# 1NC Octas

## 1

#### Global Innovation is high now despite bumps from COVID.

UN 21 9-20-2021 "Innovation continued despite COVID-19: New UN report" <https://news.un.org/en/story/2021/09/1100362> (United Nations)//Elmer

**According to** the findings of the World Intellectual Property Organization’s (**WIPO**) **latest Global Innovation Index**, (GII) **governments and enterprises** in many parts of the world **scaled up investments in innovation**, **demonstrating** an acknowledgement that **new ideas** are critical for overcoming the pandemic. “We expected a harsh slump in 2020 of around 3 per cent, however, the GII shows **there are reasons to be optimistic… with governments showing foresight and not cutting spending**,” Sacha Wunsch-Vincent, WIPO Composite Indicator Research Section and GII co-editor, said at the launch of the report in Geneva. Uneven impact WIPO warned however that the impact of the crisis has been highly uneven across industries and countries. In its annual ranking of the world’s economies on innovation capacity and output, the GII showed that only a few economies, mostly high income, consistently dominate the ranks. However, the Republic of Korea joined Switzerland, Sweden, the United States, and Britain, to make the top 5 of the GII for the first time in 2021, while four other Asian economies feature in the top 15: Singapore (8), China (12), Japan (13) and Hong Kong, China (14). Selected middle-income economies, including Turkey, Vietnam, India, the Philippines, are also catching up and progress made last year by France (11) and China (12) are confirmed, as both are now knocking at the door of the GII top 10. Showing resilience According to a new GII feature - the Global Innovation Tracker - **technology, pharmaceuticals and biotech industries**, **boosted their investments** during the pandemic **and increased** their research and development (**R&D)** efforts. Top technology companies like Apple, Microsoft and Huawei, increased investment on average about 10 per cent last year, and venture capital investment surged, a trend which is continuing this year, Mr. Wunsch-Vincent said. In contrast, the transport and travel sectors were heavily hit by containment measures and cut back their outlays. The GII 2021 also shows that technological progress at the frontier holds substantial promise, with the rapid development of COVID-19 vaccines being the greatest example. "In spite of the massive impact of the COVID-19 pandemic, many sectors have shown remarkable resilience – especially those that have embraced digitalization, technology and innovation", said WIPO Director General Daren Tang. “As the world looks to rebuild from the pandemic, we know that innovation is integral to overcoming the common challenges that we face and to constructing a better future.” Global innovation landscape The index ranks 132 countries, plus sub-economies such as Hong Kong, and comes a year after WIPO reported that investments in innovation had hit a record high in 2019, showing an average annual profit of 8.5 per cent. Northern America and Europe continue to lead the global innovation landscape, but, the Southeast Asia, East Asia, and Oceania have been the most dynamic in the past decade and are the only regions closing the gap with the leaders. According to the report, China is still the only middle-income economy that makes it to the top 30. Bulgaria (35), Malaysia (36), Turkey (41), Thailand (43), Vietnam (44), the Russian Federation (45), India (46), Ukraine (49), and Montenegro (50), do feature in the top 50. However, only Turkey, Vietnam, India and the Philippines are systematically catching up, Beyond China, these larger economies have the potential to change the global innovation landscape for good, it said. “The GII shows that although emerging economies often find it challenging to steadily improve their innovation systems, a few middle-income economies have managed to catch up in innovation with their more developed peers", former Dean and Professor of Management at Cornell University, Soumitra Dutta said. “**These emerging economies, among other things, have been able to successfully complement their domestic innovation with international technology transfer, develop technologically dynamic services that can be traded internationally, and ultimately have shaped more balanced innovation systems,” he said**.

#### The aff proves they increase Union Power via Collective Bargaining - stronger Union Power decrease Innovation.

Bradley 17, Daniel, Incheol Kim, and Xuan Tian. "Do unions affect innovation?." Management Science 63.7 (2017): 2251-2271. (Department of Finance, University of South Florida, Tampa, Florida)//Elmer

