## Off

### 1NC – DA

#### Build Back Better passes now

**Tasolides et al 11-5** [Justin Tasolides, Breanne Deppisch and Spectrum News Staff] “House passes $1 trillion bipartisan infrastructure bill: 'A monumental step forward as a nation'” Spectrum News, [https://spectrumlocalnews.com/nc/coastal/news/2021/11/05/biden-social-climate-bill-congress 11-5-21](https://spectrumlocalnews.com/nc/coastal/news/2021/11/05/biden-social-climate-bill-congress%2011-5-21) RE

Progressives agreed to pass the smaller bill Friday night, while moderates pledged to back the larger $1.85 trillion Build Back Better bill later this month, provided official estimates of the cost via the Congressional Budget Office are in line with expectations.

"We commit to voting for the Build Back Better Act, in its current form other than technical changes, as expeditiously as we receive fiscal information from the Congressional Budget Office – but in no event later than the week of November 15th," the group of five moderates wrote.

Asked Saturday about the future of his Build Back Better legislation, Biden told reporters, "Let me be clear: We will pass this in the House. And we will pass it in the Senate."

Biden declined to say whether moderate Democrats had given him any assurances that they plan to approve the spending package, saying only, "I'm not going to answer that question … but I feel confident we will have enough votes."

The infrastructure bill, which passed the Senate in August with significant bipartisan support, includes $550 billion in new spending, focusing on “hard” infrastructure projects, like roads, bridges, airports, clean water and expanding broadband internet access.

The bipartisan bill will be funded largely by repurposing other money, including unused COVID-19 relief funds, as well as other revenue streams and spending cuts. An analysis from the Congressional Budget Office projected that it could add $256 billion to projected deficits over the next decade.

The House also voted late, along party lines (221-213) on a rule to end debate on the 10 year, allowing for a vote on President Biden's $1.85 trillion Build Back Better act the week of Nov. 15. The bill would boost health and family programs and devote $550 billion to climate initiatives, the largest legislative investment to combat the climate crisis in history.

"I’m also proud that a rule was voted on that will allow for passage of my Build Back Better Act in the House of Representatives the week of November 15th," Biden wrote in his statement.

"The Build Back Better Act will be a once-in-a-generation investment in our people," he continued. "It will lower bills for healthcare, child care, elder care, prescription drugs, and preschool. And middle-class families get a tax cut."

"This bill is also fiscally responsible, fully paid for, and doesn’t raise the deficit. It does so by making sure the wealthiest Americans and biggest corporations begin to pay their fair share and doesn’t raise taxes a single cent on anyone making less than $400,000 per year."

"Generations from now, people will look back and know this is when America won the economic competition for the 21st Century," Biden said.

#### Manchin’s broadly opposed to strike activity – plan causes a fight

Furman & Winant 10/17/21 [Jonah Furman is a labor movement organizer and writer for Labor Notes based in Maryland. Gabriel Winant is an assistant professor of history at the University of Chicago. He is the author of “The Next Shift: The Fall of Industry and the Rise of Health Care in Rust Belt America.” "The John Deere Strike Shows the Tight Labor Market Is Ready to Pop." https://theintercept.com/2021/10/17/john-deere-strike-labor-market/]

In terms of strike activity, the current private sector wave picks up where the teachers left off, after an interlude of relative inaction during the height of the pandemic. In 2020, moreover, teachers formed the first major group of workers to refuse to accept whatever terms the employer dictated for reopening the workplace. It is difficult to imagine teachers speaking out against returning to work in unsafe conditions as much as they did without the national wave of militant teachers’ strikes in the two preceding years. This resistance has now spread across the economy, in both organized and individual forms.

TODAY, WORKERS’ ECONOMIC resistance — whether through organized strikes or in the refusal of dangerous, underpaid, and unappealing jobs — is shaping the political agenda. Many of the policies in the Democrats’ $3.5 trillion budget proposal would pursue the same ends as workers’ actions but in the realm of social policy. Proposed subsidies for home health care and child care, the child tax credit, Medicaid expansion, and investments in housing and green energy would all indirectly support workers’ power. Either by increasing demand for labor further or by alleviating some of the grotesque social pressures that have forced employees to accept whatever terms employers offered them, the federal government would strengthen workers’ bargaining position. When Sen. Joe Manchin, D-W.Va., warns against becoming an “entitlement society,” what he is opposing is the shift in labor market power that such policy measures help secure.

#### Passage allows an unprecedented investment in combatting climate change

Morton 10/28 [Joseph Morton, "Democrats tout climate spending in reconciliation", 10/28/21, https://www.rollcall.com/2021/10/28/framework-includes-clean-energy-tax-credits-omits-methane-fee/]

“At the same time, substantial investments in electric vehicle charging stations and clean heavy-duty vehicles, like school buses, will serve the dual purpose of slashing our carbon emissions while helping American manufacturing stay globally competitive,” Pallone said. Rep. Cindy Axne, D-Iowa, had pushed for funding to support biofuels infrastructure, complaining it was left out of the bipartisan infrastructure bill even as that measure delivered significant funding for electric vehicles. The latest reconciliation package text includes $1 billion over 10 years in funding for the Agriculture Department to provide grants for expanding biofuel pump infrastructure, upgrade existing infrastructure and increase usage of higher blends of ethanol and biodiesel. “Not only does the Build Back Better Act represent the largest investment in clean energy and combating climate change ever — it also confirms that my colleagues have listened to my central argument in our clean energy discussions: biofuels can and should be a part of our fight against climate change,” Axne said in a statement. The White House framework released earlier in the day envisions that $320 billion would be delivered in the form of clean energy tax credits to accelerate the transition from coal and gas-fired power plants to renewable energy sources such as wind turbines and solar panels. That includes incentives for both utilities and residents and support for additional transmission and storage capacity — areas where bottlenecks have hampered the development of renewable energy sources. The framework includes incentives intended to cut the cost for Americans to put rooftop solar panels on their homes and make it easier to purchase electric vehicles. New EV tax credits would lower the cost of a vehicle by $12,500 for a middle-class family, according to the White House. The framework calls for $105 billion for climate resiliency and addressing legacy pollution in communities. For example, a new Clean Energy and Sustainability Accelerator that would invest in climate-related projects around the country would allocate 40 percent of those benefits to disadvantaged communities — part of a pledge the Biden administration has made to deliver climate spending to communities traditionally on the front lines of environmental damage. It also would fund grants to support environmental justice in disadvantaged communities and create a new Civilian Climate Corps with more than 300,000 members working on conservation projects that could help mitigate climate change. The framework includes $110 billion in spending and incentives to boost domestic supply chains supporting solar power and batteries. It also would fund grants, loans and tax credits aimed at moving steel, cement and aluminum industries toward decarbonization. There’s also $20 billion for the government to purchase new technologies such as long-duration storage, small modular reactors and clean construction materials. While the size of the package falls short of initial proposals, some Capitol Hill Democrats declined to say they were disappointed with the climate portion. Sen. Christopher S. Murphy, D-Conn., said he didn’t want to undersell the framework, as it would represent the most significant spending on climate policy since he joined Congress. The fact that climate makes up about one-third of the overall spending shows how much the issue has been elevated within the Democratic Party, he said, and negotiations over bolstering it aren’t finished. “I think there's a number of things that we can still find consensus on that might not be in this agreement. So climate is something you’ve got to work on every single day,” Murphy said. “If we're not passing climate change legislation every year, then we're not doing our job. So this is just one admittedly very big piece of the overall policy puzzle.”

### 1NC – CP

#### CP: The United States federal government should request the International Court of Justice to issue an advisory opinion over whether they should establish an unconditional right to strike. The United States federal government should abide by the outcome of the advisory opinion.

