# 1NC

## Off-Case

### T

#### INTERPRETATION - the aff can't defend that one country ought to recognize a right to strike. The article “a” implies a nonspecific or generic reading of “a just government”

Walden 20 Walden University [The Writing Center provides a broad range of writing instruction and editing services for students at Walden University, including writing assistance for undergraduates, graduate students, and doctoral capstone writers], “"A" or "An"” last modified July 14 2020, <https://academicguides.waldenu.edu/writingcenter/grammar/articles> SM

When to Use "A" or "An" "A" and "an" are used with singular countable nouns when the noun is nonspecific or generic. I do not own a car. In this sentence, "car" is a singular countable noun that is not specific. It could be any car. She would like to go to a university that specializes in teaching. "University" is a singular countable noun. Although it begins with a vowel, the first sound of the word is /j/ or “y.” Thus, "a" instead of "an" is used. In this sentence, it is also generic (it could be any university with this specialization, not a specific one). I would like to eat an apple. In this sentence, "apple" is a singular countable noun that is not specific. It could be any apple.

#### Violation – they only defend the right of Chinese workers to strike

#### Vote neg—

#### 1] Semantics outweigh:

#### a] Topicality is a constitutive rule of the activity and a basic aff burden, they agreed to debate the topic when they came to the tournament

#### b] Jurisdiction -- you can’t vote affirmative if they haven’t affirmed

#### c] It’s the only stasis point we know before the round so it controls the internal link to engagement, and there’s no way to use ground if debaters aren’t prepared to defend it.

#### 2] Limits:

#### a] Education – they overexplode the topic – skirts from core to fringes of lit which kills education

#### b] Fairness – we would have to prep for infinite affs it’s literally impossible to prep for everything

#### 3] TVA solves – read the aff as advantage

#### Paradigm Issues –

#### 1] T is DTD

#### a] their abusive advocacy skewed the debate from the start

#### b] DTA is incoherent because we indict their advocacy

#### 2] Comes before 1AR theory –

#### a] If we had to be abusive it’s because it was impossible to engage their aff

#### b] T outweighs on scope because their abuse affected every speech that came after the 1AC

#### c] Topic norms outweigh on urgency – we only have a few months to set them

#### 3] Use competing interps on T –

#### a] topicality is a yes/no question, you can’t be reasonably topical

#### b] only our interp sets norms -- reasonability is arbitrary and invites judge intervention

#### c] reasonability causes a race to the bottom of questionable argumentation

#### 4] No RVIs –

#### a] Forcing the 1NC to go all in on the shell kills substance education and neg strat

#### b] discourages checking real abuse

#### c] Encourages baiting – outweighs because if the shell is frivolous, they can beat it quickly

### 2

#### The AC is an effort in “left legalism”, they believe the right to strike is not adequately protected and the solution is to codify it. This ignores that it is the nature of rights themselves in liberal societies that produce conflict

Dimick, JD/PhD, 19

(Matt, Law@Buffalo, *Counterfeit Liberty*, Catalyst Vol 3 No 1 Spring)

A third example concerns the legal status of concerted activity taken in response to an employer’s unfair labor practices. The Supreme Court addressed this issue in a widely cited and discussed decision, NLRB v. Fansteel Metallurgical Corp.49 In that case, the employees responded to a series of the employer’s unfair labor practices — recognizing only an “independent,” company-dominated union, and employing a labor spy to engage in espionage within the bona fide, “outside” union — by “seizing the employer’s property” in a sit-down strike. The employer countered by announcing that “all of the men in the plant were discharged for the seizure and retention of the buildings.” The employer then appealed to the local sheriff, who with an “increased force of deputies” evicted the workers from the plant and arrested them; most of the workers were eventually fined and given jail sentences. As a remedy for the employer’s unfair labor practices, the Board ordered “‘immediate and full reinstatement to their former positions,’ with back pay.” However, the Supreme Court denied enforcement of this order, concluding that the workers had been legitimately discharged for illegally seizing the employer’s property. The court’s decision has been widely criticized for taking a narrow view of “concerted, protected activity,” and ignoring the workers’ claims to be acting in self-defense against the employer’s violation of their rights granted to them by the Wagner Act. According to Karl Klare, the language of the Fansteel decision reinforces the role of workers as sellers of labor power and consumers of commodities, rather than as producers, and obstructs an alternative perspective presaged by the “‘dereifying’ explosion of repressed human spirit” expressed in the sit-down strike.50 According to James Gray Pope, the Fansteel decision inverts appropriate legal hierarchies, placing the employer’s common-law property rights above those of the employee’s statutory right to engage in collective action, a conclusion that can only be justified by an unstated appeal to a discredited interpretation of the Constitution.51 Both critics, however, overlook the very first words of Chief Justice Hughes’s decision following its statement of facts: “For the unfair labor practices of [the employer] the Act provided a remedy. Interference in the summer and fall of 1936 with the right of self-organization could at once have been the subject of complaint to the Board.”52 Once again, using the strike to enforce workers’ statutory rights is legally duplicitous because the Board already possesses the power to enforce those rights. The court continued, “To justify such conduct because of the existence … of an unfair labor practice would be to put a premium on resort to force instead of legal remedies and to subvert the principles of law and order which lie at the foundations.”53 Responding to this language, Klare is correct to draw attention to the inherently peaceful nature of workers’ concerted activity in general and the sit-down strike in particular.54 But it is not the court’s hysterics that are most interesting; instead, it is the overlooked rationale that, whether violent or not, concerted action to enforce rights already subject to Board administration and enforcement subverts the appropriate scheme of rights enacted by the NLRA. Thus, it is not (or not just) ideologically freighted judicial reasoning that has undermined the labor movement, but the very rights themselves, created and enforced by the state apparatus, that have justified restrictions on concerted worker activity.

#### Subordination- rights weaken labor movements by making them dependent on a corrupt legal system. Cross-national analysis shows rights never help, they only hurt

Dimick, JD/PhD, 19

(Matt, Law@Buffalo, *Counterfeit Liberty*, Catalyst Vol 3 No 1 Spring)

Labor law presents an inescapable problem for the labor movement. If that claim was not already obvious, then the US Supreme Court’s decision in Janus v. AFSCME should have made this clear. Even labor law scholars, who once viewed labor law as a path of liberation for the labor movement, now see it as an ossified millstone around its neck. Recommendations for the reform and renewal of labor law therefore abound. In nearly all of these recommendations, there is no question that the law can and should play a fundamental role in revitalizing the labor movement. Indeed, labor law’s current flaw according to these recommendations is not the rights they provide, but only the “weakness” of these rights. In this essay, I want to ask a question that has quite a different implication for how trade unions should approach labor law: how did the regulation of labor relations come to assume the form of law? The first objective of this essay is to answer this question. As labor movements developed under capitalism in the late nineteenth and early twentieth centuries, the regulation of labor relations took different paths. The path that a particular country took was determined by various material, political, and ideological causes that this essay will try to describe. While some amount of legal regulation is inescapable in a society based on private property and generalized commodity exchange — which logically imply the contestation of private interests — labor movements in some parts of the world have been able to avoid the dependency and displacement that always follows a regime of full-blown legal regulation. Trade unions in Scandinavia in particular have been able to develop a system of labor regulation that avoids the subordination to the state that has been the fate of Anglophone countries, such as the US and Australia, as well as on the Continent, in France and Germany. Another objective of this essay is to show that even labor law sympathetic to unions, rather than loosening, came to bind ever more tightly the cords constraining labor. This is not, or at least not only, because of capitalist-class interest or ideology extrinsic to labor law, but in fact is quite intrinsic to law itself. As this essay will demonstrate, many of the restrictions and prohibitions that hobble the labor movement today are justified by the very rights the labor law statute, the National Labor Relations Act (NLRA), confers. Statutory labor law confers rights, and rights are distinguished by the fact that they constitute claims that are enforced through the machinery of the state apparatus. In the mind of a judge or bureaucrat, one can hardly complain about the suppression of workers’ self-activity to advance or enforce some interest or claim, because the existence of a corresponding legal right makes such activity legally redundant. Of course, there is an enormous sociological difference: if strikes are the means by which workers build solidarity and develop class consciousness, then the substitution of the strike for other means of reaching working-class objectives may, whether intentionally or not, undermine working-class interests.