An alternative hypothesis makes the opposite empirical prediction. **Unionization** may **create** **misaligned incentives among employees and impede firm innovation.** There are at least three plausible reasons for such a reduction in innovation. First, because **innovation requires considerable investment** in intangible assets such as research and development (R&D), **contracts** **that** effectively **motivate innovation are almost always incomplete**. **Once** the **investment** has been **made** and the innovation process begins, **workers** may have incentives to expropriate rents by **demanding higher wage concessions**, recognizing that the costs are sunk. This **ex post hold-up problem** on the part of employees in turn **leads to** an ex ante **underinvestment in R&D** (Grout 1984, Malcomson 1997), which **ultimately impedes innovation**. Second, **unionizing** the **workforce** **could encourage shirking** because the negative consequences for supplying less effort are reduced. That is, unionization **reduces** the **probability of dismissal**, so it lowers the cost of shirking and could lead to lower productivity among workers. Third, **unions** **alter** the distribution of worker wages, leading to a reduction in **wage inequality** among workers (Frandsen 2012). To the extent that innovative and talented workers are in demand in the labor market, **reduced wage gaps may force out innovative employees**, which contributes to the decline in innovation in unionized firms. Although the three underlying mechanisms discussed are different, they are all related in the sense that **unionization creates misaligned incentives and impedes innovation.** We refer to the general decline in innovation after unionization stemming from any one or all of these potential consequences as the “misaligned incentives hypothesis.” We test the above two hypotheses by examining whether unions promote or impede firm innovation. Following existing literature that uses patenting data to capture firms’ innovativeness (i.e., Aghion et al. 2005, Nanda and Rhodes-Kropf 2013, Seru 2014), we **use** the number of patents granted to a firm and the number of future citations received by each patent obtained from the National Bureau of Economic Research (**NBER**) Patent Citation database to measure innovation output. The former captures the quantity of firm innovation, and the latter captures the quality of firm innovation. We **collect** union election **results from** the National Labor Relations Board (**NLRB**), which allows us to compare changes in innovation output for firms that elect to become unionized to those that vote against it. The empirical challenge of our study is to identify the causal effect of unionization on firm innovation. A standard ordinary least squares (OLS) approach that regresses innovation output on a unionization variable suffers from potentially severe identification problems. Union election results could be correlated with firm unobservable characteristics that affect firm innovation output (the omitted variable concern) or firms with low innovation potential may be more likely to pass unionization elections (the reverse causality concern). Both problems could make it difficult to draw causal inferences from unionization to innovation. To attempt to establish causality, we use a regression discontinuity design (RDD) that relies on “locally” exogenous variation in unionization generated by these elections that pass or fail by a small margin of votes. This approach compares firms’ innovation output subsequent to union elections that pass to those that do not pass by a small margin. It is a powerful and appealing identification strategy because, for these close-call elections, passing is very close to an independent, random event and therefore is unlikely to be correlated with firm unobservable characteristics. After performing various diagnostic tests to ensure that the key identifying assumptions of the RDD are satisfied, we show that **unionization has a negative effect on firm innovation**. According to our nonparametric local linear regression estimation, passing a union election leads to an **8.7% decline in patent counts** and a **12.5% decline in patent citations** three years after the election. This result is robust to alternative choices of kernels and bandwidths and is absent at artificially chosen thresholds that determine union election outcomes. The negative effect of unionization on innovation is present in both manufacturing (where most unions form) and nonmanufacturing industries, but it is statistically insignificant in firms located in states with right-to-work legislation where unions have less power to expropriate rents. We show that a cut in R&D spending, reduced productivity of current and newly hired inventors, and the departure of innovative inventors are possible underlying mechanisms through which unionization impedes firm innovation. Finally, we find that firms shift innovation activities away from states where union elections are successful.

#### The US is uniquely pre-disposed to drive innovation growth – 5 reasons

Shapiro 16 Gary Shapiro 1-8-2016 "5 Reasons the U.S. Is Great for Innovation" <https://www.usnews.com/opinion/economic-intelligence/articles/2016-01-08/5-reasons-the-us-is-great-for-innovation> (president and CEO of the Consumer Technology Association (CTA)®, the U.S. trade association representing more than 2,200 consumer technology companies, and author of The New York Times best-selling books “Ninja Innovation: The Ten Killer Strategies of the World's Most Successful Businesses” and “The Comeback: How Innovation Will Restore the American Dream.”)//Elmer