#### Solves – the ICJ will rule in favor of an unconditional right to strike.

Seifert ’18 (Achim; Professor of Law at the University of Jena, and adjunct professor at the University of Luxembourg; December 2018; “The protection of the right to strike in the ILO: some introductory remarks”; CIELO Laboral; http://www.cielolaboral.com/wp-content/uploads/2018/12/seifert\_noticias\_cielo\_n11\_2018.pdf; Accessed: 11-3-2021; AU)

The **recognition of a right to strike** in the legal order of the **International Labour Organization** (ILO) is probably one of the most controversial questions in international labor law. Since the foundation of the ILO in the aftermath of World War I, the recognition of the right to strike as a **core element** of the principle of freedom of association has been discussed in the International Labour Conference (ILC) as well as in the Governing Body and the International Labour Office. As is well known, the ILO, in its long history spanning almost one century, has not explicitly recognized a right to strike: neither Article 427 of the Peace Treaty of Versailles (1919), the Constitution of the ILO, including the Declaration of Philadelphia (1944), nor the Conventions and Recommendations in the field of freedom of association - namely Convention No. 87 on Freedom of Association and Protection of the Right to Organise (1948) - have explicitly enshrined this right. However, the Committee on Freedom of Association (CFA), established in 1951 by the Governing Body, recognized in 1952 that Convention No. 87 guarantees also the **right to strike** as an **essential element of trade** union rights enabling workers to collectively defend their economic and social interests1. It is worthwhile to note that it was a complaint of the World Federation of Trade Unions (WFTU), at that time the Communist Union Federation on international level and front organization of the Soviet Union2, against the United Kingdom for having dissolved a strike in Jamaica by a police operation; since that time the controversy on the right to strike in the legal order of the ILO was also embedded in the wider context of the Cold War. In the complaint procedure initiated by the WFTU, the CFA **recognized** a **right to strike** under Convention No. 87 but considered that the police operation in question was lawful. In the more than six following decades, the CFA has elaborated a **very detailed case law** on the right to strike dealing with many concrete questions of this right and its limits (e.g. in essential services) and manifesting an even more complex structure than the national rules on industrial action in many a Member State. This case law of the CFA has been compiled in the “Digest of Decisions and Principles of the Freedom of Association Committee of the Governing Body of the ILO”3. In 1959, i.e. seven years after case No. 28 of the CFA, the Committee of Experts for the Application of Conventions and Recommendations (CEACR) also recognized the right to strike as **a core element of freedom** of association under Article 3 of Convention No. 874. Since then, the CEACR has **reconfirmed** its view on many occasions. Both CFA and CEACR coordinate their interpretation of Article 3 of Convention No. 875. Hence there is one single corpus of rules on the right to strike developed by both supervisory Committees of the Governing Body. Moreover, the ILC also has made clear in various Resolutions adopted since the 1950s that it considers the **right to strike** as an **essential element of freedom of association6**. On the whole, the recognition of the right to strike resulted therefore from the interpretative work of CFA and CEACR as well as of the understanding of the principle of freedom of association the ILC has expressed on various occasions. It should not be underestimated the wider political context of the Cold War had in this constant recognition of a right to strike under ILO Law. Although the very first recognition of the right to strike -as mentioned above- went back to a complaint procedure before the CFA, initiated by the Communist dominated WFTU, it was the Western world that particularly emphasized on the right to strike in order to blame the Communist Regimes of the Warsaw Pact that did not explicitly recognize a right to strike in their national law or, if they legally recognized it, made its exercise factually impossible; to this end, unions, employers’ associations but also Governments of the Western World built up an alliance in the bodies of the ILO7. In accomplishing their functions, CFA and CEACR necessarily have to interpret the Conventions and Recommendations of the ILO whose application in the Member States they shall control. In so doing, they need to concretize the principle of freedom of association that is only in general terms guaranteed by the ILO Conventions and Recommendations on freedom of association. But as supervisory bodies, which the Governing Body has established and which are not foreseen in the ILO Constitution, both probably do not have the power to interpret ILO law with binding effect8. This is also the opinion that the CEACR expresses itself in its yearly reports to the ILC when explaining that, “its opinions and recommendations are non-binding”9. As a matter of fact, the Governing Body, when establishing both Committees, could not delegate to them a power that it has never possessed itself: nemo plus iuris ad alium transferre potest quam ipse haberet10. According to Article 37(1) of the ILO Constitution, it is within the **competence of the International Court of Justice** to decide upon “any question or dispute relating to the **interpretation of this Constitution** or of any subsequent Convention concluded by the Members in pursuance of the provisions of this Constitution.” Furthermore, the ILC has not established yet under Article 37(2) of the ILO Constitution an ILO Tribunal, competent for an authentic interpretation of Conventions11. However, it **cannot be denied** that this constant interpretative work of CFA and CEACR possesses an **authoritative character** given the high esteem the twenty members of the CEACR -they are all internationally renowned experts in the field of labor law and social security law- and the nine members of the CFA with their specific expertise have. As the CEACR reiterates in its Reports, “[the opinions and recommendations of the Committee] derive their persuasive value from the legitimacy and rationality of the Committee’s work based on its impartiality, experience and expertise”12. Already this interpretative authority of both Committees justifies that **national legislators or courts take into consideration** the views of these supervisory bodies of the ILO when implementing ILO law. Furthermore, the long-standing and uncontradicted interpretation of the principle of freedom of association by CFA and CEACR as well as its recognition by the Member States may be considered as a **subsequent practice** in the application of the ILO Constitution under Article 31(3)(b) of the Vienna Convention on the Law of Treaties (1968): such subsequent practices shall be taken into account when interpreting the Agreement. Their constant supervisory practice probably reflects a volonté ultérieure, since other bodies of the ILO also have **recognized a right to strike** as the two above-mentioned Resolutions of the ILC of 1957 and 1970 as well as the constant practice of the Conference Committee on the Application of Standards to examine **cases of violation** of the right to strike as **examples for breaches of the principle of freedom of association** demonstrate. As this constant practice of the organs of the ILO has not been contradicted by Member States, there is a **strong presumption** for recognition of a right to strike as a subsequent practice of the ILO under Article 31(3)(b) of the **Vienna Convention** on the Law of Treaties.

#### Compliance ensures faith in global democratic institutions – solves nuclear war.

Hawksley ’16 [Humphrey; formerly the BBC’s Beijing Bureau Chief and author of The Third World War: A Novel of Global Conflict and Asian Waters: American, China, and the Global Paradox; 11-19-2016; "Trump makes International Law Crucial for Peace"; Humphrey Hawksley; https://www.humphreyhawksley.com/trump-makes-international-law-crucial-for-peace/; Accessed 4-1-2020; AH]

Major powers tend to reject international law when rulings run counter to their interests insisting that the distant courts carry no jurisdiction. China rejected a Permanent Court of Arbitration’s ruling in July and clings to expansive claims in the South China Sea, including Scarborough Shoal near the Philippines. China’s response mirrored US rejection of a 1986 International Court of Justice ruling against US support for rebels in Nicaragua. “With these stands, both China and the United States weakened a crucial element of international law – consent and recognition by all parties,” writes journalist Humphrey Hawksley for YaleGlobal Online. Disregard for the rule of law weakens the legal system for all. Hawksley offers two recommendations for renewing respect for international law: intuitional overhaul so that the all parties recognize the courts, rejecting decisions only as last resort, and governments accepting the concept, taking a long-term view on balance of power even when rulings go against short-term strategic interests. Reforms may be too late as China organizes its own parallel systems for legal reviews and global governance, Hawksley notes, but international law, if respected, remains a mechanism for ensuring peace. – YaleGlobal LONDON: Flutter over the surprise visit to China by Philippines President Rodrigo Duterte may soon fade. But his abrupt and public dismissal of the United States in favor of China has weakened the argument that international rule of law could underpin a changing world order. The issue in question was the long-running dispute between China and the Philippines over sovereignty of Scarborough Shoal, situated 800 kilometers southeast of China and 160 kilometers west of the Philippines mainland, well inside the United Nations–defined Philippines Exclusive Economic Zone. Despite a court ruling and Duterte’s cap in hand during his October mission to Beijing, Philippine fishing vessels still only enter the waters around Scarborough Shoal at China’s mercy. The dispute erupted in April 2012, when China sent ships to expel Filipino fishing crews and took control of the area. The standoff became a symbol of Beijing’s policy to lay claim to 90 percent of the South China Sea where where it continues to build military outposts on remote reefs and artificially created islands in waters claimed by other nations. Lacking military, diplomatic or economic muscle, the Philippines turned to the rule of law and the Permanent Court of Arbitration in the Hague. A panel of maritime judges ruled China’s claim to Scarborough Shoal invalid in July this year. China refused to recognize the tribunal from the start and declared the decision “null and void,” highlighting the complex balance in the current world order between national power and the rule of law. Beijing’s response mirrored a 1986 US response to Nicaragua’s challenge in the International Court of Justice. The court ruled against the United States for mining Nicaragua’s harbors and supporting right-wing Contra rebels. The United States claimed the court had no jurisdiction. China’s response on the South China Sea ruling mirrors a 1986 US response.With these stands, both China and the United States weakened a crucial element of international law – consent and recognition by all parties. The Western liberal democratic system is being challenged, and confrontations in Asia and Europe, as in Crimea and Ukraine, replicate the lead-up to the global conflicts of last century’s Cold War. As Nicaragua and Central America were a flashpoint in the 1980s, so Scarborough Shoal and South China Sea are one now. Other flashpoints are likely to emerge as China and Russia push to expand influence. Western democracies being challenged by rising powers have a troubled history. The 1930s rise of Germany and Japan; the Cold War’s proxy theaters in Vietnam, Nicaragua and elsewhere; and the current US-Russian deadlock over Syria are evidence that far more thought must be given in the deployment of international law as a mechanism for keeping the peace The view is supported, on the surface at least, by Russia and China who issued a joint statement in June arguing that the concept of “strategic stability” being assured through nuclear weapons was outdated and that all countries should abide by principles stipulated in the “UN Charter and international law.” Emerging power India, with its mixed loyalties, shares that view. “The structures for international peace and security are being tested as never before,” says former Indian ambassador to the UN, Hardeep Singh Puri, author of Perilous Interventions: The Security Council and the Politics of Chaos. “It is everyone’s interest to re-establish the authority of the Security Council and reassert the primacy of law.”

