defaulting to a position that the alternative to too much IP is no IP. It might be the case that no IP would be good, but such claims often seem tethered to the idea that a world without IP would be a world without the imbrication of power relations into cultural production. A second implication is that we have no reason to assume that such a world without power could ever be the case, and many reasons to think that it would not. Cultural production inevitably involves power relations. This point is harder to see than it should be because neoliberalism is depoliticizing, hiding its political economy behind a veneer of internalization and consumer preferences.1 An excessive focus on markets makes us forget why the spaces outside of markets matter; or, as Hardt and Negri memorably put it, “private property makes us stupid” (2004, p. 188). This is particularly clear in the way that DRM deflects responsibility for the control it exerts over users onto supposedly neutral technological platforms rather than those who insist on their presence, as I argued in Chapter 3 on copyright. In such an environment, it is too easy to fail to recognize the extent to which IP necessarily embodies political relations, and the extent to which its absence will also embody political relations. The inference from the absence of IP to the absence of power is without foundation.2 Research into so-called low-IP zones – areas of cultural production where IP law is unavailable or has been rejected by the relevant actors – shows that there are a range of alternatives to IP, but that all of them involve complex relations of power, whether that power is exercised through social norms, market pressures, architectural features, or direct physical coercion.3 This research is fascinating and valuable precisely because it helps us to imagine a world with different kinds of social relations around intellectual goods. These relations can, but do not necessarily have to, rely on social norms. For one, IP law itself interacts in complicated ways with social norms, especially when transgression of property is itself a form of critique. Hip-hop sampling is a prominent example in a constellation of often (but not necessarily) critical practices that functions critically precisely when it is at the margins of legality.4 Indeed, if one’s goal is innovation, social norms can work to dampen innovation by siloing creativity into narrow channels, away from the benefits of cross-fertilization (Bair & Pedraza-Fariña, 2018). In any case, social norms matter when it comes to our relations to intellectual goods, and how they make us as people.

### Alternative Fails to Overthrow Capitalism

#### Cap’s inevitable---no support for massive shifts.

Calnitsky ’21 [David; August 8; Assistant Professor in the Department of Sociology at Western University; *Critical Sociology,* “The Policy Road to Socialism,” Sage Online] --- UM Debate

David Calnitsky, Published August 8, 2021

I do not, however, think that the revolutionary road is implausible. Rather, it is impossible, at least inside the rich capitalist democracies. And between the implausible and the impossible the choice is clear.

Again, this can be framed as an empirical hypothesis: You do not see revolutions in developed capitalist democracies. As Przeworski and Limongi (1997) have written, there has never been a revolution in a moderately middle-class democracy (see also Przeworski, 2019). Drawing on a thousand years of data, cumulatively collected across 37 democratic countries, they show that not one had collapsed with a per-capita GDP higher than that of Argentina in 1976. Among countries with half that figure, collapse was exceedingly rare. Even a modest GDP brings with it an enormous amount of regime stability. These data in fact include any kind of regime collapse; narrowing the data to socialist revolution makes the empirical case against it even more impressive. Any case for revolution must begin by acknowledging rather than ignoring this evidence.

To look at this question in a different way, I draw on the Cross-National Time-Series Data Archive, which contains information on revolutions (rather than government collapse) for over 200 countries since 1919. Their definition of revolution is very broad (see footnote 7) and includes “attempts” to overthrow government as well as “unsuccessful” rebellions. The data were compiled from newspaper sources and warrants caution, but nonetheless constitutes the most systematic evidence available for these questions. In Figure 9, I present the GNP per capita distribution of revolutions, from 1919, where GNP is first available, to the present. By considering only those country-years with revolutions I reduce the observation count from 17,520 to 184. Unlike Przeworski, I do not further restrict the data to democracies. The graph displays an extreme skew: The vast, overwhelming majority of cases of revolutionary threat occur in countries with a per capita GNP below $5,000 USD. For reference, the figure for the US in the data is about $65,850 in 2019. The hypothesis above—that we do not see revolutions in developed democracies—seems borne out by the evidence.

figure

Figure 9. Histogram of country-years with revolutions.

Source: Cross-National Time-Series Data Archive. Data drawn from 200 plus countries between 1919 and 2018 are then restricted to country-years (N = 184) in which there were “revolutions,” as well as a “major government crisis” and “anti-government protests.”