FROM STANFORD TO MIT, California's Silicon Valley to Manhattan's Silicon Alley, Kansas City to Austin, the U.S. nurtures innovation **better than anywhere else** in the world. And this week in Las Vegas, you can see firsthand the output of innovation at CES 2016 – the world's gathering place for all who thrive on the business of consumer technologies. So why do the world's leaders in technology travel to Las Vegas every January? What makes our country the go-to source for new products, platforms and ideas? Here are five central elements that set the U.S. apart from the rest of the world as a beacon of innovation: 1. Our First Amendment is at the top of the list. The free speech that this amendment protects enables a robust exchange of opinions and fresh thinking, and with them, new business ideas. An oppressive climate of political correctness on some college and university campuses threatens the free-flowing exchange of ideas that's supposed to be the hallmark of higher education, a critical catalyst for innovation. The lockstep orthodoxy imposed by political correctness is antithetical to innovation. We need to make sure new ideas are realized on our campuses and in our labs. After all, challenging the establishment is a bedrock of American idealism. 2. The culture of American exceptionalism that has graced this nation since our founding encourages risk-taking. In the U.S., more so than anywhere else, success born of risk-taking and innovation is handsomely rewarded, and failure is viewed properly as a tool for learning. Our country's credo of persistence is "If at first you don't succeed, try, try again." Consider Thomas Edison, who said of repeated setbacks in his quest to invent a practical light bulb, "I have not failed. I've just found 10,000 ways that won't work." The U.S. is, and always has been, exceptional in terms of innovation, and the world wants to emulate us. If imitation is the sincerest form of flattery in this regard, China proves the point. As TechCrunch noted, the word "innovation" was mentioned no fewer than 71 times "in a communiqué issued after the Chinese Communist Party's recent plenary meeting, which focused on China's next five-year plan." If Beijing is serious about fostering innovation, it should focus less on five-year plans and allow consumers access to different ideas. 3. We are a nation of immigrants who have come together from all corners of the globe. Immigrating to the U.S. to create a better life is a mindset that encourages our best and brightest, regardless of their backgrounds or birthrights, **to rise to the top**. The diverse histories immigrants bring with them to our shores contribute new perspectives and great ideas. That's why Congress should authorize an increase in the cap on the number of H-1B non-immigrant high-skilled visas that can be issued annually. U.S. companies are hard-pressed to find sufficient numbers of Americans to fill specialty occupations requiring theoretical or technical expertise in the science, technology, engineering and mathematics, or STEM fields. High-skilled immigration-visa reform, such as the SKILLS Visa Act introduced by Reps. Bob Goodlatte, R-Va., and Darrell Issa, R-Calif., would encourage foreign-born, U.S.-educated immigrants to remain here and put their talents to use in the U.S. – a much-needed step toward solving our nation's high-skilled worker shortfall. 4. Our education system values exploration and outside-the-box thinking over rote learning. We teach students to challenge the status quo. We embed innovation into the earliest stages of our education system. And more foreign parents are choosing to send their children to primary and secondary schools here in the U.S. In fact, the number of Chinese K-12 students in the U.S. has spiked 290 percent in the past five years. Today, the U.S. hosts more Chinese K-12 students than those from all other countries in total. And we still attract the world's brightest students to our universities and research institutions. Yes, some countries outperform American students on standardized tests, but these tests are in large part measures of memorization, not creativity. Our students are smart enough to move beyond merely memorizing answers and begin questioning those answers. U.S. students are encouraged to ask not only "Why?" but "Why not?" 5. American public policies have traditionally **favored entrepreneurship**, small businesses and startups. Taxes on capital gains and higher incomes are relatively low compared with other countries, and regulations have generally been light. That has largely allowed for a U.S. economic climate that is hospitable to innovators and innovation. Yet over the past seven years, public policies have shifted to higher taxes, as well as greater regulation and more employer mandates, which can only serve to stymie innovation. The most recent example — and maybe the most absurd — is the Labor Department's mandating substantially higher overtime pay thresholds, which will have the baleful effect that undercapitalized tech startups won't be able to hire ambitious young information-technology grads. That's a lose-lose proposition for innovative businesses and the talented people who want to work for them. Equally troublesome, Congress has failed to enact badly needed patent-law reform legislation. The Innovation Act in the House and the PATENT Act in the Senate — both of which have strong, bipartisan support — would curb the toll on economic innovation inflicted to the tune of $1.5 billion a week by frivolous patent-infringement lawsuits or threats of suits from patent-assertion entities, more commonly referred to as patent trolls. Congress should resolve in the New Year to finally enact patent-law reforms. The synergy of our First Amendment, commitment to questioning the status quo, and diverse, entrepreneurial ethos are what set the U.S. apart from other countries. With a new administration coming to Washington in 2017, let's hope the U.S. policy pendulum swings back from the current heavy-handed state of overregulation to a renewed embrace of this country's fundamental freedom to innovate. The world will be watching — and perhaps **following our lead**.

#### Strong Innovation solves Extinction.

Matthews 18 Dylan Matthews 10-26-2018 “How to help people millions of years from now” <https://www.vox.com/future-perfect/2018/10/26/18023366/far-future-effective-altruism-existential-risk-doing-good> (Co-founder of Vox, citing Nick Beckstead @ Rutgers University)//Re-cut by Elmer