#### Credible ICJ solves Global Conflict

Davis 18, Christina L., and Julia C. Morse. "Protecting trade by legalizing political disputes: Why countries bring cases to the international court of justice." International Studies Quarterly 62.4 (2018): 709-722. (Professor of Government, Harvard University)//Elmer

Over the last seventy years, three broad trends have characterized international politics: an increase in economic interdependence between states, a growing number of international institutions, and a decrease in interstate war. Deepening exchanges between countries make states more vulnerable to disruptions in ongoing cooperation (Keohane and Nye, 1977). This vulnerability creates a demand for international institutions to constrain powerful states and preserve cooperative outcomes. As interdependence and institutionalized cooperation increase, they may be linked to a decrease in war (Mansfield and Pevehouse, 2000; Russett and Oneal, 2001). A significant body of literature tests the relationship between bilateral trade and conflict, with mixed findings.1 Studies also show correlation between membership in international organizations and avoidance of conflict.2 But despite substantial work on this topic, the relationship between economic interdependence, institutions, and conflict remains ambiguous. How does economic interdependence shape political relations between states? In this paper, we examine the impact of economic interdependence on dispute resolution. More specifically, we ask whether trade increases the probability that countries will use the International Court of Justice (ICJ). The ICJ is one of the oldest international courts: established by the Charter of the United Nations in 1945, it began work the following year. Its long history and jurisdiction over many types of disputes make it ideal for analyzing how trade ties affect a country’s decision to seek third party mediation. We find that trade dependence creates demand for the ICJ. As countries develop stronger trading relationships, they are increasingly willing to settle disputes through the Court. This demonstrates a new pathway through which economic interdependence fosters peaceful relations – it encourages states to use legalized forms of dispute settlement. Whereas bilateral mediation efforts often remain secret, when a state files a complaint with the ICJ, it sends a public signal of its peaceful intentions to both governments and economic actors. Through our study of ICJ adjudication, we test how economic interdependence shapes the use of institutions as part of conflict management strategies. At first glance, it seems surprising that countries ever use legal venues to solve disputes. A court cannot change the underlying power distribution between states. Realist theory suggests that international law has no independent power in international affairs. Indeed, the ICJ seems to have been designed with this perspective in mind. For the ICJ to hear a case, both parties to a dispute must either have accepted the jurisdiction of the Court or have agreed to submit the specific dispute to the Court for a judgment. Even after the Court hears a case, states can essentially ignore its ruling since it cannot enforce its judgment. Why would a state bother to file a case under these circumstances? Yet despite these limitations, governments have turned to the ICJ for third-party dispute resolution on a range of issues including territorial claims, political asylum, and environmental damage. Ninety-two countries ranging widely in income and military capacity have participated in 134 ICJ cases since the Court’s inception in 1946. While this represents a small number relative to the total number of economic disputes addressed in the WTO or investment arbitration bodies, it nonetheless constitutes an important area of cooperation. Moreover, if one considers the frequency of usage given a potential dispute, the ICJ record looks strong. For example, perhaps the most common reason that states file cases at the ICJ is due to territorial disputes. Over the period from 1960 to 2000, Huth, Croco and Appel (2011) document 82 unique territorial disputes, and countries filed cases at the ICJ relating to 18 of them – a surprising 22 percent frequency when comparing filed cases to identified potential cases. The ICJ is a significant venue for interstate disputes, forming a key component in the legal structure of the international system. We argue that states use the ICJ to protect trade flows. Intense political disputes create uncertainty, which can depress trade flows. Legal action isolates the problem, minimizing the potential adverse effects on trade flows. Although delegating to an international court is not without costs – states incur high legal fees and risk the possibility of an unfavorable court ruling – these costs are offset by the economic gains from protecting an important trading relationship. Some disputes, of course, have such high stakes that political or strategic costs outweigh all other considerations, just as some trading relationships are so essential that even major disputes will not disrupt ties. On average, however, we argue that governments with higher trade dependence are more likely to decide that gambling on a court decision makes them better off than risking spill-over to trade. Surprisingly, with the exception of studies about economic policy disputes, research on international adjudication has given scarce attention to the role of economic interests. Instead, scholars have emphasized the importance of domestic political institutions, which encourage states engaged in territorial disputes to pursue adjudication as a means to overcome veto players or avoid blame (Simmons, 2002; Allee and Huth, 2006a). Others examine the legal context within a country or specific to the dispute. Mitchell and Powell (2011), for example, pay careful attention to how states view the law, arguing that domestic legal tradition shapes ICJ usage rates. Huth, Croco and Appel (2011) offer a different legal argument, suggesting that the strength of the legal claim shapes a country’s decision to delegate dispute settlement to a legal venue. These theories offer compelling insights, but ignore economic relations. Our theory aims to fill this gap by highlighting the connection between trade and international adjudication. More broadly, understanding the conditions that lead countries to initiate legal action will inform theories about bargaining strategies and conflict behavior (Fang, 2010; Chapman and Wolford, 2010). We assess the empirical implications of our argument through a comprehensive analysis of ICJ filing decisions, and we also revisit research on territorial disputes. We analyze the filing pattern observable in data on more than 190 countries from 1960 to 2013.3 We use several different approaches to identify potential disputes, modeling country characteristics that are associated with the dispute generating process. We first select a politically-relevant sample of countries that are likely to have frequent interaction as neighbors or great powers. Second, we use matching techniques to prune the politically-relevant sample of dyads to a subset with similar propensities for trade. We test our theory by estimating how trade dependence, measured as bilateral trade share of total trade for a potential applicant, changes the likelihood that a state files an ICJ case against its trade partner. Using a logistic regression, we estimate the effect of trade dependence on the probability of filing in a pooled cross-section time series analysis. We also apply conditional logit estimation to focus on variation in selection of respondents among those states that file an ICJ case. The conditional logit estimation helps to control for unobserved variables that may shape a state’s propensity to file cases. Our results show that higher trade dependence increases a country’s likelihood of filing a case against a trade partner. This relationship holds when we examine different sets of potential disputes and control for key variables like contiguity and power asymmetry. We also analyze how trade dependence reduces the likelihood that states use military force to resolve territorial disputes. Data on territorial disputes allows us to examine potential cases where military action looms large as an option for resolving a dispute (Huth, Croco and Appel, 2011). We find that trade dependence shapes a state’s selection of strategy, lowering the likelihood of militarized action. Examining ICJ adjudication and territorial disputes helps to alleviate the concern that an unobservable dyadic measure of political relations generates a spurious relationship between trade and peace.4 By focusing on dispute resolution strategies, we gain insight into an important mechanism by which interdependence changes political relations. Our results demonstrate that trading states are more likely to work out their problems in court and are less likely to exchange fire We argue that countries turn to an international court in order to protect trade flows under conditions of strong economic interdependence. This argument is built on two key assumptions. First, states believe that an international dispute over territory, fishing rights, or another salient issue could harm trade. Second, states view international adjudication as an effective way to end the dispute. Each point merits further discussion as the building blocks for our theory about the economic rationale for turning to law. Given the risk of harm to economic relations and the potential for courts to contribute to conflict resolution, states with high trade value vested in a relationship will be more willing to undertake costly litigation. Extensive debate exists about the relationship between conflict and trade. The premise that conflict disrupts trade is central to the theory of commercial peace. Russett and Oneal (2001) draw on the work of philosopher Immanuel Kant to argue that interdependence deters conflict by raising its costs. According to this line of reasoning, war interrupts trade while peace promotes stable commerce, leading states to calculate that gains of peace are significant compared to the costs of war. Other perspectives focus on the informational role of interdependence to lower uncertainty between states (Reed, 2003). Gartzke, Li and Boehmer (2001) contend economic interdependence allows states to signal their resolve through their willingness to bear economic costs from confrontation.5 A host of empirical studies support the idea that conflict reduces trade (Keshk, Reuveny and Pollins, 2004; Long, 2008). Several potential channels connect trade and conflict, including direct damage to infrastructure and transportation resulting from actual conflict, sanctions policies, and informal discrimination by governments or private actors. In a comprehensive study of data from 1870 - 1997, Glick and Taylor (2010) find that the effect of war on trade is significant and persistent. The negative impact of conflict also extends to foreign direct investment (e.g. Lee and Mitchell, 2012). The negative relationship is not limited to full scale war. Several studies demonstrate that political tensions may also suppress trade (Pollins, 1989; Fuchs and Klann, 2013). In an analysis of the period from 1950 to 1995, Simmons (2005) finds that territorial disputes have a sizable negative impact on trade even in the absence of militarized action. Others suggest states anticipate the potential adverse impact of conflict on trade, and therefore trade less to begin with if they think that war is likely. In such a scenario, the marginal economic costs of war should be insufficient to change a state’s calculation for going to war (Barbieri, 2002; Morrow, 1999). Gowa and Hicks (forthcoming) contend that trade is largely diverted through third party channels, which compensates for having less direct trade with the adversary. In this paper, we assume that leaders and business constituencies on average believe that conflict damages trade relations. Political conflict could lead governments to adopt sanctions against an adversary or to restrict financial flows, and violence is likely to disrupt trading routes and slow the movement of goods from one country to another. Substitution through third parties could alleviate the harm, but this would still increase trade costs. The expected harm to trade underlies the motivation for states to pursue resolution of disputes. When states want to resolve an interstate dispute, why would they choose adjudication rather than negotiations, economic sanctions, or militarized action? In some cases, the decision follows an episode of military conflict as part of an effort to normalize relations. Such a decision may be taken in the immediate aftermath of a conflict or decades later, after a long process of normalization. Indonesia and Malaysia, for example, jointly submitted their territorial dispute over the Sipadan and Ligitan islands to the ICJ in 1998 after three decades of efforts to improve relations following an unofficial war between the countries in the 1960s. In other cases, countries may turn to a legal venue to prevent a problem from ever reaching the stage that could produce serious political tensions or threats of force. Adjudication reshapes the context of diplomatic negotiations. In most disputes, governments pursue negotiations first and only resort to international adjudication when diplomatic avenues have stalled. Initiating legal action reduces outside options as states agree to submit the matter to court proceedings. By taking this step, governments signal both their willingness to forgo the use of force, and their priority to resolve the dispute in a public process. After filing, negotiations often continue alongside the legal procedures, but participants have more information that the matter will neither escalate into violence nor disappear through neglect. The literature offers three broad types of explanations for why states might choose to pursue adjudication: legitimacy, informational benefits, and domestic obstacles to settlement. At the systemic level, international norms have developed to support peaceful conflict resolution over war; these norms are likely to influence the calculations of some states about how to settle disputes. Finnemore and Sikkink (1998) contend that rule of law has come to shape the identity of states, which forms a meta-belief affecting views about appropriate action in both the domestic and international spheres. When international law has been established through fair procedures and offers coherent principles, it forms a legitimate source of authority in international affairs that generates an independent “compliance pull” on state behavior (Franck, 1990). International courts combine both legitimacy and authority as they help states solve specific disputes about how to interpret international law; the growing role for international courts in international affairs represents an important trend (Alter, 2014; Alter, Helfer and Madsen, 2015). This significance of the ICJ is supported by findings that the Court has a relatively high level of compliance with its rulings (Schulte, 2004; Mitchell and Hensel, 2007; Llamzon, 2007; Johns, 2011). Legal settlement can help states coordinate policies and produce more cooperative outcomes through the provision of information. A court ruling offers a focal point amidst uncertainty about how to interpret the terms of an agreement (Ginsburg and McAdams, 2004; Huth, Croco and Appel, 2011). As the recordkeeper of past actions, courts support systems of tit-for-tat and reputational enforcement (Milgrom, North and Weingast, 1990; Carrubba, 2005; Mitchell and Hensel, 2007). In these informational theories of courts, states may comply with court rulings in the absence of coercive measures or the threat of sanctions because the reputational costs of non-compliance are too high. Rather than simply interpret law, courts matter because they coordinate expectations about enforcement and engage the attention of third parties (Johns, 2011). In their empirical analysis of territorial disputes, Huth, Croco and Appel (2011) find that strong legal claims significantly increase the likelihood that leaders will negotiate resolutions to their disputes and avoid conflict. International courts also offer a way for states to frame settlement in a way that appeals to domestic audiences (Fang, 2008). Simmons notes that even when the same deal could be reached in negotiations or through a court decision, a negotiated settlement could be viewed as sign of weakness while a legal resolution would be seen as positive cooperation beneficial for future interactions (Simmons, 2002, p. 834). This dynamic occurs because “domestic groups will **find it more attractive to make concessions to** a disinterested institution **than to a political adversary**” (Simmons, 2002, p. 834). In research on several prominent ICJ cases, Fischer (1982) emphasizes the Court has helped governments to save face. Consequently, those governments unable to reach agreements over domestic opposition may find it easier to do so with the involvement of third party ruling. Allee and Huth (2006a) further extend this argument to show that governments with higher levels of domestic political constraints are more likely to choose adjudication over negotiation for settling territorial disputes. Domestic political constraints also increase the probability of filing complaints at the WTO (Davis, 2012).