#### Prefer negative methodology- a comparative history approach reveals flaws in the affirmatives “critical labor law” approach. Their focus on specifics obscures the fundamental issue of statism

Dimick, JD/PhD, 19

(Matt, Law@Buffalo, *Counterfeit Liberty*, Catalyst Vol 3 No 1 Spring)

The intent of this brief comparative history is to reveal the uniqueness of the form of labor union organization found in the US. Unlike either the continental or Nordic variants, labor union organization in the US (and other Anglophone countries) is characterized by strong workplace-based organization (when and where it exists) and weak coordinating capacity above the workplace level (i.e., sectoral, national, etc.). This section will trace how that form of union organization gave rise to a law-based, statist form of labor-relations regulation. The shift to a law-based form of regulation was dramatic. Toward the end of the nineteenth century, neither unions nor collective bargaining had any legal existence. The only means available to a union to obtain recognition from an employer, bring the employer to the bargaining table, make a collective agreement, or even enforce a collective agreement, was through “extralegal” economic compulsion — the threat or exercise of strikes, boycotts, and other forms of concerted activity. Court injunctions frequently repressed such tactics — thus “recognizing” collective worker activity only in the negative sense. By the middle of the twentieth century, this had all changed: statutes established comprehensive legal regulation of all stages of a collective bargaining process presided over by an administrative agency, the NLRB, and the federal courts. What explains this transformation? How did the regulation of labor relations come to assume the form of law? Did alternative possibilities exist? DECENTRALIZED UNIONISM AND THE ADOPTION OF THE LEGAL FORM The answer I offer is that this statist regime of labor law is a product of the narrowness of labor relations themselves. Unions in the US have a strong workplace presence but weak coordinating capacity. This decentralized model of trade union organization produced pervasive employer-union conflict as well as union-union conflict. Owing to their lack of coordinating capacity, unions in the US were unable to forge a regime of self-regulation. A statist regime of labor law was constructed to fill the regulatory void. At the heart of the 1935 National Labor Relations Act (or Wagner Act, after its main sponsor Senator Robert F. Wagner of New York) is an election procedure in which the NLRB supervises a secret ballot election and, by majority rule, awards “exclusive representation” status to a union if it prevails. Other features of the Act fit neatly into this “recognition” framework. The Act bans “unfair labor practices” to ensure that the workers’ choice of representative (or whether to be represented) is “fair and free.” After a union is “certified” by the government, the Act provides for elaborate procedures for when workers may decertify a union or an employer withdraw recognition. The legal status of various kinds of economic weapons to which workers may resort often depend on whether a union has been certified. And certification grants to unions themselves certain rights and protections, including machinery for the enforcement of union-negotiated contracts. This regime can only be described as a highly statist form of labor-relations regulation. The origins of this majority-rule recognition procedure can be traced to the pre-New Deal era, specifically to attempts to regulate labor relations on the railroads. Union organization on the railroads is a classic example of the early-industrialization problem. First as fraternal and benefit societies, later as bona fide unions, there were no fewer than twenty different labor organizations representing workers in the railway industry. Each of these organizations, in structure and strategy, enacted the principle of exclusivity described in the previous section. “Each brotherhood, as was customary among American craft unions, claimed sole jurisdiction over the employment conditions governing employees in that craft,” whether or not the worker was a member of the union.34 At approximately the same time, railway unions began appealing to the majority-rule principle both to justify their demands for union recognition vis-à-vis employers and to solve their jurisdictional disputes with one another. This all took place against the backdrop of extraordinary labor strife. Later, this principle was adopted in one of first pieces of national legislation regulating labor relations, the Transportation Act of 1920. Fifteen years later, a series of statutes, court decisions, and policy choices had so narrowed the available options that “the question of Wagner’s intent became secondary to his policy constraints. Wagner built the NLRA upon an ideology that had become self-sustaining.”35 Scholars have criticized the NLRA for enshrining into law the old AFL’s “voluntarist” labor-relations philosophy. This was accomplished either by the passage of the NLRA itself or by its subsequent “judicial deradicalization.” Either version treats the NLRA as a kind of ex nihilo event, without any legal or policy history of its own.36 Ruth O’Brien convincingly demolishes this account. It was not the AFL’s voluntarism that prevailed but the progressive movement’s “responsible unionism.” For progressives, the labor movement was too narrowly self-interested to accommodate the “public interest.” What was needed was a Hobbesian strong state — one that would subordinate the labor movement to the “true” guardian of the public interest.37 I endorse O’Brien’s version of events, but she doesn’t account for the counterfactual: could the AFL’s voluntarism have been a viable alternative solution to the “labor problem”? Given the lack of coordinating capacity among US labor unions, I suggest not. At least partly, the progressives’ critique of the AFL-dominated labor movement was true. It is just that the possibilities, if not the concrete choices available to the labor movement in the early 1900s, were not limited to either a Leviathan or narrow craft voluntarism. The following comparative example makes this claim concrete. In a forgotten story in labor history — forgotten because of the opportunity that was not taken — the International Association of Machinists (IAM) and the National Metal Trade Association (NMTA) signed the so-called Murray Hill agreement in 1900. In terms of the agreement’s substance, employers conceded to a reduction in the working day from ten to nine hours for all machinists in NMTA shops. However, a complication arose from the union’s inability to convince all NMTA employers to also adopt a uniform 12.5 percent wage increase to maintain weekly earnings at earlier levels. The agreement was repudiated in the following strike wave, the union claiming that the employer had failed to agree to the wage increase, the employers accusing the union of calling strikes instead of settling the disputes through the central arbitration system established by the agreement. As told by Peter Swenson, employers would have in time accepted, and many would have even welcomed, centralized bargaining over wages and working conditions in exchange for the unions relinquishing their job-control objectives. Employers “slammed the door shut for all time, however, because union militants used the strikes to impose the closed shop … and rules prohibiting men from operating more than one machine at a time, working for piece rates, and instructing unskilled workers.”38 The IAM leadership did not approve the strikes and in fact had agreed to management’s demand for the open shop and the right to manage. Thus, the objective of taking wages out of competition came to founder on the IAM’s inability to control local militancy and designs on job control. At almost exactly the same time, in 1905, an almost identical experiment in the identical industry led the Swedish labor movement in a very different direction. Confronted with a metal-workers’ strike, the employers’ association in the engineering industry responded with a lockout at eighty-three member firms. The conflict led to the “first industry-wide multi-employer wage settlement for any industry in the country.” The agreement “allowed no restrictions on manning of machinery or hiring of unskilled workers and apprentices … [and] the union agreed to an open shop clause.” The metal workers’ counterpart in the United States, “[m]ilitant skilled craftsmen” in the IAM, “would have regarded the deal with dismay and disgust.” The next year, this industry agreement was followed by a multi-industry, national agreement known as the “December Compromise.” A key section of the agreement prohibits closed-shop agreements and establishes management control over “decisions involving hiring, firing, and supervising work.”39 Yet what workers gave up in firm-level “production politics” they gained in power over the labor market itself. Centralized bargaining has come to deliver high union density, the lowest level of wage dispersion in the advanced capitalist world, and most critically, high inclusivity, encompassing virtually all wage earners. The IAM’s attempt at establishing industry-wide bargaining vividly demonstrates how the US labor movement’s workplace-centered unionism acted as an obstacle to broader and more inclusive forms of worker organization. Centered at the workplace, and pursuing a job-control strategy, US unions had significant power to contest the employer’s domination of the labor process. Unfortunately, for exactly those same reasons, this constellation of power was too weak, too uncoordinated between firms, to contest the domination of the market. As the comparison of the IAM with the Swedish metal workers shows, local power generated conflict but obstructed efforts to develop self-regulation. Following decades of the “labor problem,” the state stepped in as regulator. As a result, “[g]overned by this state-operated regulatory agency [i.e., the NLRB], organized labor no longer shaped its own destiny—it was dependent on this agency.”40 O’Brien is therefore correct to insist that it was the progressives’ statist vision rather than the AFL’s voluntarist philosophy that prevailed. Nevertheless, we should not overlook how historically given forms of labor organization frustrated other possible forms of labor-relations regulation. This gives us another reason why voluntarism per se was not the culprit in labor’s current legal and existential crisis. Scandinavian self-regulation is, after all, another kind of voluntarism. At the same time, as the IAM example demonstrates, the institutional and organizational narrowness of craft unionism left the door open to a statist regime of labor law. THE CONSEQUENCES OF IGNORING THE LEGAL FORM Because of unions’ strong workplace presence but weak capacity for coordinating activity across workplaces, the regulation of labor relations was achieved by recourse to the law. This claim cuts directly against the thrust of a tradition of “critical” labor law. The story told by critical labor law scholars is of a potentially “anticapitalist” National Labor Relations Act that was “deradicalized” by conservative judges and narrow-minded intellectuals.41 In these approaches there is never any question whether the law should be used to regulate labor relations. Rather, the line of attack is to challenge the particular content of the labor law, not the form of regulation itself. Not only is this a mistake as a method of analysis but, as I will also demonstrate, it also commits an instrumentalist error about the nature of the law and the state within capitalism. A content critique of law obscures the way that law does more than simply help or hinder the labor movement achieve various, specific objectives. As a form of social regulation, the law also allocates determinate material and ideological resources as a means to achieve these ends. These means threaten to substitute for the working class’s own material and ideological means of regulation. This would not be an issue if labor unions or other working-class organizations were merely means of achieving gains for workers. But they are not. Whatever their limitations, unions are moments in the process by which workers constitute themselves as a class. Thus, the law — not in its content, but as a form of social regulation — always presents the danger of undermining this process through mechanisms of dependency and displacement.