If you care about improving human lives, you should overwhelmingly care about those quadrillions of lives rather than the comparatively small number of people alive today. The 7.6 billion people now living, after all, amount to less than 0.003 percent of the population that will live in the future. It’s reasonable to suggest that those quadrillions of future people have, accordingly, hundreds of thousands of times more moral weight than those of us living here today do. That’s the basic argument behind Nick Beckstead’s 2013 Rutgers philosophy dissertation, “On the overwhelming importance of shaping the far future.” It’s a glorious mindfuck of a thesis, not least because Beckstead shows very convincingly that this is a conclusion any plausible moral view would reach. It’s not just something that weird utilitarians have to deal with. And Beckstead, to his considerable credit, walks the walk on this. He works at the Open Philanthropy Project on grants relating to the far future and runs a charitable fund for donors who want to prioritize the far future. And arguments from him and others have turned “long-termism” into a very vibrant, important strand of the effective altruism community. But what does prioritizing the far future even mean? The most literal thing it could mean is preventing human extinction, to ensure that the species persists as long as possible. For the long-term-focused effective altruists I know, that typically means identifying concrete threats to humanity’s continued existence — like unfriendly artificial intelligence, or a pandemic, or global warming/out of control geoengineering — and engaging in activities to prevent that specific eventuality. But in a set of slides he made in 2013, Beckstead makes a compelling case that while that’s certainly part of what caring about the far future entails, approaches that address specific threats to humanity (which he calls “targeted” approaches to the far future) have to complement “broad” approaches, where instead of trying to predict what’s going to kill us all, you just generally try to keep civilization running as best it can, so that it is, as a whole, well-equipped to deal with potential extinction events in the future, not just in 2030 or 2040 but in 3500 or 95000 or even 37 million. In other words, caring about the far future doesn’t mean just paying attention to low-probability risks of total annihilation; it also means acting on pressing needs now. For example: We’re going to be better prepared to prevent extinction from AI or a supervirus or global warming if society as a whole makes a lot of scientific progress. And a significant bottleneck there is that the vast majority of humanity doesn’t get high-enough-quality education to engage in scientific research, if they want to, which reduces the **odds that we have enough trained scientists to come up with the breakthroughs** we need as a civilization to survive and thrive. So maybe one of the best things we can do for the far future is to improve school systems — here and now — to harness the group economist Raj Chetty calls “lost Einsteins” (potential innovators who are thwarted by poverty and inequality in rich countries) and, more importantly, the hundreds of millions of kids in developing countries dealing with even worse education systems than those in depressed communities in the rich world. What if living ethically for the far future means living ethically now? Beckstead mentions some other broad, or very broad, ideas (these are all his descriptions): Help make computers faster so that people everywhere can work more efficiently Change intellectual property law so that technological innovation can happen more quickly Advocate for open borders so that people from poorly governed countries can move to better-governed countries and be more productive Meta-research: improve incentives and norms in academic work to better advance human knowledge Improve education Advocate for political party X to make future people have values more like political party X ”If you look at these areas (economic growth and technological progress, access to information, individual capability, social coordination, motives) a lot of everyday good works contribute,” Beckstead writes. “An implication of this is that a lot of everyday good works are good from a broad perspective, even though hardly anyone thinks explicitly in terms of far future standards.” Look at those examples again: It’s just a list of what normal altruistically motivated people, not effective altruism folks, generally do. Charities in the US love talking about the lost opportunities for innovation that poverty creates. Lots of smart people who want to make a difference become scientists, or try to work as teachers or on improving education policy, and lord knows there are plenty of people who become political party operatives out of a conviction that the moral consequences of the party’s platform are good. All of which is to say: Maybe effective altruists aren’t that special, or at least maybe we don’t have access to that many specific and weird conclusions about how best to help the world. If the far future is what matters, and generally trying to make the world work better is among the best ways to help the far future, then effective altruism just becomes plain ol’ do-goodery.

## 2

#### The Court is stimulating massive backlash over partisanship BUT liberal civil rights rulings pacify opposition.

Dr. Bruce Peabody 20, Professor of American Politics, Fairleigh Dickinson University, PhD in Government from the University of Texas at Austin, “How the Supreme Court can maintain its legitimacy amid intensifying partisanship”, The Conversation, https://theconversation.com/how-the-supreme-court-can-maintain-its-legitimacy-amid-intensifying-partisanship-148126

How courts can reinforce their standing While recent polling finds an uptick in the percentage of Americans who approve of “the way the Supreme Court is handling its job,” the general trend line shows a public that has, according to the FiveThirtyEight news site, “slowly become more disillusioned” with the high court over the past three decades. But should anyone care? Isn’t the very purpose of an independent judiciary to make its decisions with little regard for public opinion and what Alexander Hamilton called the “ill humors in the society”? The truth is, the courts need public support. Judges depend upon national and local officials to uphold their opinions, such as clerks issuing marriage licenses to same-sex couples. Law enforcement officials are required by the Supreme Court to provide certain suspects with Miranda warnings. And if the people on the losing end of court decisions believe judges are unfairly appointed and partisan, they may dismiss their judgments as illegitimate. That threatens the sense of unity and stability that Chief Justice John Roberts has said the judiciary must provide in our polarized age. Fortunately, research points to several ways courts can bolster their standing, so that when they inevitably issue controversial decisions they can withstand the ensuing storm. People, for example, are more likely to accept unfavorable judgments if they experience procedural justice – the fairness and transparency through which decisions are made. They may not like a case outcome, but they’ll go along with it if they approve of how the dispute was handled. Courts can protect procedural justice and their legitimacy by making sure each party in a case has a chance to present its story and by emphasizing respect from not only judges but clerks and other court personnel. Of course, these strategies aren’t as relevant for the millions of people who don’t have direct experience with our legal system. But judges can still reach these Americans by conveying the degree to which many decisions seem to uphold principles of law rather than giving vent to ideological beliefs. Closely divided Supreme Court decisions like the 2012 ruling upholding the Affordable Care Act, or the more recent June Medical Services v. Russo case – which struck down a Louisiana law requiring abortion providers to have admitting privileges at nearby hospitals – draw lots of attention. But it turns out that unanimous decisions on the Supreme Court are far more common. Since 2000, approximately 36% of all cases were decided 9-0. During that same span, 19% were decided 5-4. More bluntly, courts can continue to get support from ideological and partisan skeptics if these individuals can recognize victories along with their losses. Recent decisions upholding the civil rights of LGBTQ employees, for example, may blunt liberal frustration over the court’s voting rights cases, such as Shelby County v. Holder, which significantly limited the reach of the Voting Rights Act of 1965. In our closely divided and polarized era, the Supreme Court can maintain some of its legitimacy by continuing to issue what law professor Tara Leigh Grove calls “a mix of conservative and progressive decisions in high-profile cases.”