### 1NC – DA

#### Growth of unions cause protectionism – that slows growth and causes tariffs

Epstein 16 [Richard A. Epstein Peter and Kirsten Bedford Senior Fellow @ the Hoover Institution. "The Rise of American Protectionism." https://www.hoover.org/research/rise-american-protectionism]

This point explains why the American labor movement has historically opposed free trade. The essence of unionism is, and always will be, the acquisition of monopoly power. There is no way for a union to obtain that monopoly power in the marketplace. It can only secure it through legislation. The first step in that process was the exemption of unions from the antitrust laws under Section 6 of the Clayton Act of 1914. The second major step was the legitimation of collective bargaining under the National Labor Relations Act of 1935, which gave the union the exclusive bargaining rights against the firm once it was successful in a union election. These major statutory benefits strengthened private sector unions and imposed inefficiencies on unionized firms. This, in turn, opened the field for new firms, like the Japanese automobile companies, to organize outside the union envelope. In response, labor’s strategy went one step further. It pushed hard on trade and tariff barriers to keep out foreign imports, and exerted political influence to encourage local zoning boards to exclude new businesses that do not use union labor. Add to these issues the aggressive rise of minimum wage laws and other mandates like Obamacare and family leave statutes, and you construct a regulatory fortress that defeats the corrective forces of free trade and renders the nation less economically resilient and productive than before.

It is easy to say that people are “screwed” by free trade if you only look at the stories of those individuals who lose their jobs. It is much more difficult to make that case after taking into account the simple but powerful truth that overall levels of profitability and wealth increase under free trade. The short-term relief that targeted groups get from protectionist measures mask the larger inefficiencies that slow down the rate of growth. Despite what the Democrats think, transfer programs are no substitute for growth. Indeed, the imposition of new taxes without return benefits on the firms taxed only depresses the rate of return on investment further, which will necessarily compound the problem.

#### New trade conflicts cause global war and undermine cooperation on collective action problems

Dr. Michael F. Oppenheimer 21, Clinical Professor at the Center for Global Affairs at New York University, Senior Consulting Fellow for Scenario Planning at the International Institute for Strategic Studies, Former Executive Vice President at The Futures Group, Member of the Council on Foreign Relations, The Foreign Policy Roundtable at the Carnegie Council on Ethics and International Affairs, and The American Council on Germany, “The Turbulent Future of International Relations”, in The Future of Global Affairs: Managing Discontinuity, Disruption and Destruction, Ed. Ankersen and Sidhu, p. 23-30

Four structural forces will shape the future of International Relations: globalization (but without liberal rules, institutions, and leadership)1; multipolarity (the end of American hegemony and wider distribution of power among states and non-states2); the strengthening of distinctive, national and subnational identities, as persistent cultural differences are accentuated by the disruptive effects of Western style globalization (what Samuel Huntington called the “non-westernization of IR”3); and secular economic stagnation, a product of longer term global decline in birth rates combined with aging populations.4 These structural forces do not determine everything. Environmental events, global health challenges, internal political developments, policy mistakes, technology breakthroughs or failures, will intersect with structure to define our future. But these four structural forces will impact the way states behave, in the capacity of great powers to manage their differences, and to act collectively to settle, rather than exploit, the inevitable shocks of the next decade.

