# Princeton r2 1N v Bronx Sci RP

## 1

#### Interpretation – the affirmative must defend a hypothetical enactment of a topical post-fiat policy action i.e the implementation of a legal framework to guarantee the unconditional right of workers to strike.

#### [1] Resolved requires a policy

**Louisiana House 05** [3-8-2005, http://house.louisiana.gov/house-glossary.htm]

**Resolution A legislative instrument** that generally is **used for** making declarations, **stating policies,** and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; **a resolution uses the term "resolved".** Not subject to a time limit for introduction nor to governor's veto. ( Const. Art. III, §17(B) and House Rules 8.11 , 13.1 , 6.8 , and 7.4)

#### [2] Ought refers to a legal relationship between an empirical condition and some legally mandated consequence. KELSEN:

Pure Theory of Law, Hans Kelsen, 1934

Both cases involve simply the expression of a functional connection of elements, the connection specific to the respective system—here nature, there the law. In particular, even causality represents only a functional connection when one frees it of the metaphysico-magical sense originally attached to it by man, still entirely animistic and imagining in the cause some secret force creating, out of itself, the effect. A causal principle thus purified can never be dispensed with in the natural sciences, for what is manifest in the principle is simply the postulate of the intelligibility of nature, a postulate that can be approximated only by linking the material facts given to our cognition. Laws of nature say: ‘if A is, then £ must be.’ Positive laws say: ‘if A is, then B ought to be.’ And neither the laws of nature nor positive laws have said anything thereby about the moral or political value of the connection between A and B. The ‘ought’ designates a relative a priori category for comprehending empirical legal (p.25) data. In this respect, the ‘ought’ is indispensable, lest the specific way in which the positive law connects material facts with one another not be comprehended or expressed at all. For it is obvious that this connection is not the connection of cause and effect. It is not as the effect of a cause that punishment is set for a delict; rather, the legislator establishes between these two material facts, delict and punishment, a linkage that is completely different from causality. Completely different, but just as inviolable. For in the system of the law, that is, owing to the law, punishment follows always and without exception from the delict, even if, in the system of nature, punishment may fail to materialize for one reason or another. Where punishment does materialize, it need not occur as an effect of the delict, functioning as cause; it can have entirely different causes, even if, indeed, the delict has not taken place at all.

#### Violation:

#### Vote neg:

#### [x] Clash – I don’t have prep specific to their aff to generate in depth clash – they can leverage their specific knowledge of their aff to always frame out generics and use their extensive frontlines to crush any pre round prep I generated, magnified by the fact that I can only prep the rez o/w [a] Education since arg interaction is the only specific way we learn in debate, B] Advocacy Skills - turns their aff scholarship – the only way to create change in the real world is by being able to make advocacies and engage in them– allowing clash forces people to actually consider your claims and forces good engagement

#### Reject clash bad – they purposely read their aff in a competitive activity that assumes clash

#### [x] State Education – debate is a unique forum in which we can learn the most out of all spaces about the state, even if the state is bad, using the state and talking about it allows us to understand how levels of power and how the state functions – that turns the aff – in order to engage in your method and challenge the state we need to understand how it operates – also takes out any T violent arguments

#### [x] Limits – absent the rez the aff could be anything which makes infinite affs. That destroys fairness – their abuse is supercharged by two things. A] they literally have infinite prep since the 2-month topic reset doesn’t apply and B] they can cherry pick their aff to be something trivially true like racism bad which I can’t substantively deny.

#### Framing issues:

#### [x] Fairness o/w - a] testing – you can’t evaluate their args because the round was skewed – if they have 10 minutes to win their aff or fairness bad and I have 1 for the opposite they will win – proves fairness is good even under their method of (insert their ROB thing) b] they concede its authority via speech times and tournament procedure c] Ballot Proximity – voting aff wont solve all of (insert what they want to solve), but its unique to being able to solve fairness [d] all your arguments assume they will evaluated by the judge fairly, saying unfairness good is just saying to not evaluate your args

#### [x] Vote on education – [a] it’s the only terminal impact to debate that matters after the round o/w on portability [b] its uniquely key to being able to challenge (insert what they want to solve) it’s the only way to know how and what we should be doing

#### [x] Prefer competing interpretations, reasonability is arbitrary and encourages judge intervention which can moot the entirety of 1ac or 1nc speeches.