#### A Right to Strike is perceived as a key Liberal Ruling.

Lim 19 Woojin Lim 12-11-2019 "The Right to Strike" <https://www.thecrimson.com/article/2019/12/11/lim-right-to-strike/> (Philosophy BA at Harvard)//Elmer

**Strikes** are not only a means of demanding and achieving an **adequate provision of** basic **liberties** but also are themselves intrinsic, self-determined expressions of freedom and human rights. The exercise of the p**ower to strike affirms** a **quintessential** corpus of **values** **akin to liberal democracies**, notably those of dignity, liberty, and autonomy. In acts of collective defiance, strikers assert their freedoms of speech, association, and assembly. Acts of striking, marching, and picketing command the attention of the media and prompt public forums of discussion and dialogue.

#### That prevents Democratic court packing.

D. Benjamin Barros 20, Dean and Professor of Law at the University of Toledo School of Law, “How the Democrats can pack the court and de-escalate at the same time”, The Hill, https://thehill.com/opinion/judiciary/520190-how-the-democrats-can-pack-the-court-and-de-escalate-at-the-same-time

We may have reached a degree of disfunction that will force a fundamental change: Increasing the number of justices on the United States Supreme Court, or packing the court.

Democrats will be outraged if Republicans move forward with filling the vacancy caused by the death of Justice Ruth Bader Ginsburg so close to the election after refusing to bring President Obama’s nomination of Merrick Garland to a vote in 2016. In response to a potential election-year confirmation of President Trump’s anticipated nominee, Democrats are openly discussing packing the court if Joe Biden wins the presidency and Democrats win both houses of Congress in the November election.

Packing the court is remarkably easy to do legislatively. A bill increasing the number of seats on the court simply needs to pass both houses of Congress and be signed by the president. The Constitution does not proscribe the number of justices, and in our history we have had both fewer and more than nine members of the court at any given time.

The big impediment to court packing is political. Historically, packing the court would have been seen as a major violation of political norms that might in turn expose the party making the change to losses in the next election. In light of the Republican flip-flop on seating a justice in an election year, court packing by the Democrats would likely to be seen as par for the course, rather than particularly norm-breaking.

#### Court packing prevents extinction from environmental tipping points like warming---AND independently solves: CJR, democracy collapse and reproductive rights.

Jay Willis 20, J.D. from Harvard Law School, B.A. in Social Welfare from the University of California, Berkeley, Senior Contributor, The Appeal at The Justice Collaborative, “Expanding the Supreme Court is Not Radical”, The Appeal, https://theappeal.org/expand-the-supreme-court/