Some of these structural forces could be managed to promote prosperity and avoid war. Multipolarity (inherently more prone to conflict than other configurations of power, given coordination problems)5 plus globalization can work in a world of prosperity, convergent values, and effective conflict management. The Congress of Vienna system achieved relative peace in Europe over a hundred-year period through informal cooperation among multiple states sharing a fear of populist revolution. It ended decisively in 1914. Contemporary neoliberal institutionalists, such as John Ikenberry, accept multipolarity as our likely future, but are confident that globalization with liberal characteristics can be sustained without American hegemony, arguing that liberal values and practices have been fully accepted by states, global institutions, and private actors as imperative for growth and political legitimacy.6 Divergent values plus multipolarity can work, though at significantly lower levels of economic growth-in an autarchic world of isolated units, a world envisioned by the advocates of decoupling, including the current American president. 7 Divergent values plus globalization can be managed by hegemonic power, exemplified by the decade of the 1990s, when the Washington Consensus, imposed by American leverage exerted through the IMF and other U.S. dominated institutions, overrode national differences, but with real costs to those states undergoing “structural adjustment programs,”8 and ultimately at the cost of global growth, as states—especially in Asia—increased their savings to self insure against future financial crises.9

But all four forces operating simultaneously will produce a future of increasing internal polarization and cross border conflict, diminished economic growth and poverty alleviation, weakened global institutions and norms of behavior, and reduced collective capacity to confront emerging challenges of global warming, accelerating technology change, nuclear weapons innovation and proliferation. As in any effective scenario, this future is clearly visible to any keen observer. We have only to abolish wishful thinking and believe our own eyes.10

Secular Stagnation

This unbrave new world has been emerging for some time, as US power has declined relative to other states, especially China, global liberalism has failed to deliver on its promises, and totalitarian capitalism has proven effective in leveraging globalization for economic growth and political legitimacy while exploiting technology and the state’s coercive powers to maintain internal political control. But this new era was jumpstarted by the world financial crisis of 2007, which revealed the bankruptcy of unregulated market capitalism, weakened faith in US leadership, exacerbated economic deprivation and inequality around the world, ignited growing populism, and undermined international liberal institutions. The skewed distribution of wealth experienced in most developed countries, politically tolerated in periods of growth, became intolerable as growth rates declined. A combination of aging populations, accelerating technology, and global populism/nationalism promises to make this growth decline very difficult to reverse. What Larry Summers and other international political economists have come to call “secular stagnation” increases the likelihood that illiberal globalization, multipolarity, and rising nationalism will define our future. Summers11 has argued that the world is entering a long period of diminishing economic growth. He suggests that secular stagnation “may be the defining macroeconomic challenge of our times.” Julius Probst, in his recent assessment of Summers’ ideas, explains:

…rich countries are ageing as birth rates decline and people live longer. This has pushed down real interest rates because investors think these trends will mean they will make lower returns from investing in future, making them more willing to accept a lower return on government debt as a result.

Other factors that make investors similarly pessimistic include rising global inequality and the slowdown in productivity growth…

This decline in real interest rates matters because economists believe that to overcome an economic downturn, a central bank must drive down the real interest rate to a certain level to encourage more spending and investment… Because real interest rates are so low, Summers and his supporters believe that the rate required to reach full employment is so far into negative territory that it is effectively impossible.

…in the long run, more immigration might be a vital part of curing secular stagnation. Summers also heavily prescribes increased government spending, arguing that it might actually be more prudent than cutting back – especially if the money is spent on infrastructure, education and research and development.

Of course, governments in Europe and the US are instead trying to shut their doors to migrants. And austerity policies have taken their toll on infrastructure and public research. This looks set to ensure that the next recession will be particularly nasty when it comes… Unless governments change course radically, we could be in for a sobering period ahead.12

The rise of nationalism/populism is both cause and effect of this economic outlook. Lower growth will make every aspect of the liberal order more difficult to resuscitate post-Trump. Domestic politics will become more polarized and dysfunctional, as competition for diminishing resources intensifies. International collaboration, ad hoc or through institutions, will become politically toxic. Protectionism, in its multiple forms, will make economic recovery from “secular stagnation” a heavy lift, and the liberal hegemonic leadership and strong institutions that limited the damage of previous downturns, will be unavailable. A clear demonstration of this negative feedback loop is the economic damage being inflicted on the world by Trump’s trade war with China, which— despite the so-called phase one agreement—has predictably escalated from negotiating tactic to imbedded reality, with no end in sight. In a world already suffering from inadequate investment, the uncertainties generated by this confrontation will further curb the investments essential for future growth. Another demonstration of the intersection of structural forces is how populist-motivated controls on immigration (always a weakness in the hyper-globalization narrative) deprives developed countries of Summers’ recommended policy response to secular stagnation, which in a more open world would be a win-win for rich and poor countries alike, increasing wage rates and remittance revenues for the developing countries, replenishing the labor supply for rich countries experiencing low birth rates.

Illiberal Globalization

Economic weakness and rising nationalism (along with multipolarity) will not end globalization, but will profoundly alter its character and greatly reduce its economic and political benefits. Liberal global institutions, under American hegemony, have served multiple purposes, enabling states to improve the quality of international relations and more fully satisfy the needs of their citizens, and provide companies with the legal and institutional stability necessary to manage the inherent risks of global investment. But under present and future conditions these institutions will become the battlegrounds—and the victims—of geopolitical competition. The Trump Administration’s frontal attack on multilateralism is but the final nail in the coffin of the Bretton Woods system in trade and finance, which has been in slow but accelerating decline since the end of the Cold War. Future American leadership may embrace renewed collaboration in global trade and finance, macroeconomic management, environmental sustainability and the like, but repairing the damage requires the heroic assumption that America’s own identity has not been fundamentally altered by the Trump era (four years or eight matters here), and by the internal and global forces that enabled his rise. The fact will remain that a sizeable portion of the American electorate, and a monolithically pro- Trump Republican Party, is committed to an illiberal future. And even if the effects are transitory, the causes of weakening global collaboration are structural, not subject to the efforts of some hypothetical future US liberal leadership. It is clear that the US has lost respect among its rivals, and trust among its allies. While its economic and military capacity is still greatly superior to all others, its political dysfunction has diminished its ability to convert this wealth into effective power.13 It will furthermore operate in a future system of diffusing material power, diverging economic and political governance approaches, and rising nationalism. Trump has promoted these forces, but did not invent them, and future US Administrations will struggle to cope with them.

What will illiberal globalization look like? Consider recent events. The instruments of globalization have been weaponized by strong states in pursuit of their geopolitical objectives. This has turned the liberal argument on behalf of globalization on its head. Instead of interdependence as an unstoppable force pushing states toward collaboration and convergence around market-friendly domestic policies, states are exploiting interdependence to inflict harm on their adversaries, and even on their allies. The increasing interaction across national boundaries that globalization entails, now produces not harmonization and cooperation, but friction and escalating trade and investment disputes.14 The Trump Administration is in the lead here, but it is not alone. Trade and investment friction with China is the most obvious and damaging example, precipitated by China’s long failure to conform to the World Trade Organization (WTO) principles, now escalated by President Trump into a trade and currency war disturbingly reminiscent of the 1930s that Bretton Woods was designed to prevent. Financial sanctions against Iran, in violation of US obligations in the Joint Comprehensive Plan Of Action (JCPOA), is another example of the rule of law succumbing to geopolitical competition. Though more mercantilist in intent than geopolitical, US tariffs on steel and aluminum, and their threatened use in automotives, aimed at the EU, Canada, and Japan,15 are equally destructive of the liberal system and of future economic growth, imposed as they are by the author of that system, and will spread to others. And indeed, Japan has used export controls in its escalating conflict with South Korea16 (as did China in imposing controls on rare earth,17 and as the US has done as part of its trade war with China). Inward foreign direct investment restrictions are spreading. The vitality of the WTO is being sapped by its inability to complete the Doha Round, by the proliferation of bilateral and regional agreements, and now by the Trump Administration’s hold on appointments to WTO judicial panels. It should not surprise anyone if, during a second term, Trump formally withdrew the US from the WTO. At a minimum it will become a “dead letter regime.”18

As such measures gain traction, it will become clear to states—and to companies—that a global trading system more responsive to raw power than to law entails escalating risk and diminishing benefits. This will be the end of economic globalization, and its many benefits, as we know it. It represents nothing less than the subordination of economic globalization, a system which many thought obeyed its own logic, to an international politics of zero-sum power competition among multiple actors with divergent interests and values. The costs will be significant: Bloomberg Economics estimates that the cost in lost US GDP in 2019- dollar terms from the trade war with China has reached $134 billion to date and will rise to a total of $316 billion by the end of 2020.19 Economically, the just-in-time, maximally efficient world of global supply chains, driving down costs, incentivizing innovation, spreading investment, integrating new countries and populations into the global system, is being Balkanized. Bilateral and regional deals are proliferating, while global, nondiscriminatory trade agreements are at an end.