#### Methodological questions should be prioritized over policy -it’s a logical prior question to solvency

Bartlett ‘90, professor of law at Duke University, 1990 (Katharine, 103 Harvard Law Review 829, February, lexis)

Feminists have developed extensive critiques of law n2 and proposals for legal reform. n3 Feminists have had much less to say, however, about what the "doing" of law should entail and what truth status to give to the legal claims that follow. These methodological issues matter because methods shape one's view of the possibilities for legal practice and reform. Method "organizes the apprehension of truth; it determines what counts as evidence and defines what is taken as verification." n4 Feminists cannot ignore method, because if they seek to challenge existing structures of power with the same methods that [\*831] have defined what counts within those structures, they may instead "recreate the illegitimate power structures [that they are] trying to identify and undermine." n5

#### A just government of the People’s Republic of China ought to recognize an unconditional freedom of workers to strike

#### A “right” gives power to the state, a freedom reduces it. The alternative is mutually exclusive with the case and solves better

Dimick, JD/PhD, 19

(Matt, Law@Buffalo, *Counterfeit Liberty*, Catalyst Vol 3 No 1 Spring)

What then should be the attitude of the labor movement toward the law? The very existence of the state and law requires some engagement with it, if only to avoid it. I address these issues in the next section. LABOR LAW AND UNION STRATEGY I have argued that the regulation of labor relations need not always assume the form of law, and that in fact it does not always assume the extreme form of legalism that we find in the United States. I have also demonstrated the contradictory nature of rights in the regulation of labor relations. What kind of labor legal strategy emerges from this analysis? The introduction drew the distinction between rights and freedoms.68 Rights are those interests or actions that are protected by the coercive power of the state. Freedoms on the other hand are those interests or actions that are not prohibited by the state, but also with which others may interfere; freedoms are neither legally protected nor prohibited. My contention is that the labor movement should advance labor freedoms and be wary about labor rights. This contention follows from the previous analysis. Since rights are distinguished by the fact that they are protected by the coercive power of the state, bureaucrats, judges, and legislators can use that fact to restrict labor’s own means and powers to enforce these interests and claims, subordinating society to the state. Indeed, as I have shown, state officials, with interests and power of their own, are likely to view labor’s competing power as legally redundant and particularly subversive. Labor freedoms restrict the coercive power of the state in a way that gives priority to labor’s autonomous sources of power, subordinating the state to society. Advancing labor freedoms is hardly an unambitious strategy, since direct prohibitions on concerted activities are abundant. The three most restrictive prohibitions on strike activity are those directed to (1) mass picketing,69 (2) organizing and bargaining strikes,70 and (3) secondary strikes and boycotts.71 Each is an affirmative ban on worker collective action, by which an employer may have the actions enjoined and the union fined. As such, they are restraints on workers’ freedom of action. The first ban has done the most to destroy the power of the strike and, as discussed below, to open the door to the employer’s use of replacement workers. The second has done the most to squelch coordinated worker activity across firms and industries. As identified earlier, the third has done the most to derail and suppress organic worker self-organization. These restrictions could be eliminated through various means. Congress could amend the National Labor Relations Act, and remove the offending provisions. Some labor law scholars have argued that these provisions violate the First Amendment and therefore should be declared unconstitutional. The labor movement should entertain all options, but I have little doubt that massive civil disobedience though direct worker confrontation with these legal barriers will also be necessary to discredit and overcome them. If such labor freedoms were achieved, employers would be under no state-imposed duty to refrain from interfering with workers engaged in such activities. Workers could be terminated for engaging in mass picketing, organizing strikes, or secondary picketing. Freedoms may therefore strike some readers as insufficient. Yet, it has been the burden of this essay’s comparative, historical, and legal analysis to demonstrate the self-defeating sociological effects of labor rights. Nevertheless, there is truth to the claim that certain, fundamental labor rights remain essential. Thus, insofar as it facilities worker solidarity and collective action, there seems little reason to eschew, for example, a worker’s right to join a union. Even more fundamentally, the rights of workers to be free from the employer’s physical assaults or from the state’s interference with speech and expression are also necessary. The distinction between rights and freedoms is no talisman. Rather, the ultimate objective must be kept in mind: the collective self-organization of the working class.72 To convince the reader that this proposal is not merely wishful thinking, we should recall the self-regulation models of Scandinavia. In Denmark and Sweden, the regulation of labor relations — including such fundamental matters as union recognition and minimum wages — falls within the purview of unions and organized employer associations. Strikes that are banned in the United States remain viable options in Scandinavia. Enforcement of the rules and agreements depends primarily (though not exclusively) on the economic weapons of labor and employers, rather than the physical compulsion administered by the state. Labor courts, unlike the NLRB, operate outside the hierarchy of the bureaucracy and courts of the state apparatus.