A 6-3 Republican Court whose life-tenured members are openly hostile to preserving reproductive rights, addressing climate change, protecting the environment, safeguarding the civil rights of minority groups, and holding free and fair elections is “radical” because it is wildly out of touch with the hundreds of millions of people whose lives their decisions will control. This Court is not a check or a balance. It is a hostage situation. The Court’s faults, however, extend far beyond the particular group of justices who currently sit on it. This institution charges nine wealthy attorneys, trained at the same tiny circle of law schools, with the herculean task of privately negotiating uneasy resolutions to America’s most contentious disputes. (Barrett, who graduated from Notre Dame Law School in 1997, would be the first justice who did not attend Yale, Stanford, or Harvard law schools to be confirmed since the Ford administration.) Every sudden vacancy kicks off months of frenzied partisan warfare, replete with breathless, competing prognostications about how a nominee, who is careful to say nothing of substance, may or may not rule on some hypothetical high-stakes case. It is a patently ridiculous system of governance, and you would immediately recognize it as such if not for the fact that this is the way we’ve always done it. Granted, the Founders likely never envisioned the justices becoming as powerful as they are today. The Constitution has surprisingly little to say about the Supreme Court beyond its existence and its members’ subjectively-defined terms of office (“during good Behaviour”). The Court’s power of judicial review, which allows it to strike down laws that conflict with the Constitution, appears nowhere in the text; it is the brainchild of Chief Justice and legendary power-grabber John Marshall, who basically created it out of whole cloth in 1803. Since then, the judiciary has continued to siphon power from the politically accountable branches of government, whose members have been increasingly happy to foist seemingly intractable problems on judges who answer to no one. Rather than answer hard questions or take tough votes or commit to convincing people of the merits of their policy preferences, lawmakers can instead pour themselves into the task of empowering like-minded jurists who (they hope) will implement those preferences by judicial fiat, solemnly asserting that the law compels a particular result—one that just so happens to comport with their personal beliefs. This feature of the federal judiciary, as New York Magazine’s Eric Levitz writes, is extremely valuable for Republicans, because it gives a party in decline the chance to nevertheless implement an unpopular policy agenda, all while flying largely under the political radar. (This feature of the federal judiciary also explains why conservatives have invested far more resources over the years to seize control of it.) Judges have slowly transformed into an entrenched cadre of robe-clad superlegislators, where the balance of power can hinge on something as arbitrary as which octogenarian lawyer decides to retire at the right moment or happens to die at the wrong one. Such a small, insular system is extremely vulnerable to exploitation and gamesmanship, especially if the side playing the game more strategically also gets a little lucky along the way. The precise timing of Ginsburg’s death may have been a fluke, but the crisis that ensued is not; it is a foreseeable result of the Court’s fundamental brokenness. Life tenure also meant something very different 230 years ago than it does today, as savvy investments in young, loyal talent can pay off over the course of multiple generations. My daughter will be born this November. When Barrett is 87—the age at which Justice Ginsburg died—my daughter will be thinking about celebrating her 40th birthday. The modern Court is functionally a conservative oligarchy on the verge of swallowing whatever remains of representative democracy, hoping you won’t notice. The Court-packing battle is just one of many debates in which reactionaries weaponize terms like “radical” to obfuscate the urgency of change. Which of these is more dangerous, more destabilizing, more harmful: reducing the legal system’s dependence on a failed mass incarceration system, or continuing to blow hundreds of billions of dollars to put people in cages instead? What strikes you as “illegitimate”: disbanding police departments, or investing even more money in an ineffective public safety regime that cannot stop killing Black and brown people? Relative to the status quo, enacting a Green New Deal might feel “radical.” Relative to the impending heat death of the planet hastened by decades of unchecked human greed, attempting to decarbonize the U.S. economy by 2050 is, I would argue, actually kind of modest. Should Democrats capture the White House and the Senate this fall—and then have the courage to use the power Americans entrust to them—expanding the Court will be a lot of things. It will be significant. It will be groundbreaking. But it will not be “radical,” because confronting an existential crisis that threatens to hollow out democracy is exactly what people should expect their government to do.

## 3

#### Interp: If the affirmative defends anything other than “Resolved, a just government ought to recognize an unconditional right of workers to strike” then they must provide a counter-solvency advocate for their specific advocacy in the 1AC. (To clarify, you must have an author that states we should not do your aff, insofar as the aff is not a whole res phil aff)

#### Violation

#### Prefer

#### 1. Limits – there are infinit e things you could defend outside the exact text of the resolution which pushes you to the limits of contestable arguments, even if your interp of the topic is better, the only way to verify if it’s substantively fair is proof of counter-arguments. Nobody knows your aff better than you, so if you can’t find an answer, I can’t be expected to. Our interp narrows out trivially true advocacies since counter-solvency advocates ensure equal division of ground for both sides.

#### 2. Research – Forces the aff to go to the other side of the library and contest their own view points, as well as encouraging in depth-research about their own position. Having one also encourages more in-depth answers since I can find responses. Key to education since we definitionally learn more about positions when we contest our own.

#### Education is a voter since it is the only portable and durable skill that influences our subject formation. Fairness is a voter since a] debate is a game, competition equity matters proven by desire for wins, b] is worthless without rules and equal access.

#### Drop the debater – a] deters future abuse through a loss and b] set better norms for debate since you are less likely to repeat a practice you can lose for

#### Competing interps – [a] reasonability is arbitrary and encourages judge intervention since there’s no clear model of debate, [b] it creates a race to the top where we create the best possible norms for debate through offense [c] offense defense paradigm is the best method for evaluation since you can compare benefits under both interps easier.