#### [x] Drop the debater – a] to deter future abuse and b] drop the arg on T is functionally the same

#### [x] No RVI – a] logic – I’m fair vote for me makes no sense and outweighs because all args must be logical, b] baiting – rvis incentivize abuse to win on theory

#### [x] TVA - 1] Fiat is fake, but you can defend the topic without being the state – that produces the best education and solves their offense

Newman 10 [Newman, Saul. [Reader in Political Theory at Goldsmiths, University of London] Theory & Event, Volume 13, Issue 2, 2010.]

There are two aspects that I would like to address here. Firstly, the notion of demand:makingcertaindemands onthe state– say for higher wages, equal rights for excluded groups, to not go to war, or an end to draconian policing – is one of the basic strategies of social movements and radical groups. Making such demands does not necessarily mean working within the state or reaffirming its legitimacy. On the contrary, demands are made from a position outside the political order, and they often exceed the question of the implementation of this or that specific measure. Theyimplicitlycall into questionthe legitimacy and even the sovereignty of the stateby highlightingfundamentalinconsistenciesbetween, for instance, a formal constitutional order which guarantees certain rights and equalities, and state practices which in reality violate and deny them

#### 2] Solvency deficits to the TVA are neg ground – they aren’t entitled to a perfect aff

#### You can’t weigh case – A If I win that you preclude me from substantive engagement with the 1AC, then you will obviously win the case—means you can’t cross-apply case impacts or

## 2

The standard is maximizing expected wellbeing.

#### Util is the best for governments

#### [1] Governments must aggregate since every policy benefits some and harms others, which also means side constraints freeze action.

#### [2] No intent-foresight distinction – the actions we take are inevitably informed by predictions, and consequences are a collective part of the will.

#### [3] Actor-spec comes first since different agents have different ethical standings.

#### [4] Objectivity – body count is the most objective way to calculate impacts because comparing suffering is unethical.

## 3

#### Counterplan: A just government ought to recognize an unconditional right of workers, except for healthcare workers, to strike.

#### Nurse strikes devastates hospitals

Wright 10 Sarah H. Wright July 2010 "Evidence on the Effects of Nurses' Strikes" <https://www.nber.org/digest/jul10/evidence-effects-nurses-strikes> (Researcher at National Bureau of Economic Research)

U.S. hospitals were excluded from collective bargaining laws for three decades longer than other sectors because of fears **that strikes by nurses might imperil patients' health**. Today, while unionization has been declining in general, it is growing rapidly in hospitals, with the number of unionized workers rising from 679,000 in 1990 to nearly one million in 2008. In Do Strikes Kill? Evidence from New York State (NBER Working Paper No. 15855), co-authors Jonathan Gruber and Samuel Kleiner carefully examine the effects of nursing strikes on patient care and outcomes. The researchers match data on nurses' strikes in New York State from 1984 to 2004 to data on hospital discharges, including information on treatment intensity, patient mortality, and hospital readmission. They conclude that nurses' strikes were **costly to hospital patients**: in-hospital mortality **increased by 19.4 percent** and hospital readmissions **increased by 6.5 percen**t for patients admitted during a strike. Among their sample of 38,228 such patients, an estimated **138 more individuals died than would have without a stri**ke, and 344 more patients were readmitted to the hospital than if there had been no strike. "Hospitals functioning during nurses' strikes **do so at a lower quality of patient care,"** they write. Still, at hospitals experiencing strikes, the measures of treatment intensity -- that is, the length of hospital stay and the number of procedures performed during the patient's stay -- show no significant differences between striking and non-striking periods. Patients appear to receive the same intensity of care during union work stoppages as during normal hospital operations. Thus, the poor outcomes associated with strikes suggest that they might reduce hospital productivity. These poor health outcomes increased for both emergency and non-emergency hospital patients, even as admissions of both groups decreased by about 28 percent at hospitals with strikes. The poor health outcomes were not apparent either before or after the strike in the striking hospitals, suggesting that they are attributable to the strike itself. And, the poor health outcomes do not appear to do be due to different types of patients being admitted during strike periods, because patients admitted during a strike are very similar to those admitted during other periods. Hiring replacement workers apparently does not help: hospitals that hired replacement workers **performed no better** during strikes than those that did not hire substitute employees. In each case, patients with conditions that required intensive nursing were more likely to fare worse in the presence of nurses' strikes.

#### 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)

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.