#### Statism destroys value to life

**Kateb** – Professor of Politics and Director of the Program in Political Philosophy at Princeton – **1992** (George, The Inner Ocean p. 117-118)

What is statism? From a broad range of possible meanings, we may confine ourselves for the moment to the sense present in nuclear rhetoric. Let us say that this statism is the belief that a government is not a mere government but a state and that as such it is the locus of identity of a society; that it is not only distinct from but above society; that it has rights (not merely duties); that its survival can be secured at any cost to its own society or to others. We ordinarily associate such thinking with absolute monarchy or with modern party and military dictatorships. We certainly do not think that such a belief is compatible with the Constitution or with the moral ideas connected with political legitimacy in general. Statism is a vision of life in which people are means to the end of the survival of power, in which society is understood as one great quasi-military organization or power base and in which the state is seen not only as a society's leadership but also as its reason for being. Officials may not recognize their rhetoric and themselves in this description. But I do not see what the expressed determination to risk or engage in a sizable exchange of nuclear weapons could mean except that the idea of statism has been accepted. This point becomes especially evident when we see that American nuclear rhetoric explicitly refers to a protracted nuclear war and thus to the readiness to accept massive numbers of American deaths. Even if we choose to leave aside the rhetoric concerning limited or special nuclear uses, and also to leave aside the massive numbers of deaths in other countries, we are compelled to take in the fact that the American government says it is willing to have the American people endure countless deaths. This willingness, in turn, can only mean that officials think that as long as the executive upper echelons survive intact, and with them a corps of military and police, the only other need is enough people left alive to supply the means necessary for the government—that is, the state—and its purposes. Its purposes are one: to remain and continue to bear the true existence and meaning of society, even when millions have been passively victimized unto death. I do not see what other implication can be drawn from any rationalization of the use of nuclear weapons in a sizable exchange. If we insist that even a so-called special or limited use carries with it the immediate or delayed possibility of escalation, then we simply say that the rationalization of any use of nuclear weapons is the most extreme form of statism and therefore is the most extreme form of illegitimate or anti-constitutionalist doctrine.

#### Statism causes extinction

**Beres, 1994** (Louis Rene, Professor of International Law in the Department of Political Science at Purdue University, Spring,, Arizona Journal of International and Comparative Law, Lexis)

The State presents itself as sacred. The idea of the State as sacred is met with horror and indignation, especially in the democratic, secular West, but this notion is indisputable. Throughout much of the contemporary world, the expectations of government are always cast in terms of religious obligation. And in those places where the peremptory claims of faith are in conflict with such expectations, it is the latter that invariably prevail. With States as the new gods, the profane has become not only permissible, it is now altogether sacred. Consider the changing place of the State in world affairs. Although it has long been observed that States must continually search for an improved power position as a practical matter, the sacralization of the State is a development of modern times. This sacralization, representing a break from the traditional [\*20] political realism of Thucydides, n57 Thrasymachus n58 and Machiavelli, n59 was fully developed in Germany. From Fichte n60 and Hegel, through Ranke and von Treitschke, n61 the modern transformation of Realpolitik has led the planet to its current problematic rendezvous with self-determination. Rationalist philosophy derived the idea of national sovereignty from the notion of individual liberty, but cast in its modern, post-seventeenth century expression, the idea has normally prohibited intervention n62 and acted to oppose human dignity and human rights. n63 Left to develop on its continuous flight from reason, the legacy of unrestrained nationalism can only be endless loathing and slaughter. Ultimately, as Lewis Mumford has observed, all human energies will [\*21] be placed at the disposal of a murderous "megamachine" with whose advent we will all be drawn unsparingly into a "dreadful ceremony" of worldwide sacrifice. n64 The State that commits itself to mass butchery does not intend to do evil. Rather, according to Hegel's description in the Philosophy of Right, "the State is the actuality of the ethical Idea." It commits itself to death for the sake of life, prodding killing with conviction and pure heart. A sanctified killer, the State that accepts Realpolitik generates an incessant search for victims. Though mired in blood, the search is tranquil and self-assured, born of the knowledge that the State's deeds are neither infamous nor shameful, but heroic. n65 With Hegel's characterization of the State as "the march of God in the world," John Locke's notion of a Social Contract -- the notion upon which the United States was founded n66 -- is fully disposed of, relegated to the ash heap of history. While the purpose of the State, for Locke, is to provide protection that is otherwise unavailable to individuals -- the "preservation of their lives, liberties and States" -- for Hegel, the State stands above any private interests. It is the spirit of the State, Volksgeist, rather than of individuals, that is the presumed creator of advanced civilization. And it is in war, rather than in peace, that a State is judged to demonstrate its true worth and potential. [\*22] How easily humankind still gives itself to the new gods. Promised relief from the most terrifying of possibilities -- death and disappearance -- our species regularly surrenders itself to formal structures of power and immunity. Ironically, such surrender brings about an enlargement of the very terrors that created the new gods in the first place, but we surrender nonetheless. In the words of William Reich, we lay waste to ourselves by embracing the "political plague-mongers," a necrophilous partnership that promises purity and vitality through the killing of "outsiders."

## Case

### 1

#### Chinese and global economic collapse inevitable and “destroys…human civilization” – transition key

Li 16—PhD in Economics from U of Massachusetts Amherst and an Associate Professor of Economics at U of Utah [Minqi, *China and the 21st Century Crisis*, 2016, p. 12-13, Print]

After years of rapid economic growth, China's social structure has been transformed. A new generation of working class begins to demand a growing range of economic and social rights. Radicalized intellectuals, college students, worker activists, and veteran revolutionaries have joined forces to form China's "New Left". Historical experiences from several semi-peripheral countries suggest that Chinese capitalism will be unable to accommodate the growing demands from the Chinese working class and the urban middle class. China is likely to face an accumulation crisis and a political crisis by the 2020s.

Chapter 3 discusses the theoretical concepts and the historical evidence of capitalist economic crises. Karl Marx hypothesized that capitalist technological progress would result in rising "organic composition of capital" (rising ratios of capital stock to economic output), leading to a "tendency for the rate of profit to fall". Immanuel Wallerstein argues that capitalist development tends to drive up wage, material, and taxation costs, eventually leading to the structural crisis of the capitalist system.

The historical evidence so far has been mixed. In the leading capitalist countries, the output-capital ratios fell in the eighteenth century and the nineteenth century, but stabilized in the twentieth century. In Britain, the profit share tended to fall from the eighteenth century to the twentieth century, under the pressure of rising wage, taxation, and capital costs. In the United States, the profit share fell from the early twentieth century to the mid-twentieth century. But in the neoliberal era, labor income has been depressed and the profit share has recovered strongly in both Britain and the United States.

Historically, geographical expansion has played a crucial role in helping global capitalism to contain rising costs and restore favorable conditions of capital accumulation. David Harvey refers to this historical strategy of capitalism as "spatial fix". Chapter 4 discusses successive "spatial fixes" in the history of global capitalism from the sixteenth century to the twentieth century.