#### No RVIs – a] illogical, you don’t win for proving that you meet the burden of being fair, if logic isn’t true then you should hack against them, b] RVIs incentivize baiting theory and prepping it out which leads to maximally abusive practices

## 4

#### Interpretation—the affirmative may not specify a just government in the plan text

#### Violation – They specify \_\_\_\_\_

#### Vote negative, they allow hundreds of affs—one for every single state—they could defend the US, China, Russia, Israel, Iran, Canada, India, UK, Hungary, Yemen, or anyone else that doesn’t have a RTS—the aff will always be over-prepared against negs who have to prep against numerous tiny affs. Two impacts –

**1] Limits – it explodes the amount of affs from one country which makes neg prep terminally impossible against 10s of affs with tangential labor laws – they’ll say that 10 isn’t too much but core topic lit means that they can cut tiny advantages with little negative topic lit zapping da links and cp competition. Their aff doesn’t change with a plan text, proves competitive merit drives decision making—can’t stop PICs, the only PICs that exist are about a sector of employees which broadly exist among any aff**

#### 2] Clash- specifying scenarios lets affs spike out of core, reduction-based disads like Bizcon and Small Businesses. Links are already non-existent on this topic – letting affs specify further makes it even narrower

**3] TVA solves, defend a whole res aff with the advantages, solves all of your offense**

#### 1] [their aff]

#### 2] EU

Graphical user interface, text, application

Description automatically generated

#### 3] Germany

Graphical user interface, application, Word

Description automatically generated

#### 4] EgyptGraphical user interface, text, application Description automatically generated

#### 5] India Graphical user interface, text, application, Word Description automatically generated

#### 6] China

Graphical user interface, text, application

Description automatically generated

#### 7] US

Graphical user interface, application, Word

Description automatically generated

#### 8] Brazil

Graphical user interface, text, application

Description automatically generated

#### 9] Kazakhstan

Graphical user interface, text, application, Word

Description automatically generated

## 5

#### The role of the ballot is to determine whether the resolution is a true or false statement – their framing collapses since you must say it is true that a world is better than another before you adopt it.

#### They justify substantive skews since there will always be a more correct side of the issue but we compensate for flaws in the lit.

#### Most educational since otherwise we wouldn’t use math or logic to approach topics. Scalar methods like comparison increases intervention – the persuasion of certain DA or advantages sway decisions – T/F binary is descriptive and technical.

#### The ballot says vote aff or neg based on a topic – five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true which means it’s constitutive and jurisdictional, that outweighs since it’s a procedural question it questions whether the judge should go outside the scope of the game

#### 1] a[[3]](#footnote-3) “used when expressing rates or ratios; in, to, or for each; per” but there are no numbers in the rez

#### 2] just[[4]](#footnote-4) describes what is “(of treatment) deserved or appropriate in the circumstances” but the res doesn’t specify circumstances

#### 3] government[[5]](#footnote-5) is “direction; control; management; rule” but a direction can’t perform an action

#### 4] to[[6]](#footnote-6) is to “expressing motion in the direction of (a particular location)” but the rez doesn’t have a location

#### 5] recognize[[7]](#footnote-7) is to “(of a person presiding at a meeting or debate) call on (someone) to speak” but a right can’t speak

#### Paradox of tolerance- to be completely open to the aff we must exclude perspectives that wouldn’t be open to it which makes complete tolerance impossible.

#### 3] Decision Making Paradox- We need a decision-making procedure to enact the aff, but to choose a procedure requires another meta level decision-making procedure and so forth leading to infinite regress.

#### 4] The Place Paradox- if everything exists in a place, that place must have a place that it exists in and so forth. Therefore, identifying ought statements is impossible since it assumes the space-time continuum.

#### 5] Grain Paradox- One grain falling makes no sound, but a thousand grains make a sound. A thousand nothings cannot make something which means the physical world is paradoxical.

#### 6] Arrows Paradox- If time is divided into 0-duration slices, no motion is happening in each of them, so taking them all as a whole, motion is impossible.

#### 7] Bonini’s Paradox- As a model of a complex system becomes more complete, it becomes less understandable and vice versa; therefore, no model can be useful.

## 6

#### Permissibility and presumption negate

#### 1] Obligations- the resolution indicates the affirmative has to prove an obligation, policies require positive justification and permissibility would deny the existence of an obligation.

#### 2] Falsity- Statements are more often false than true because proving one part of the statement false disproves the entire statement. Presuming all statements are true creates contradictions which would be ethically bankrupt.

#### 3] Negating is harder – A] Aff gets first and last speech which control the direction of the debate B] Affirmatives can strategically uplayer in the 1ar giving them a 7-6 time skew advantage, splitting the 2nr C] They get infinite prep time

#### 4] Affirmation theory- Affirming requires unconditionally maintaining an obligation

Affirm [is to]: maintain as true.