#### New Pandemics are deadlier and faster are coming – COVID is just the beginning

Antonelli 20 Ashley Fuoco Antonelli 5-15-2020 <https://www.advisory.com/daily-briefing/2020/05/15/weekly-line> "Weekly line: Why deadly disease outbreaks could become more common—even after Covid-19" (Associate Editor — American Health Line)

While the new coronavirus pandemic suddenly took the world by storm, the truth is public health experts for years have warned that a virus similar to the new coronavirus would cause the next pandemic—and they say **deadly infectious disease outbreaks could become more common**. Infectious disease experts are always on the lookout for the next pandemic, and in a report published two years ago, researchers from the Johns Hopkins Bloomberg School of Public Health **predicted that the pathogen most likely to cause the next pandemic would be a virus similar to the common cold**. Specifically, the researchers predicted that the pathogen at fault for the next pandemic would be: A microbe for which people have not yet **developed immunities**, meaning that a large portion of the human population would be susceptible to infection; Contagious during the so-called "incubation period"—the time when people are infected with a pathogen but are not yet showing symptoms of the infection or are showing only mild symptoms; and Resistant to any known prevention or treatment methods. The researchers also concluded that such a pathogen would have a "low but significant" fatality rate, meaning the pathogen wouldn't kill human hosts fast enough to inhibit its spread. As **Amesh Adalja**—a senior scholar at the Johns Hopkins Center for Health Security, who led the report—told Live Science's Rachael Rettner at the time, "**It just has to make a lot of people sick" to disrupt society**. The researchers said RNA viruses—which include the common cold, influenza, and severe acute respiratory syndrome (or SARS, which is caused by a type of coronavirus)—fit that bill. And even though we had a good bit of experience dealing with common RNA viruses like the flu, Adalja at the time told Rettner that there were "a whole host of viral families that get very little attention when it comes to pandemic preparedness." Not even two years later, the new coronavirus, which causes Covid-19, emerged and quickly spread throughout the world, reaching pandemic status in just a few months. To date, officials have reported more than 4.4 million cases of Covid-19 and 302,160 deaths tied to the new coronavirus globally. In the United States, the number of reported Covid-19 cases has reached more than 1.4 million and the number of reported deaths tied to the new coronavirus has risen to nearly 86,000 in just over three months. Although public health experts had warned about the likelihood of a respiratory-borne RNA virus causing the next global pandemic, many say the world was largely unprepared to handle this type of infectious disease outbreak. And as concerning as that revelation may be on its own, **perhaps even more worrisome is that public health experts predict life-threatening infectious disease outbreaks are likely to become more common—meaning we could be susceptible to another pandemic in the future**. Why experts think deadly infectious disease outbreaks could become more common As the Los Angeles Times's Joshua Emerson Smith notes, infectious disease experts for more than ten years now have noted that "[o]utbreaks of dangerous new diseases with the potential to become pandemics have been on the rise—from HIV to swine flu to SARS to Ebola." For instance, a report published in Nature in 2008 found that **the number of emerging infectious disease events that occurred in the 1990s was more than three times higher than it was in the 194**

#### Future pandemics will cause extinction – it only takes one ‘super-spreader’ – US prevention is key

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)

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

### Framework

**T/L - generic util indites don’t disprove the truth value of the fact that death is bad - we do not need to prove a normative ethic but just that policymaking should center around saving the most lives**

**Few Kant indites:**

1. **Schmagency Objection - no reason we need to care about reason since agents could just call themselves schmagents and not care about reason**
2. **Tailoring Objection - the maxim that only I am allowed to kill is universalizable because no one can kill me - proves we can tailor hyper specific instances to justify anything**
3. **Degrees of Wrongness - only our fwk explains why murdering someone is worse than lying to your best friend - Kant can’t weigh between two non-universalizable acts**
4. **Kant is homophobic - not reproducing is non-universalizable because then you couldn’t be reproduced which excludes couples that may not be able to reproduce**
5. **Ethics are based on experience -** 
   1. **Verifiability - we can’t verify external truths but we CAN sense experience and verify the world around us**
   2. **Epistemology - any objective account of the world is biased by the subjective experiences we relate words to - absent experience we’re all just blobs of nothingness and we can only LEARN ethics or know about them through interactions with others**

## Case— 4

#### 1] Strikes violate individual autonomy by exercising coercion.

**Gourevitch 18** [Alex; Brown University; “The Right to Strike: A Radical View,” American Political Science Review; 2018; [https://sci-hub.se/10.1017/s0003055418000321]](https://sci-hub.se/10.1017/s0003055418000321%5d//SJWen) Justin

\*\*Edited for ableist language

Every liberal democracy **recognizes** that workers have a **right** to **strike**. That right is protected in law, sometimes in the constitution itself. Yet strikes pose **serious** **problems** for **liberal** **societies**. They involve **violence** and **coercion**, they often violate some **basic** **liberal** **liberties**, they appear to **involve** group rights having **priority** over **individual** **ones**, and they can **threaten** **public** **order** itself. Strikes are also one of the most common forms of