Historically, the periphery has functioned as the strategic reserve of the capitalist world system, providing a cheap labor force and resources when these were demanded. However, by the late twentieth century, to contain the rising costs in the core and the semi-periphery, it became necessary to mobilize China - a large geographic area in the periphery - to restore favorable conditions of global capital accumulation. As China enters into the semi-periphery, both the global labor and resources costs will tend to rise. The capitalist world system is approaching the limit of "spatial fix".

Chapter 5 argues that the inherent contradictions of Chinese capitalism will lead to a major economic crisis in the coming years. Being a large peripheral economy specializing in manufacturing exports, it is necessary for China to maintain heavy investment in industrial equipment and infrastructure. The excessively high level of investment has driven down China's profit rate. As wage, taxation, and capital costs rise, Chinese capitalism has entered into the era of profit squeeze leading to further declines of the profit rate.

Historical experience from British and American capitalism suggests that a major crisis is likely to happen when the economy-wide profit rate falls below 10 percent. The combination of excessively high investment and profit squeeze implies that China's economy-wide profit rate is likely to fall towards 10 percent by the 2020s, leading to a major economic crisis. But with the rapid escalation of China's debt-GDP ratios, a major financial and economic crisis before 2020 is a distinct possibility. Given China's current economic weight, a major crisis of the Chinese economy will almost certainly drag the global economy into the next recession, which may turn out to be far more damaging than the Great Recession of 2008-2009.

In the past, global capitalism has managed to recover from major crises by undertaking restructuring without changing the basic institutional framework of capitalism. However, in the twenty-first century, global capitalism will have to confront not only the traditional economic and social contradictions, but also the rapidly escalating ecological contradictions. Chapter 6 argues that for all practical purposes, it is no longer possible to limit global warming to no more than two degrees Celsius from the pre-industrial time. Some forms of dangerous climate change are already unavoidable. The question is whether humanity can manage to prevent the worst climate catastrophes that threaten to destroy the material foundation of human civilization.

#### Chinese economic decline is an impact filter

Glaser and Funaiole , 15, 11-16-2015, "Geopolitical Consequences of China’s Slowdown," Bonnie Glaser is Senior Adviser for Asia and Director, China Power Project. Matthew Funaiole is a Fellow on the China Power Project.https://www.csis.org/analysis/geopolitical-consequences-china%E2%80%99s-slowdown

Overinvestment in economic initiatives leaves Beijing susceptible to the same vulnerabilities that threaten the Chinese economy. Should the Chinese economy stumble, aspects of the AIIB and OBOR will need to be scaled back. The knock-on effects of an economic slowdown could diminish China’s future role in the region. The smaller countries of Asia have tolerated Chinese assertiveness in exchange for economic gains and because they fear that challenging China could cause Beijing to punish them economically. If China is no longer able to afford those benefits, many smaller countries may be less willing to show deference and more willing to push back against Chinese threats to their interests. In the South China Sea, where in recent years China has incrementally altered the status quo in its favor, such a development could have a positive effect. Myriad steps taken by some of the other claimants to the disputed land features, as well as by the United States, Japan, and other concerned members of the international community, have not persuaded Beijing to moderate its assertiveness and seek cooperative solutions to the extant territorial disputes. Any reduction in Chinese influence may diminish the disincentives that smaller claimant states and the Association of Southeast Asian Nations (ASEAN) face vis-à-vis China. Firmer and coordinated policies among Vietnam, the Philippines, and Malaysia, combined with greater unity among all the ASEAN member countries, might induce Beijing to conclude a binding code of conduct for the South China Sea that ensures disputes are managed peacefully and in accordance with international law. Similarly, China’s economic slowdown could offer Japan an occasion to gain leverage in the Sino-Japanese relationship, creating the possibility to tamp down tensions in the East China Sea and stabilize bilateral ties that remain a fragile, but critically important, component of the regional security landscape. Perhaps most significantly, a Chinese economic slowdown affords the United States an opportunity to buttress its political, economic, and military position in the Asia-Pacific, and assuage worries that the United States lacks sufficient strategic vision and political commitment to the region. The outcome relies on how Washington plays its hand, but the result could be the strengthening of a rules-based, U.S.-led security architecture in the Asia-Pacific region for years to come.

#### China’s economic growth = nuclear modernization

Delpech 12 (Therese Delpech Thérèse Delpech was a French international relations expert and prolific public intellectual. &quot;Nuclear Deterrence in the 21st Century: Lessons from the Cold War for a New Era of Strategic Piracy,&quot; published posthumously by the RAND corporation. www.rand.org/content/dam/rand/pubs/monographs/2012/RAND\_MG1103.pdf)

Why do they believe this when there is little evidence supporting this view? The first beneficiary of China’s growth seems to be the Chinese military. Beijing has continually increased its military spending by more than 10 percent every year for almost 20 years, beyond its annual growth during the same period. China’s public explanation is related to improved welfare of the military personnel and better logistical support. However, a large part of the military spending is meant to finance more serious programs: nuclear missiles, energy weapons, space warfare, antiballistic defenses, nuclear and conventionally advanced submarines, amphibious assault ships, electronic intelligence, cyber capabilities, and antiship ballistic missiles (a critical antiaccess capability). In addition to this impressive list, where the sky seems to be the limit, it is noteworthy that China is able to dramatically reduce its cycle of research, development, and production because of its access to Western—and in particular American—technologies, often thanks to espionage. Sometimes seen in America as the only serious interlocutor of the United States to address the world’s problems (the already worn-out G-2 concept), China may become its most serious challenger in the 21st century. If China acquires a challenging military capability and decides to come out in the open with a series of technical demonstrations,22 by that time it may be too late to react.

#### Chinese nuclear modernization ensures extinction – regional conflicts escalate

Eric Heginbotham et. al. 15 2015. Michael Nixon, Forrest E. Morgan, Jacob L. Heim, Jeff Hagen, Sheng Li, Jeffrey Engstrom, Martin C. Libicki, Paul DeLuca, David A. Shlapak, David R. Frelinger, Burgess Laird, Kyle Brady, Lyle J. Morris Eric Heginbotham is a senior political scientist at the nonprofit RAND Corporation “The US China military scorecard” RAND. http://www.rand.org/content/dam/rand/pubs/research\_reports/RR300/RR392/RAND\_RR392.pdf