Economies of scale will shrink, incentivizing less investment, increasing costs and prices, compromising growth, marginalizing countries whose growth and poverty reduction depended on participation in global supply chains. A world already suffering from excess savings (in the corporate sector, among mostly Asian countries) will respond to heightened risk and uncertainty with further retrenchment. The problem is perfectly captured by Tim Boyle, CEO of Columbia Sportswear, whose supply chain runs through China, reacting to yet another ratcheting up of US tariffs on Chinese imports, most recently on consumer goods:

We move stuff around to take advantage of inexpensive labor. That’s why we’re in Bangladesh. That’s why we’re looking at Africa. We’re putting investment capital to work, to get a return for our shareholders. So, when we make a wager on investment, this is not Vegas. We have to have a reasonable expectation we can get a return. That’s predicated on the rule of law: where can we expect the laws to be enforced, and for the foreseeable future, the rules will be in place? That’s what America used to be.20

The international political effects will be equally damaging. The four structural forces act on each other to produce the more dangerous, less prosperous world projected here. Illiberal globalization represents geopolitical conflict by (at first) physically non-kinetic means. It arises from intensifying competition among powerful states with divergent interests and identities, but in its effects drives down growth and fuels increased nationalism/populism, which further contributes to conflict. Twenty-first-century protectionism represents bottom-up forces arising from economic disruption. But it is also a top-down phenomenon, representing a strategic effort by political leadership to reduce the constraints of interdependence on freedom of geopolitical action, in effect a precursor and enabler of war. This is the disturbing hypothesis of Daniel Drezner, argued in an important May 2019 piece in Reason, titled “Will Today’s Global Trade Wars Lead to World War Three,”21 which examines the pre- World War I period of heightened trade conflict, its contribution to the disaster that followed, and its parallels to the present:

Before the First World War started, powers great and small took a variety of steps to thwart the globalization of the 19th century. Each of these steps made it easier for the key combatants to conceive of a general war. We are beginning to see a similar approach to the globalization of the 21st century. One by one, the economic constraints on military aggression are eroding. And too many have forgotten—or never knew—how this played out a century ago.

…In many ways, 19th century globalization was a victim of its own success. Reduced tariffs and transport costs flooded Europe with inexpensive grains from Russia and the United States. The incomes of landowners in these countries suffered a serious hit, and the Long Depression that ran from 1873 until 1896 generated pressure on European governments to protect against cheap imports.

…The primary lesson to draw from the years before 1914 is not that economic interdependence was a weak constraint on military conflict. It is that, even in a globalized economy, governments can take protectionist actions to reduce their interdependence in anticipation of future wars. In retrospect, the 30 years of tariff hikes, trade wars, and currency conflicts that preceded 1914 were harbingers of the devastation to come. European governments did not necessarily want to ignite a war among the great powers. By reducing their interdependence, however, they made that option conceivable.

…the backlash to globalization that preceded the Great War seems to be reprised in the current moment. Indeed, there are ways in which the current moment is scarier than the pre-1914 era. Back then, the world’s hegemon, the United Kingdom, acted as a brake on economic closure. In 2019, the United States is the protectionist with its foot on the accelerator. The constraints of Sino-American interdependence—what economist Larry Summers once called “the financial balance of terror”—no longer look so binding. And there are far too many hot spots—the Korean peninsula, the South China Sea, Taiwan—where the kindling seems awfully dry.

### 1NC – DA

#### Business recovery is strong. Business confidence is high.

Halloran ’9-14 [Michael; 2021; M.B.A. from Carnegie Mellon University, former aerospace research engineer, Equity Strategist; Janney, “Despite Potential Headwinds, Key Labor Market Indicators Bode Well for the Economy,” https://www.janney.com/latest-articles-commentary/all-insights/insights/2021/09/14/despite-potential-headwinds-key-labor-market-indicators-bode-well-for-the-economy]

However, we remain encouraged by the recovery that has been unfolding since the economy began reopening. We continue to see improvement in important cyclical sectors of the economy while consumers are historically healthy and still have pent-up demand. Business confidence has rebounded with strong corporate profits that should support further capital spending and hiring (there are now more job openings than there are unemployed people by a record amount).

We expect to see further improvement in the international backdrop, supported by unprecedented fiscal and monetary stimulus and accelerating rates of vaccination. Although the impact of the Delta wave is still being felt, recent evidence confirms the effectiveness of vaccines in limiting deaths and hospitalizations. With the pace of vaccination now picking up in the areas most impacted by this wave—Asia and Australia—the case for fading headwinds leading to improving economic growth later this year remains positive.

The signals from financial markets themselves remain positive. Despite consolidating last week, stocks remain near record highs while the 10-year Treasury remains well above the lows of earlier this summer when concerns about Delta first emerged.

These factors support our view of a durable economic recovery from the pandemic that should continue supporting stock prices. A healthy labor market is a critical element for a sustainable recovery that supports profit growth and last week’s news from the labor market remains encouraging.

#### The right to strike devastates growth and worsen inequality – gains for workers shift costs to other parts of the economy

Epstein 20 [Richard A. Epstein Peter and Kirsten Bedford Senior Fellow @ the Hoover Institution. "The Decline Of Unions Is Good News." https://www.hoover.org/research/decline-unions-good-news]

This continued trend has elicited howls of protest from union supporters who, of course, want to see an increase in union membership. It has also led several Democratic presidential candidates to make calls to reconfigure labor law. Bernie Sanders wants to double union membership and give federal workers the right to strike, as well as ban at-will contracts of employment, so that any dismissal could be subject to litigation under a “for cause” standard. Not to be outdone, Elizabeth Warren wants to make it illegal for firms to hire permanent replacements for striking workers. They are joined by Pete Buttigieg in demanding a change in federal labor law so that states may no longer pass right-to-work laws that insulate workers from the requirement to pay union dues in unionized firms. All of these new devices are proven job killers.

The arguments in favor of unions are also coming from some unexpected sources in academia, where a conservative case has been put forward on the ground that an increase in union membership is needed to combat job insecurity and economic inequality.

All of these pro-union critiques miss the basic point that the decline of union power is good news, not bad. That conclusion is driven not by some insidious effort to stifle the welfare of workers, but by the simple and profound point that the greatest protection for workers lies in a competitive economy that opens up more doors than it closes. The only way to achieve that result is by slashing the various restrictions that prevent job formation, as Justin Haskins of the Heartland Institute notes in a recent article at The Hill. The central economic insight is that jobs get created only when there is the prospect of gains from trade. Those gains in turn are maximized by cutting the multitude of regulations and taxes that do nothing more than shrink overall wealth by directing social resources to less productive ends.

### 1NC – CP

#### CP: The United States federal government ought to recognize a right to strike for all non-hospital workers.

#### Hospital Strikes are devastating to public health infrastructure and patient care and sky-rocket costs – hospital strikes are relatively low now but the Plan green-lights more aggressive Strike actions.

Masterson 17 Les Masterson 8-15-2017 "Nursing strikes can cause harm well beyond labor relations" <https://www.healthcaredive.com/news/nursing-strikes-can-cause-harm-well-beyond-labor-relations/447627/> (Senior Managing Editor at Quinstreet)//Elmer

Officials said the lockout was required because they needed to give at least five-day contracts to 320 temporary nurses brought in to fill the gap. The nurses are back on the job now without a new contract, but the strike and subsequent lockout got the public’s attention. **Hospital strikes aren't** that **common** — usually, the sides agree to a new contract. Strikes or threatened strikes in recent years have typically involved conflicts over pay, benefits and staff workloads. **When strikes do happen**, however, **they can hurt a hospital’s reputation, finances and patient care**. Strike’s effect on patient safety A **study** on nurses’ strikes in New York **found** that labor actions have a temporary **negative effect on** a hospital’s **patient safety**. Study authors Jonathan Gruber and Samuel A. Kleiner found that nurses’ strikes **increased** **in-patient mortality by 18.3%** **and 30-day readmission by 5.7%** for patients admitted during the strike. **Patients admitted during a strike got a lower quality of care, they wrote.** “We show that this deterioration in outcomes occurs only for those patients admitted during a strike, and not for those admitted to the same hospitals before or after a strike. And we find that these changes in outcomes are not associated with any meaningful change in the composition of, or the treatment intensity for, patients admitted during a strike,” they said. They said a possible reason for the lower quality is fewer major procedures performed during a strike, which could lead partially to diminished outcomes. The study authors found that **patients that need the most** nursing **care** **are** **the ones who make out worst during strikes.** “We find that patients with particularly nursing-intensive conditions are more susceptible to these strike effects, and that hospitals hiring replacement workers perform no better during these strikes than those that do not hire substitute employees,” they wrote. Allina Health’s Abbott Northwestern Hospital in Minneapolis faced a patient safety issue during a strike last year that resulted in the CMS placing the hospital in “immediate jeopardy” status after a medication error. A replacement nurse administered adrenaline to an asthmatic patient through an IV rather than into the patient’s muscle. The patient, who was in the emergency room (ER), wound up in intensive care for three days because of the error. Allina said the error was not the nurse’s fault, but was the result of a communication problem. The CMS accepted the hospital plan of correction, which included having a nurse observer when needed and retraining ER staff to repeat back verbal orders. A strike’s financial impact **Hospitals** also **take** a **financial hit during strikes.** **Even the threat of** a **one- or two-day nurse strike** **can cost a hospital millions.** **Bringing in** hundreds or **thousands of temporary nurses** from across the country **is costly** for hospitals. They need to advertise the positions, pay for travel and often give bonuses to lure temporary nurses. The most expensive recent nurse strike was when about 4,800 nurses went on strike at Allina Health in Minnesota two times last year. **The two strikes of seven days and 41 days cost the health system $104 million.** The hospital also saw a $67.74 million operating loss during the quarter of those strikes. To find temporary replacements, Allina needed to include enticing offers, such as free travel and a $400 bonus to temporary nurses. Even the threat of a strike can cost millions. Brigham and Women’s **Hospital** in Boston spent more than $8 million and **lost $16 million** in revenue **preparing for a strike** in 2016. The 3,300-nurse union threatened to walk out for a day and much like Tufts Medical Center, Brigham & Women’s said the hospital would lock out nurses for four additional days if nurses took action. At that time, Dr. Ron Walls, executive vice president and chief operating officer at Brigham and Women’s Hospital, said the hospital spent more than $5 million on contracting with the U.S. Nursing Corp. to bring on 700 temporary nurses licensed in Massachusetts. The hospital also planned to cut capacity to 60% during the possible strike and moved hundreds of patients to other hospitals. They also canceled procedures and appointments in preparation of a strike. The Massachusetts Nurses Association and Brigham & Women’s were able to reach a three-year agreement before a strike, but the damage was already done to the hospital’s finances. Richard L. Gundling, senior vice president of healthcare financial practices at Healthcare Financial Management Association, told Healthcare Dive that healthcare organizations need to plan for business continuity in case of an event, such as a labor strike, natural disaster or cyberattack. “Business continuity is directly related to the CFO’s responsibility for maintaining business functions. The plan should include having business continuity insurance in place to replace the loss associated with diminished revenue and increased expenses during the event,” Gundling said. These plans should provide adequate staffing, training, materials, supplies, equipment and communications in case of a strike. Hospitals should also keep payers, financial agencies and other important stakeholders informed of potential issues. “It’s also key to keep financial stakeholders well informed; this includes insurance companies, bond rating agencies, banks, other investors, suppliers and Medicare/Medicaid contractors,” he said. “Business continuity is directly related to the CFO’s responsibility for maintaining business functions. The plan should include having business continuity insurance in place to replace the loss associated with diminished revenue and increased expenses during the event." Richard Gundling Senior vice president of healthcare financial practices, Healthcare Financial Management Association Impact to a hospital’s reputation Hospital strikes, particularly nurses’ strikes, can also wreak havoc on a hospital’s reputation. Nurses are a beloved profession. They work hard, often long hours and don’t make a fortune doing it. The median registered nurses’ salary is about $70,000, according to the Bureau of Labor Statistics.