Why exactly is this true and what are the mechanisms to explain it? Why is the revolutionary strategy impossible for a country like the US? There are, at bottom, three reasons, each of which stands alone as a sufficient condition to snap the last threads of one’s revolutionary faith.23 The first two suggest that revolution is unachievable, and the last suggests that even if it is achievable, socialism by revolutionary means is unachievable. The revolutionary road is closed on the following grounds:

(1) Workers do not want it

(2) Capitalists would sooner grant reforms

(3) A smashed state is more likely to result in tyranny than deep democracy

Not only has there never been a successful revolution in a developed democracy, there has never been a working class that has wanted one (e.g. Erikson and Tedin, 2015; Sassoon, 1996).24 There are no clear cases where the dominant inclination of the working class in a developed democracy was revolutionary. Recall that the above graph also includes attempts and unsuccessful cases. It is self-evident that workers have not joined revolutionary groups en masse at any point in the context of a rich democracy. Nor were their aspirations to join such groups thwarted by violence or ideology. When gains inside a capitalist democracy are available—either individual or collective ones, and this has been true even through the neoliberal period, where median living standards have continued to (slowly) go up and not down—it is not worth risking everything for an uncertain future (Thewissen et al., 2015).25 More important than the dynamic point is the static one: When standards of living are moderately high, as shown in Figure 9, the modal worker has more to lose than her chains. This is not an argument against socialism; but to revise Werner Sombart, the life raft of revolution really was shipwrecked on shoals of roast beef and apple pie.

Therefore, the reasons workers are not revolutionary are materialist in character. Explaining their reformist politics does not require appeal to venal trade union leaders or false consciousness. Most people wish to minimize risk in their lives, and revolution involves taking on colossal risks. For example, home-ownership in the developed world hovers around 70%; this means that a lot of people have a lot to lose.

By contrast, the materialist case for revolution proposes that people favor it when their expected post-revolutionary standards of living are greater than their current standard (Roemer, 1985). But when we add moderate risk- and loss-aversion the calculation changes (Kahneman and Tversky, 1991). Say you have a low income, but own a few assets, maybe a house, a car, and perhaps you also have a child; what risk profile would you require to gamble your modest holdings for an uncertain future which might be better but might be worse? Even if you are certain that the probability of better is greater than the probability of worse, you have to envision workers as a class of inveterate gamblers to take the bet. Moderately cautious people who prefer a bird in the hand will still view the downside risk as too great. Equal gains and losses are not experienced equally. This is the loss aversion phenomenon. But the assumption of a population confident about improved standards of living—and a willingness to take risky strategies to achieve them—is itself unwarranted. This is the risk aversion phenomenon. The modal worker is of course correct to suspect that her post-revolutionary welfare is uncertain; socialists after all do not have satisfactory answers to the problems of coordination, motivation, and innovation under socialism (for attempted answers that are provocative and oftentimes brilliant, see Albert, 2004; Cottrell and Cockshott, 1992; Corneo, 2017; Roemer, 1994; and Wright and Hahnel, 2016). When one compares the status quo to a future where both heaven and hell are seemingly plausible, it is perfectly rational that people everywhere would abandon the barricades. And abandon them they did.

Now perhaps the revolutionaries have persuaded us that negative outcomes are far-fetched, that we are very confident that revolution will usher in, eventually, the land of milk and honey. It is still the case that in this model the promised land will only be reached after a social breakdown of unknown duration: A complete overhaul in the organization of production will lead to some middle period of deteriorating material welfare as capitalists rapidly exit the economy. This means chaos and uncertainty, but it could also mean war. The interregnum could last a year, but it might last two decades, and however optimistic we are about the end point, we cannot in advance know how long this interim phase will persist. In the meantime, revolutionary enthusiasm will wane, erstwhile supporters will decamp, a “stay-the-course” electoral strategy will be outflanked by competitor parties promising a return to normalcy, and the desire to consolidate gains will make the authoritarian impulse greater. From a materialist perspective, the uncertain passage through what Przeworski (1986) calls the “transition trough” makes the journey less appealing.26

To my mind, these factors explain why all working classes in all developed democracies have been decidedly reformist in orientation. The reason why revolutionary socialism has always been marginal in rich capitalist economies—and will always be outflanked by reform-oriented socialism—is that only the latter consistently deliver high (and usually increasing) standards of living and low (and usually decreasing) levels of risk. As long as the Mad Max world of catastrophic collapse can be avoided, reform-oriented parties will always better capture the enthusiasm of poor and working people.

Thus, when we try to explain the non-revolutionary attitudes of our working-class friends and family, we do not need to lean on the false consciousness account, for there is a more parsimonious materialist explanation. As such, any case for revolution must be non-materialist in character: You can be a materialist or a revolutionary, but not both.

This is the dilemma the revolutionaries must consider: Revolution is only possible when the forces of production are underdeveloped, but it can only be successful when they are sufficiently developed to make socialism (or communism) objectively viable.27 As Elster (1986) has argued, the circumstances under which revolutions spark and succeed never coincide.

What about the capitalists? Under these circumstances, it is reasonable to expect that they will fight far harder against a revolution than they would against reformist drives. Indeed, ignoring the response from capitalists violates Elster’s first law of political rationality: Never assume your opponent is less rational than you. If revolution were the alternative, employers would grant every imaginable reform, from far higher taxes to the rejiggering of power relations in the workplace. In a mugging, most people will surrender their wallet before their life.