Nevertheless, further moves by China to increase the size of its nuclear arsenal could have serious consequences. Such moves could undermine U.S. and Russian efforts to pursue further reductions in their own forces. Thus far, second-tier nuclear powers, such as China, India, and Pakistan, have had little impact on U.S. and Russian force planning—even as those second-tier powers increasingly interact with one another. However, continued growth in China’s nuclear inventory will further undermine political support for cuts beyond those required by New START; this support is already highly uncertain in the wake of continuing Russian aggression in Ukraine. Washington, Moscow, or both may wish to ensure that China does not make a dash for parity while the former Cold War superpowers reduce their nuclear forces. Even without pursuing parity, a larger Chinese nuclear inventory may complicate future U.S. and Russian planning if either contemplates simultaneous nuclear threats by China and another power. And finally, as China’s second-strike capability becomes more secure—and it has many options to improve that survivability—Beijing may become bolder in its international behavior. As the other scorecards in this report indicate, the potential costs of a conventional military conflict with China are growing for the United States. And as this scorecard suggests, Chinese leaders might believe that the United States no longer has the option of escalating to the nuclear level without suffering powerful retaliation. Hence, they may believe that the United States, without absolute escalation dominance, will be less likely to intervene in the event of a regional conflict… Finally, some mention should be made of measures to reduce the possibility of nuclear escalation. The scorecard results suggest that although the chances of crossing the nuclear threshold would remain low, even in the event of war, those risks may be growing. China maintains a nuclear no-first-use policy, and the United States has also pledged to reduce the role of nuclear weapons in its national security planning.15 Nevertheless, history suggests that certain structural conditions can increase the probability of states taking military actions during crises that they did not originally anticipate. In the contemporary East Asian context, the threat of vertical escalation has been increased by two developments: first and foremost, the blurring of conventional and nuclear boundaries and, second, growing incentives for U.S. forces to strike targets on the mainland in the event of war. Although there are no quick or easy solutions, it is in the interests of both parties to address and minimize those risks. The blurring of the conventional and nuclear realms has been driven in part by the development of two types of “crossover” capabilities on both sides: variants of systems originally designed for nuclear missions but also suited to conventional attack roles and conventional systems designed to attack nuclear weapons. In the U.S. case, the “conventional prompt global strike” (CPGS) capabilities are being pursued to buttress U.S. efforts to deter or defeat adversaries by enabling the United States to attack high-value or fleeting targets at the beginning of a conflict. Congress blocked funding for deploying conventional warheads on SLBMs, but the United States is pursuing development of a hypersonic glide delivery vehicle that would be deployed on a modified Peacekeeper ICBM (a system called the conventional strike missile, or CSM).16 In the Chinese case, the PLA is already heavily invested in conventionally armed ballistic missiles. It is currently developing a new generation of ballistic missiles capable of attacking ships at sea. These systems pose two potential problems. The first and admittedly lesser possibility is that the launch of one or more of these missiles could be taken as a possible nuclear attack, compelling the receiving side to launch a nuclear counterattack. This danger is, in the current context, probably more theoretical than real, since a small salvo of ballistic missiles would be unlikely to prompt an adversary to launch a warning. (Also, China has only limited early-warning capabilities and would be unlikely to know it was under attack until ballistic missiles landed.) A more significant danger is that the use (or possibility of use) of conventionally armed ballistic missiles would make those systems high-value targets in the event of war. Attacks on such systems could inadvertently jeopardize the survival of the targeted side’s nuclear forces. Given the very substantial threat posed by Chinese ballistic missiles, particularly DF-21Cs and DF-21Ds, U.S. military planners would have very high incentives to find and destroy these missiles. However, conventionally armed DF-21s may be difficult or impossible to distinguish from nuclear-armed DF-21s, and the hunt for conventionally armed missiles could result in the attrition of China’s nuclearcapable missile force. This could ultimately create a “use-them-or-lose-them” dilemma for Chinese strategic planners, particularly if other parts of China’s strategic system (such as SSBNs) were under attack. The scorecard results suggest that the incentives for U.S. forces to strike a range of targets on the mainland in the event of a conflict, particularly a Taiwan scenario, are growing. In a difficult fight with potentially high losses to the U.S. side, military leaders will look to strike high-value targets. They might, for example, look to strike command-and-control facilities, satellite control or downlink facilities, and OTH radar arrays. Many of these targets did not exist in 1996, and the United States might have prevailed in some scenarios even without striking those that did exist. Today, the incentives are much higher. Modeling of an air superiority campaign over Taiwan illustrates the change. Our model showed that striking air bases on the mainland would not have lowered the overall force requirements needed to prevail in 1996, but by 2010, such attacks would have contributed significantly.

#### Chinese economic growth bad for the environment – laundry list

Albert and Xu, 16 (Eleanor Albert, Online Writer/Editor at Council on Foreign Relations; Beina Xu, online writer/editor for CFR.org; “China's Environmental Crisis”; 1/18/16; <http://www.cfr.org/china/chinas-environmental-crisis/p12608> )KW