#### High Hospital Costs force closures – COVID puts them on the brink.

Thompson 2-26 Dennis Thompson 2-26-2021 "Pandemic Is Hitting Hospitals Hard, Including Their Bottom Line" https://consumer.healthday.com/2-26-pandemic-is-hitting-hospitals-hard-including-their-bottom-line-2650625725.html (Healthday Reporter)//Elmer

FRIDAY, Feb. 26, 2021 (HealthDay News) -- **U.S. hospitals** are expected to lose billions again in 2021, leaving them **in dire financial shape** **as** the **COVID**-19 pandemic **guts** the **industry** for a second year. Hospitals could lose $53 billion to $122 billion in revenue in 2021, between 4% and 10% of their total revenue, according to an analysis prepared by consulting firm Kaufman Hall & Associates for the American Hospital Association. These revenue declines would come on top of $320 billion in lost revenue in 2020, said Rick Pollack, the hospital association's president and CEO. The reasons? Hospitals are spending more to treat COVID-19 patients as well as maintain regular operations during the pandemic, Pollack said. At the same time, drug expenses increased by 17% in 2020; labor by 14%; and supplies by 13%, the Kaufman Hall report says. "All those **expenses keep going up**, and **at least four dozen hospitals entered bankruptcy** in 2020 according to data compiled by Bloomberg," Pollack said. "**This is of particular concern** for rural hospitals," he added. "**Nineteen** rural **hospitals closed in 2020**, and **135 have closed since 2010.** In many of these rural areas, residents lack other options for dependable care." Labor costs have increased because hospitals have had to hire part-time contract workers to cover for employees exposed to COVID-19, said David Ramsey, president and CEO of the Charleston Area Medical Center and Health System in West Virginia.

#### Hospitals are the critical internal link for pandemic preparedness.

Al Thobaity 20, Abdullelah, and Farhan Alshammari. "Nurses on the frontline against the COVID-19 pandemic: an Integrative review." Dubai Medical Journal 3.3 (2020): 87-92. (Associate Professor of Nursing at Taif University)//SJDH

The majority of infected or symptomatic people seek medical treatment in medical facilities, particularly hospitals, as a high number of cases, especially those in critical condition, will have an impact on hospitals [4]. The concept of hospital resilience in disaster situations is defined as the ability to recover from the damage caused by huge disturbances quickly [2]. The resilience of hospitals to pandemic cases depends on the preparedness of the institutions, and not all hospitals have the same resilience. A lower resilience will affect the **sustainability of the health services**. This also affects healthcare providers such as doctors, nurses, and allied health professionals [5, 6]. Despite the impact on healthcare providers, excellent management of a pandemic depends on the level of **preparedness of healthcare providers, including nurses**. This means that if it was impossible to be ready before a crisis or disaster, responsible people will do all but the impossible to save lives.

#### Pandemics cause Extinction

Bar-Yam 16 Yaneer Bar-Yam 7-3-2016 “Transition to extinction: Pandemics in a connected world” <http://necsi.edu/research/social/pandemics/transition> (Professor and President, New England Complex System Institute; PhD in Physics, MIT)//Elmer

Watch as one of the more aggressive—brighter red — strains rapidly expands. After a time it goes extinct leaving a black region. Why does it go extinct? The answer is that it spreads so rapidly that it kills the hosts around it. Without new hosts to infect it then dies out itself. That the rapidly spreading pathogens die out has important implications for evolutionary research which we have talked about elsewhere [1–7]. In the research I want to discuss here, what we were interested in is the effect of adding long range transportation [8]. This includes natural means of dispersal as well as unintentional dispersal by humans, like adding airplane routes, which is being done by real world airlines (Figure 2). When we introduce long range transportation into the model, the success of more aggressive strains changes. They can use the long range transportation to find new hosts and escape local extinction. Figure 3 shows that the more transportation routes introduced into the model, the more higher aggressive pathogens are able to survive and spread. As we add more long range transportation, there is a critical point at which pathogens become so aggressive that the entire host population dies. The pathogens die at the same time, but that is not exactly a consolation to the hosts. We call this the phase transition to extinction (Figure 4). With increasing levels of global transportation, human civilization may be approaching such a critical threshold. In the paper we wrote in 2006 about the dangers of global transportation for pathogen evolution and pandemics [8], we mentioned the risk from Ebola. Ebola is a horrendous disease that was present only in isolated villages in Africa. It was far away from the rest of the world only because of that isolation. Since Africa was developing, it was only a matter of time before it reached population centers and airports. While the model is about evolution, it is really about which pathogens will be found in a system that is highly connected, and Ebola can spread in a highly connected world. The traditional approach to public health uses historical evidence analyzed statistically to assess the potential impacts of a disease. As a result, many were surprised by the spread of Ebola through West Africa in 2014. As the connectivity of the world increases, past experience is not a good guide to future events. A key point about the phase transition to extinction is its suddenness. Even a system that seems stable, can be destabilized by a few more long-range connections, and connectivity is continuing to increase. So how close are we to the tipping point? We don’t know but it would be good to find out before it happens. While Ebola ravaged three countries in West Africa, it only resulted in a handful of cases outside that region. One possible reason is that many of the airlines that fly to west Africa stopped or reduced flights during the epidemic [9]. In the absence of a clear connection, public health authorities who downplayed the dangers of the epidemic spreading to the West might seem to be vindicated. As with the choice of airlines to stop flying to west Africa, our analysis didn’t take into consideration how people respond to epidemics. It does tell us what the outcome will be unless we respond fast enough and well enough to stop the spread of future diseases, which may not be the same as the ones we saw in the past. As the world becomes more connected, the dangers increase. Are people in western countries safe because of higher quality health systems? Countries like the U.S. have highly skewed networks of social interactions with some very highly connected individuals that can be “superspreaders.” The chances of such an individual becoming infected may be low but events like a mass outbreak pose a much greater risk if they do happen. If a sick food service worker in an airport infects 100 passengers, or a contagion event happens in mass transportation, an outbreak could very well prove unstoppable.

## Case

### 1NC – Innovation

#### No internal link – their ev is about training workers in unions, and the aff doesn’t solve all aspects of unions, just establishes a right to strike

#### Innovation doesn’t solve econ – their ev is two lines and doesn’t give a warrant

#### No extinction from warming

**Carter et al 14** (Dr. Craig D. Idso, Dr. Sherwood B. Idso, Center for the Study of Carbon Dioxide and Global Change, Dr. Robert M. Carter, Emeritus Fellow, Institute of Public Affairs and Dr. S. Fred Singer, Science and Environmental Policy Project, CLIMATE CHANGE RECONSIDERED II: BIOLOGICAL IMPACTS, Nongovernmental International Panel on Climate Change, 2014, p. 569.