That’s Dictionary.com- “affirm” https://www.dictionary.com/browse/affirm

#### Skepticism negates

#### 1] Resolution can never be true because the aff has to prove they prescribe an obligatory moral action as indicated by ought, but the fallibility of moral actions negates textually, it makes no sense to affirm if the word ought in the resolution is unachievable

#### 2] Aff has 100% burden of proof, agents are categorically bound by your framework, if we don’t fulfill obligation under that then we are acting immorally since we are omitting. Those ethical obligations have to be 100% correct and have a 100% certainty behind them because ethical theories will collapse if obligations can be contingent

#### Every reason is equally as violent in its creation.

**Derrida,** Jacques Derrida, “Force of Law: The Mystical Foundation of Authority” //Massa

But **justice,** however unpresentable it may be, doesn't wait.· It **is that which must not wait.** To be direct, simple and brief, let us say this: **a just decision is always required immediately, "right away." It cannot furnish itself with** infinite information and the **unlimited knowledge of conditions,** rules or hypothetical imperatives **that could justify it.** And **even if it did** have all that at its disposal, even if it did give itself the time, all the time and all the necessary facts about the matter, **the moment of decision,** as such, **always remains a finite moment of urgency** and precipitation, since it must not be the consequence or the effectof this theoretical or historical knowledge, of this reflection or this deliberation, **since it always marks the interruption of the** juridico- or ethico- or politico-**cognitive deliberation that precedes it,** that must precede it. The instant of decision is a madness, says Kierkegaard. This is particularly true of the instant of the just decision that must rend time and defy dialectics. It is a madness. **Even if time** and prudence,the patience of knowledge and the mastery of conditions **were** hypothetically **unlimited, the decision would be structurally finite,** however late it came, decision of urgency and precipitation, **acting in** the night of **non-knowledge and non-rule**

#### Objective knowledge of the external world is epistemically nonsensical.

**Neta**, Ram. “External World Skepticism.” The Problem of The External World, **2014**, philosophy.unc.edu/files/2014/06/The-Problem-of-the-External-World.pdf. //Massa recut CVHS SR

You take yourself to know that you have hands. But notice that, **if you do have hands**, then **you are not merely a brain** floating **in a vat of nutrient fluid and being electrochemically stimulated to have the sensory experiences** that you have now: such a brain does not have hands, but you do. So if you know that you do have hands, then you must also be in a position to know that you are not such a brain. But **how could you know that you are not such a brain? If you were such a brain, everything would seem** exactly **as it does now**; **you would** (by hypothesis) **have all** the same **sensory experiences** that you’re having **right now**. Since your **empirical knowledge of the world** around you **must somehow be based upon your sensory experiences, how could these experiences**—the very same experiences that you would have if you were a brain in a vat—**furnish you with knowledge that you’re not such a brain? And if you don’t know that you’re not such a brain, then you cannot know that you have hands.**

## 7

#### Reject 1AR Theory arguments – 1) double bind – either you can put minor ink next to answer of my responses and extend your arguments to auto-win or the judge has to intervene to see if the 2ar answers to the 2n are good enough. Intervention o/w since it takes the round out of debater’s hands 2) they have 2 speeches on theory while I have 1 which means they can structurally preempt my answers and respond to them and I can’t do either 3) they have 1 more minute on the theory debate due to a 7-6 skew which o/w since theory is mainly about substance

#### 1AR theory is drop the argument – they can initiate theory in the aff and the 1ar which means they have 2 speeches to devastate the 1n with no risk auto-loss issues.

#### All theory paradigm issues the aff thinks are good must be in the 1ac since they have 1 more speech than me on theory so they should take a stance sooner so I don’t have to answer all of them in one speech while they can go for them in multiple – 2n issues are reciprocally answered by the 2ar.

#### We made an active choice with 1NC strategy because the UV wasn’t read and anything else would be new 1AR arguments which is incoherent

1. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-1)
2. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-2)
3. <https://www.google.com/search?q=a+definition&rlz=1C1CHBF_enUS877US877&oq=a+definition+&aqs=chrome..69i57j69i64l3j69i60l2j69i61.1923j0j7&sourceid=chrome&ie=UTF-8> //Xu [↑](#footnote-ref-3)
4. <https://www.google.com/search?q=just+definition&rlz=1C1CHBF_enUS877US877&oq=just+defi&aqs=chrome.0.69i59j69i57j69i60l3.1304j0j7&sourceid=chrome&ie=UTF-8> //Xu [↑](#footnote-ref-4)
5. <https://www.dictionary.com/browse/government> //Xu [↑](#footnote-ref-5)
6. <https://www.google.com/search?q=to+definition&rlz=1C1CHBF_enUS877US877&oq=to+definition&aqs=chrome..69i57j69i60l3.1415j0j7&sourceid=chrome&ie=UTF-8> //Xu [↑](#footnote-ref-6)
7. <https://www.google.com/search?q=recognize+definition&rlz=1C1CHBF_enUS877US877&oq=recognize+definition&aqs=chrome..69i57.4104j0j7&sourceid=chrome&ie=UTF-8> //Xu [↑](#footnote-ref-7)