Introduction China’s environmental crisis is one of the most pressing challenges to emerge from the country’s rapid industrialization. Its economic rise, in which GDP grew on average 10 percent each year for more than a decade, has come at the expense of its environment and public health. China is the world’s largest source of carbon emissions, and the air quality of many of its major cities fails to meet international health standards. Life expectancy north of the Huai River is 5.5 years lower than in the south due to air pollution (life expectancy in China is 75.3 according to 2013 UN figures). Severe water contamination and scarcity have compounded land deterioration. Environmental degradation threatens to undermine the country’s growth and exhausts public patience with the pace of reform. It has also bruised China’s international standing and endangered domestic stability as the ruling party faces increasing scrutiny and public discontent. More recently, amid waning economic growth, leaders in Beijing appear more determined to institute changes to stem further degradation. A History of Pollution While China’s economic boom has greatly accelerated the devastation of its land and resources, the roots of its environmental problem stretch back centuries. Dynastic leaders who consolidated territory and developed China’s economy exploited natural resources in ways that contributed to famines and natural disasters, writes CFR’s Elizabeth C. Economy in The River Runs Black: The Environmental Challenge to China's Future. “China’s current environmental situation is the result not only of policy choices made today but also of attitudes, approaches, and institutions that have evolved over centuries,” Economy writes. It wasn’t until the 1972 United Nations Conference on the Human Environment that China began to develop environmental institutions. It dispatched a delegation to the conference in Stockholm, but by then the country’s environment was already in dire straits. Economic reforms in the late 1970s that encouraged development in rural industries further exacerbated the problem. “China’s current environmental situation is the result not only of policy choices made today but also of attitudes, approaches, and institutions that have evolved over centuries.”—Elizabeth C. Economy, Council on Foreign Relations Chinese leader Deng Xiaoping implemented a series of reforms that diffused authority to the provinces, creating a proliferation of township and village enterprises (TVEs). By 1997, TVEs generated almost a third of national GDP, though TVEs have since declined in relative importance to the Chinese economy. But local governments were difficult to monitor and seldom upheld environmental standards. Today, with a transitioning Chinese economy fueled by large state-owned enterprises, environmental policies remain difficult to enforce at the local level, where officials often priotize hitting economic targets over environmental concerns. Despite the government’s stated goals, actual change to environmental policies and effective implementation will require revisiting state-society and state-market relations and China’s bureaucratic power structure, writes CFR’s Yanzhong Huang. China’s modernization has lifted hundreds of millions out of poverty and created a booming middle class. In some ways, the country’s trajectory of industrialization is not unlike those of other modernizing nations, such as the UK in the early nineteenth century. But experts say China's environmental footprint is far greater than that of any other single country. How Bad Is It? China is the world’s largest emitter of greenhouse gases, having overtaken the United States in 2007, and was responsible for 27 percent of global emissions in 2014. The country’s energy consumption has ballooned, with reports from late 2015 implying that it consumed up to 17 percent more coal than previously reported. In January 2013, Beijing experienced a prolonged bout of smog so severe that citizens dubbed it an “airpocalypse”; the concentration of hazardous particles was forty times the level deemed safe by the World Health Organization (WHO). In December 2015, Beijing issued red alerts for severe pollution—the first since the emergency alert system was established. The municipal government closed schools, limited road traffic, halted outdoor construction, and paused factory manufacturing. At least 80 percent of China’s 367 cities with real-time air quality monitoring failed to meet national small-particle pollution standards during the first three quarters of 2015, according to a Greenpeace East Asia report. In December 2015, the Asian Development Bank approved a $300 million loan to help China address the capital region’s choking smog. Coal is largely to blame for the degradation of air quality. China is the world’s largest coal producer and accounts for about half of global consumption. Mostly burned in the north, coal provides around two thirds of China’s energy mix, however demand for it appears to be declining. China’s National Energy Agency claimed that coal use dropped to 64.2 percent of the mix in 2014, down almost two percent from 2012. This drop in coal demand also comes as China’s economy is slowing, with its central bank forecasting that annual growth will only expand by 6.8 percent in 2016, down from 6.9 percent a year earlier. Still, doubts linger of China’s commitment to wean itself from coal. In 2015, China’s coal power plant capacity increased by 55 percent in the first six months, 155 new coal-fired plants were approved, and China admitted that it had underreported its annual coal consumption since 2000. There were a record 17 million new cars on the road in 2014, further contributing to China’s high emissions. Car ownership was up to 154 million, according to China’s Ministry of Public Security,with compared to roughly 27 million in 2004, according to China’s National Bureau of Statistics. Another trend compounding air problems has been the country’s staggering pace of urbanization, a national priority. The government aims to have more than 60 percent of the Chinese population living in cities by 2020, up from 36 percent in 2000 (53.7 percent of the population in 2015 lived in urban areas). Rapid urbanization increases energy demands to power new manufacturing and industrial centers. Experts also cite water depletion and pollution as among the country’s biggest environmental challenges. China is home to 20 percent of the world’s population but only 7 percent (PDF) of its fresh water sources. Overuse and contamination have produced severe shortages, with nearly 70 percent of the country’s water supplies dedicated to agriculture and and 20 percent of supplies used in the coal industry, according to Choke Point: China, an environmental NGO initiative. Approximately two-thirds of China’s roughly 660 cities suffer from water shortages. Former Chinese premier Wen Jiabao has said that water shortages challenge “the very survival of the Chinese nation.” Industry along China’s major water sources has polluted water supplies: in 2014, groundwater supplies in more than 60 percent of major cities were categorized as “bad to very bad” and more than a quarter of China’s key rivers are “unfit for human contact.” And lack of waste removal and proper processing has exacerbated problems. Combined with negligent farming practices, overgrazing, and the effects of climate change, the water crisis has turned much of China’s arable land into desert. About 1.05 million square miles of China’s landmass are undergoing desertification, affecting more than 400 million people, according to the deputy head of China’s State Forestry Administration. Water scarcity, pollution, and desertification are reducing China’s ability to sustain its industrial output and produce food and drinkable water for its large population. Cost of Environmental Damage Environmental depredations pose a serious threat to China’s economic growth, costing the country roughly 3 to 10 percent of its gross national income, according to various estimates. China’s Ministry of Environmental Protection calculates estimates the cost of pollution at around 1.5 trillion RMB ($227 billion), or roughly 3.5 percent of GDP, according to 2010 figures. Due to the sensitivity of the topic, the ministry only releases such figures intermittently. Data on the toll of China’s pollution on public health paint a devastating picture. Air pollution contributes to an estimated 1.2 million premature deaths in China annually. Epidemiological studies conducted since the 1980s in northern China suggest that poor air quality in Chinese cities causes significant health complications, including respiratory, cardiovascular, and cerebrovascular diseases. Pollution has also been linked to the proliferation of acute and chronic diseases; estimates suggest that around 11 percent of digestive-system cancers in China may stem from unsafe drinking water. Recent studies have reported that emissions from China’s export industries are worsening air pollution as far as the western United States. China’s neighbors, including Japan and South Korea, have also expressed concern over acid rain and smog affecting their populations. Environmental ministers from the three northeast Asian countries agreed to boost cooperative efforts to curb air pollution and to protect water quality and the maritime environment in 2014. The damage has also affected China’s economic prospects as it continues to pursue extractive resources abroad, such as oil and other fossil fuels. Its economic partners, particularly in the developing world, face costly environmental burdens attached with doing business with China, write CFR’s Economy and Michael Levi in By All Means Necessary, their book on China’s quest for resources. Citizen Outrage Environmental damage has cost China dearly, but the greatest collateral damage for the ruling Communist Party has likely been growing social unrest. Demonstrations have proliferated as citizens gain awareness of the health threats and means of organized protest (often using social media). In 2013, Chen Jiping, former leading member of the party’s Committee of Political and Legislative Affairs said that environmental issues are a major reason for “mass incidents” in China—unofficial gatherings of one hundred or more that range from peaceful protest to rioting. Environmental protests in rural and urban areas alike—such as those in Guangdong, Shanghai, Ningbo, and Kunming—are increasing in frequency. The number of “abrupt environmental incidents”, including protests, in 2013 rose to 712 cases, a 31 percent uptick from the previous year. CFR’s Economy points out that one of the most important changes in China’s environmental protest movement has been a shift, beginning in the late 2000s, from predominantly rural-based protests to urban-based movements. The issue has worried the top leadership, which views the unrest as a threat to the party’s legitimacy. “Air pollution in China has turned into a major social problem and its migitation has become a crucial political challenge for the country’s political leadership,” write Center for Strategic and International Studies’s Jane Nakano and Hong Yang. Yet the government has responded to public outcries: Chinese Premier Li Keqiang declared a “war on pollution” in March 2014; in May of the same year the government strengthened the country’s Environmental Protection Law for the first time in twenty-five years. Such moves reflect “a changing understanding within China about the relationship between economic development and societal wellbeing,” Economy and Levi write.

### 2

#### Invading Taiwan would be massively detrimental to China- energy, legitimacy and history.

Hass, China director under Obama, ‘19

(Ryan, former director for China, Taiwan and Mongolia affairs on the National Security Council (2013-17), former Foreign Service Officer in U.S. Embassy Beijing, Michael H. Armacost Chair in Foreign Policy at Brookings, <https://www.brookings.edu/opinions/rightsizing-fears-about-taiwans-future/>, July 1) BW

This is why I am not an enthusiast of putting significant stock in capability counting of military assets on both sides of the Taiwan Strait. While such factors cannot — and should not — be overlooked, they also should not lead to hopelessness about Taiwan’s ability to defend itself. Thinking about a cross-Strait conflict as an arithmetic war of attrition between Taiwan and China is the wrong frame for evaluating risk. Should Beijing ever initiate military action against Taiwan, it would have to contend with the risk of the United States and others entering the conflict. It would have to factor in the risk of having its energy supply lines cut off, its economy crippled, and its international status tarnished. It also would have to weigh the risk that anything short of quick and absolute surrender by the people of Taiwan could call into question the continued rule of the Chinese Communist Party. Beijing is keenly aware that it imports roughly half of its energy from the Middle East, and that it does not have the naval capacity to protect its sea lanes of communication along the entire route. It actively is seeking to reduce this vulnerability, but this will be a multi-decade effort. And as astute observers of history, Chinese leaders surely also have examined the lessons of the Soviet invasion of Afghanistan, and the role that failed adventurism there played in seeding conditions for the ultimate collapse of the USSR. Even as these factors should offer relief against fears of bolt from the blue military attacks, it would be dangerous for them to lead to complacency. There is much work to be done to strengthen Taiwan’s ability to chart a peaceful future for itself.