Real-world observations reveal plants have many ways of adjusting to changes in climate in addition to their ability to spread from places of rising warmth to cooler habitats, and these observations suggest the planet’s current assemblage of plants is likely to be around a good deal longer than many theoretical models have predicted. One of the great horror stories associated with predictions of CO2-induced global warming is of warming so fast and furious that many species of plants will not be able to migrate towards cooler regions—poleward in latitude, or upward in elevation—quickly enough to avoid extinction. Realworld observations of plants show they have many ways of adjusting to changes in climate in addition to their ability to move from places of rising warmth to cooler habitats. These observations suggest the planet’s current assemblage of plants is likely to be around longer than many theoretical models have predicted.

Under-yielding species appear to be buffered from extinction because growth enhancements of smaller plants tend to diminish the relative biomass advantages of larger plants in crowded conditions, and when species are rare in a local area, they have a higher survival rate than when they are common, resulting in the enrichment of rare species and increasing diversity with age and size class in complex ecosystems. In addition, diversity should increase as a group of individuals ages, because more common species are selectively removed by pathogens and predators, especially those commonly associated with them.

Also, individuals of a species compete more intensively with conspecifics than with individuals of other species, and diversity may increase if an individual benefits nearby non-conspecifics, as such facilitation makes interspecific interactions more positive than intraspecific interactions and thus provides an advantage to locally rare species. Similarly, common trees growing closer together are more prone to deadly infections, and they may also face stiffer competition for certain resources, whereas rarer trees, by depending on slightly different sets of resources, may not have this problem.

### 1NC – Heg

#### Strikes are high now and more are coming

Romero 10-21 Dani Romero (REPORTER, yahoo finance) 10/21/21, ‘Strikes are contagious’: Wave of labor unrest signals crisis in tight job market, <https://news.yahoo.com/strikes-are-contagious-wave-of-labor-unrest-signals-crisis-in-tight-jobs-market-135052770.html>

As employers of all sizes grapple with an acute worker shortage amid what’s being called the pandemic era’s Great Resignation, it’s become increasingly clear that people with jobs aren’t all that happy, either. At an ever-lengthening list of workplaces around the country, workers this year have been getting loud about the state of wages, working hours and conditions. From healthcare to entertainment, nearly 100,000 U.S. workers are either striking or preparing to strike in a bid to improve working conditions. New data signals that worker unrest is growing: a Cornell Labor Action Tracker shows that more than 180 strikes have been recorded this year, and over 24,000 workers have walked off the job this month. This all plays out against a backdrop of an economy bouncing back from an economic shutdown during the pandemic. More than 10,000 John Deere workers went on strike Thursday, the first major walkout at the agricultural machinery giant in more than three decades. “We have noticed a bit of an uptick in late September into early October, for example, we've already documented 39 strikes on the month of October,” Johnnie Kallas, a Ph.D. student at Cornell University’s School of Industrial and Labor Relations, or ILR, who tracks labor actions across the country, said in an interview. “Those numbers are already the largest of any month in 2021,” he added. The Bureau of Labor Statistics, which records only large work stoppages, has documented 12 strikes involving 1,000 or more workers. That represents a big jump from when the pandemic started over 19 months ago. “What will happen is you'll see more workers going on strike,” Kate Bronfenbrenner, director of labor education research and senior lecturer at Cornell school of industrial and labor relations, told Yahoo Finance. “Each time there's a ripple effect with each one of those, if the John Deere strike isn’t settled, you're going to see another big group go out,” she said. “If companies don't move, you're going to see this spread from one group to another. Strikes are contagious,” Bronfenbrenner added.

#### Primacy is unsustainable – pursuit causes extinction from nuke war, climate change, and global autocracy – decline solves

Pampinella 19 [Stephenis Assistant Professor of Political Science and International Relations at the State University of New York (SUNY) at New Paltz. 1/23. "The Internationalist Disposition and US Grand Strategy." https://thedisorderofthings.com/2019/01/23/the-internationalist-disposition-and-us-grand-strategy/]

Finally, attempts to revive US hegemony will doom transnational efforts to deal with existential non-state threats. Hegemonists like Thomas Wright argue that Russia and China are the greatest threat to the United States, and that Washington should never make concessions to either power as a means of ensuring cooperation on issues of global governance. However, “ring-fencing” global capitalism and climate change as separate issues will fail to achieve the necessary level of cooperation to cope with these threats. National security policymakers cannot recognize that the greatest dangers faced by US citizens are non-state economic and ecological global processes that shape domestic politics from the inside-out, and not rival sovereigns. Economic destitution to the point of embracing fascist dictators coupled with environmental collapse are near-certain non-state threats which transcend our boundaries – in fact, as a global power, the United States has been complicit in creating them.

The internationalist disposition would suggest that the priorities of US foreign policy must change. Regulating global processes should be the primary objective, and it requires that the United States pursue intense macro-levels of cooperation with all other states, including its rivals, to achieve them. Yet it will be unlikely to do so if it remains wedded to liberal hegemony and consumed by great power competition. Short-term incentives to accumulate resources and power will override the long-term need for global governance. The result will be a world whose people live in precarity, ravaged by climate change, and constantly on the verge of great power war.

#### Hegemony causes nuke war – collapse is inevitable, but peaceful decline is still possible

Pampinella 19 [Stephenis Assistant Professor of Political Science and International Relations at the State University of New York (SUNY) at New Paltz. 1/23. "The Internationalist Disposition and US Grand Strategy." https://thedisorderofthings.com/2019/01/23/the-internationalist-disposition-and-us-grand-strategy/]

Why Liberal Internationalism Will Fail (Again)

But in recent weeks, mainstream US foreign policy experts have provided their own spin in progressive internationalism. Advocates and practitioners of a traditional hegemonic foreign policy have sought to co-opt progressive internationalism in a series of essays which argue for the necessity of American power and global influence. These writers embody the post-Cold War centrist foreign policy coalition of liberal internationalists and neoconservatives. For them, that the greatest threat to the democratic “free” world created by the United States remains the autocratic governance model of Russia and China. While Washington should pursue cooperation on transnational governance issues where possible, they argue it cannot do so at the expense of making security concessions which would reward revisionist behavior by great power rivals. As in the past, American exceptionalism remains the identity narrative justifying a return to US hegemony, with Anglo-American norms serving as the basis for hegemonic socialization and cooperation.

The internationalist disposition is a reminder of why a mere social democratic twist on US hegemony will fail to provide actual security for the United States and its allies. Establishment voices continue to rely on state-centric assumptions about IR and ignore how state identities and interests are a function of their relationship with each other. Or, as Jennifer Mitzen and Michelle Murray might argue, the revisionist intentions of Russia and China are a product of their ontological insecurity. A hegemonic United States defending an Anglo-American order denies them recognition of their own great power identities and their right to participate in all deliberations about global order. From this perspective, we should challenge the implicit assumption made by Anthony Blinken and Robert Kagan that Russia is revisionist by nature. An internationalist perspective suggests that Russia has adopted those intentions in relation to a Wilsonian United States which seeks domination over Moscow and the transformation of its political system. The same is true for China, which rejects being cast as a “responsible stakeholder” by Washington which would eventually accept democracy following its internal transformation by global capitalism. In other words, the very terms of US relations with these states over the past 25 years is the source of their revisionist intentions, and not some essentialized feature of their domestic politics.

Further, a liberal exceptionalist narrative that contrasts “Eastern autocracy” with “Western freedom” masks how the United States has perpetuated its own systems of illiberal dominance throughout its history. Those same structures of oppression are the greatest threat to contemporary US democracy and also serve as glaring evidence of US hypocrisy. In his defense of American exceptionalism, Jake Sullivan represents institutional racism as a bug rather than a feature of the American political system by emphasizing the liberal ideals of the Founders and casting Donald Trump’s white ethnonationalism as an aberration. But this telling of the American story whitewashes the long history of an exclusive, white ethnic US identity dating back to the early 19th Century and its role in generating the modern United States. Scholars of American political development and US history have long demonstrated that institutions of slavery and land conquest constituted US society and made possible its economic prosperity rather than some kind of intrinsic tendency toward freedom.

Fast-forward to the present: liberal exceptionalism further denies how economic globalization made possible the rise of authoritarianism. Nils Gilman and David Klion rightly argue that the kleptocratic alliance between autocrats and oligarchs is the true threat to democracy and rule of law. Their ability to concentrate political and economic power has been enabled by the emergence of an integrated global market that privileges the freedom of capital over the needs of ordinary people, one created by the United States when liberal internationalism went global after the fall of the Soviet Union.

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