#### No reunification- political and physical constraints.

Yuwen ‘19

(Deng, VisitingScholar@UniversityOfNottingham, CouncilMember@BeijingReformAndDevelopmentInstitute, <https://www.scmp.com/comment/insight-opinion/article/3005816/xi-jinping-wont-force-unification-taiwan-now-show-force>, April 15) BW

For the first time in years, two Chinese fighter jets crossed into Taiwanese airspace on March 31, causing Taiwan to scramble its own aircraft in a tense stand-off. What impact will this incident have on cross-strait relations, and will a similar stand-off eventually lead to an accidental exchange of fire? As Taiwan gears up for the 2020 presidential election, unification and independence will surely be one of hot topics of debate. So far, both President Tsai Ing-wen and her colleague at the Democratic Progressive Party, former premier William Lai Ching-te, a self-proclaimed “pragmatic Taiwan independence worker”, have said they would seek nomination for the contest. We can’t rule out the possibility that the DPP will turn to some underhand means to try to win the election, but it would not want to trigger a Chinese campaign to force unification. This does not mean Beijing does not want to resolve the Taiwan issue as soon as possible, but now is not the time. We know this from the fact that Taiwan was not made an issue during the Two Sessions meetings of China’s political leaders last month. At the gathering of the National People’s Congress, Premier Li Keqiang spoke about Taiwan in his government work report, but only in a routine mention of the importance of upholding the “one China” policy. In his press conference, the focus was on China’s offer of “preferential policies” for Taiwan. The island did not even come up in Foreign Minister Wang Yi’s press conference at the two sessions, which was surprising considering the spike in cross-strait tensions since the beginning of this year, when President Xi Jinping called on Taiwan to accept a “one country, two systems” model of unification in a tough speech. So it’s clear Beijing has no intention of forcing unification at this stage. Perhaps it has been holding back from any tough talk because it does not want the Tsai administration or the DPP to seize on it to boost their election chances. Did the PLA crossover two weeks ago indicate a change of mind? It is unlikely, as of now. Beijing may in fact encourage more such crossovers, in an effort to normalise them to force a new status quo on Taiwan, but it would carefully control the pace of change so things do not get out of control. Most likely, China will choose to put pressure on Taiwan using a combination of methods to promote unification step by step. It may launch more preferential policies and try to initiate discussion on a “one country, two systems” framework with Taiwan’s ruling and opposition parties. But it is unlikely to resort to threatening the use of force for now, not out of any goodwill, but simply due to several practical constraints. One is that Xi’s military reform is not yet complete, and the People’s Liberation Army’s combat power needs to be further strengthened to ensure it has any hope of withstanding a US military intervention. Second, the Chinese economy is struggling in the midst of a trade war with the US. Strengthening the economy is a key priority of the Chinese government. Third, Xi’s work to consolidate his power base is not yet complete. Before these goals are reached, Xi’s government would not rashly try to unify Taiwan, unless there is a sudden change in the external environment. There are different views on when China would try to unify Taiwan. One popular theory is it would try to do so by 2021, the year the Chinese Communist Party marks the 100th anniversary of its founding by becoming a well-off (xiaokang) society. This is the first of Xi’s “Two Centenaries” goals, the foundation of his Chinese dream. The second is for China to become a global power by 2049, when it would celebrate the 100th year of the People’s Republic. As things stand, meeting the first goal with the prize of unification with Taiwan is extremely unlikely, given the lack of effort by Beijing to mobilise public opinion and ratchet up pressure on Taiwan. But the government also won’t delay the settlement of the Taiwan issue indefinitely. Once Xi believes the conditions mentioned above have been met, he will move to unify Taiwan, by force if necessary.

### 3

#### China SCS expansion is pragmatic and strategically calculated to not provoke military conflict – rigorous historical analysis.

Herscovitch, PhD, 17

(Benjamin, PoliticalTheory@Sydney, DeputyDirector@AustraliaDOD, 8-28, A Balanced Threat Assessment of China’s South China Sea Policy, CATO Policy Analysis 820)

Notwithstanding China’s record of aggression in the SCS, Beijing has thus far been careful to use force only in circumstances where the risk to regional and global security is low.[24](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor023) Even China’s most aggressive actions in the SCS — its brief naval clashes with Vietnam in January 1974 in the Paracel Islands and in March 1988 in the Spratly Islands — were extremely unlikely to spark a larger military conflict.[25](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor024) The battle with Vietnam in 1974 was against a collapsing and strategically isolated South Vietnamese regime, which, with the withdrawal of the last U.S. combat troops a year earlier, had lost its primary means of defense against the advancing North Vietnamese forces.[26](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor025) Meanwhile, the skirmish with communist Vietnam in 1988 was against a state whose primary strategic and diplomatic partner — the Soviet Union — was teetering toward dissolution and was inwardly focused on severe domestic economic, social, and political challenges.[27](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor026) These considerations by no means justify China’s acts of aggression against Vietnam. Yet they point to a pragmatic and strategically opportunistic SCS policy. China may be willing to resort to military aggression in the SCS, but it has been willing to do so only against weak or isolated adversaries and when the risk of sparking a large-scale conflict is low.[28](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor027) China’s SCS policy continues to exhibit pragmatism and strategic opportunism. Since the reinvigorated U.S. effort to manage the SCS dispute in the wake of the Obama administration’s “pivot” to Asia, China’s SCS policy has included a suite of what might be described as “soft” forms of coercion. Featuring prominently are such tactics as (a) the creation or expansion of disputed maritime features, (b) the recalibration of China’s military command structure to place greater strategic emphasis on China’s territorial and maritime claims in the SCS, and (c) an increased tempo of naval patrols and surveillance by the maritime militias (i.e., irregular Chinese navy).[29](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor028) Other soft forms of coercion include a sophisticated and assertive public relations effort by means of the “three warfares” (sān zhoˇng zhànfa): “public opinion warfare” (yúlùn zhàn), “psychological warfare” (xīnlıˇ zhàn), and “legal warfare” (faˇlü zhàn).[30](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor029) The three warfares are deployed in the SCS dispute to delegitimize the territorial and maritime claims of Southeast Asian states, to dissuade members of the international community from criticizing China’s SCS policy, and to normalize Chinese territorial and maritime expansionism. Through its maritime militias, fishermen, and coast guard, China admittedly continues to deploy force, including evicting fishermen from competing claimant states and blockading the Philippine marines stationed on Second Thomas Shoal. However, in addition to keeping such uses of force at relatively low levels, China’s overall SCS policy is weighted toward softer forms of coercion.[31](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor030) Rather than, for example, launching naval assaults on Philippine, Vietnamese, or Malaysian outposts in disputed waters, China will probably continue its pragmatic and strategically opportunistic SCS policy. That policy might include tactics such as expanding the size and sophistication of its artificial islands and taking control of and developing the more than 200 maritime features that Chinese military officials have said are still unoccupied in the SCS.[32](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor031) Such tactics are likely to aggravate regional tensions. Yet, although they can be expected to elicit objections internationally, these forms of soft coercion are unlikely to provoke military conflict.[33](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor032) For Southeast Asian claimant states, the United States, and other regional powers, China’s island construction activities are unlikely to cross the threat threshold that would justify economically costly and strategically risky responses, such as naval blockades of Chinese outposts, forcible evictions of Chinese dredging vessels, or economic sanctions against China.[34](https://www.cato.org/publications/policy-analysis/balanced-threat-assessment-chinas-south-china-sea-policy#_idTextAnchor033) Soft coercion will therefore probably allow China to slowly but surely consolidate and expand its area of de facto control over the SCS without endangering regional and global security.