# 1AC

#### Interp: Debaters must disclose their 1NC or their round reports on the 2021-2022 NDCA LD wiki for every round they have debated this season. Round reports disclose which positions (AC, NC, K, T, Theory, etc.) were read/gone for in every speech.

#### Violation: screenshot in the doc – they have none for multiple rounds including 2 Damus out rounds, Loyola, Nano Nagle, and more. Graphical user interface, text, application, email Description automatically generatedTable Description automatically generatedGraphical user interface, text, application, email Description automatically generated

#### Standards:

#### 1] Level Playing Field – big schools can go around and scout and collect flows but independents are left in the dark so round reports are key for them to prep- they give you an idea of overall what layers debaters like going for so you can best prepare your strategy when you hit them. Accessibility first and independent voter – it's an impact multiplier. Also avoid saying “I don’t think your using your head” comment Is just ableist language and makes debaters not want to compete. That should a an independent voter since it makes debaters like w learning differences not want to compete.

#### 2] Strategy Education – round reports help novices understand the context in which positions are read by good debaters and help with brainstorming potential 1NCs vs affs – helps compensate for kids who can't afford coaches to prep out affs.

#### 3] Pre-round prep –RR gives an idea of what type of debater someone is – I don’t know what args they read– otherwise I enter every round unknowing whereas you have an idea of what you want to go for from the start. Your last three neg rounds for this topic weren’t discloused.I don’t know what you have read.

#### Fairness- consittutive of comp activites, args presume

#### Edu- reason for funds for debate programs

#### DTD- dta illogical, time skew

#### No RVI’s- illogical, baiting, no winning for being fair

#### CI- intervention, race to bottom, collapses, yours vs best

# 1AC

#### Plan- The United States ought to recognize an unconditional right to strike for workers.

### Advantage

#### The Advantage is Unions

#### Scenario 1 is Innovation

#### Unionization percentages in the US are declining.

Human Rights Watch, 4-29-2021, "Why the US PRO Act Matters for the Right to Unionize: Questions and Answers," https://www.hrw.org/news/2021/04/29/why-us-pro-act-matters-right-unionize-questions-and-answers

What is the state of union membership in the United States? (Loyola IB)

In 2020, after a period of steady decline, union membership (the share of workers who are members of a union, also referred to as union density) in the United States stood at a very low [10.8 percent](https://www.bls.gov/news.release/pdf/union2.pdf). The share of US workers with collective bargaining coverage (those represented by a union, including nonunion members) was similarly low, at [12.1 percent](https://www.bls.gov/news.release/pdf/union2.pdf). Union membership was significantly higher in the 1950s through the 1970s with about a third of workers being part of, or protected by, a union, but after 1973, union membership in the private sector became the target of antiworker politicians and corporations.

Historical [data](https://www.nber.org/papers/w24587) show that the decline in [bargaining](https://www.nber.org/papers/w24587) power coincided with stagnating [wages for lower income workers and growing](https://www.epi.org/publication/charting-wage-stagnation/) income inequality. Researchers at Harvard University and the University of Washington found that the drop in union density may have accounted for as much as [40 percent of rising inequality](https://www.asanet.org/sites/default/files/savvy/images/journals/docs/pdf/asr/WesternandRosenfeld.pdf).

Presently, a worker covered by a collective bargaining agreement in the United States [on average earns about 11.2 percent more](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/) than a worker with a similar education, occupation, and experience in a nonunionized workplace in the same sector. This difference is more pronounced for Black and Hispanic workers, which suggests that unions can help to reduce the racial wage gap. On average, Black workers represented by a union earn [13.7 percent more](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/) than their nonunionized peers, and [Hispanic workers](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/) represented by a union earn [20.1 percent more](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/).

#### Strikes generate support for unions – its critical to their power

Reich et al, 2021. Alexander Hertel-Fernandez et al,. Suresh Naidu, and Adam Reich et al, 2021. Alexander Hertel-Fernandez is an associate professor of public affairs at Columbia University, where he studies American political economy, with a focus on the politics of business, labor, wealthy donors, and policy. Adam Reich is an associate professor of sociology at Columbia University, Naidu is a professor of economics and public affairs at Columbia University. “Schooled by Strikes? The Effects of Large-Scale Labor Unrest on Mass Attitudes toward the Labor Movement.” *Perspectives on Politics*, American Political Science Association, March 2021 Vol 19 No. 1. doi:10.1017/S1537592720001279

We examined the political consequences of large-scale teacher strikes, studying how firsthand exposure changed mass attitudes and public preferences. Across a range of specifications and approaches, we find that increased exposure to the strikes led to greater support for the walkouts, more support for legal rights for teachers and unions, and, especially, greater personal interest in labor action at people’s own jobs, though not necessarily through traditional unions. Returning to the theoretical expectations we outlined earlier, the teacher strikes appear to have changed the ways that parents think about the labor movement, generating greater public support. The results regarding workers’ interest in undertaking labor action in their own jobs also suggests evidence in favor of the public inspiration and imitation hypothesis, underscoring the role that social movements and mobilizations can play in teaching noninvolved members about the movement and tactics. Still, an important caveat to these findings is that strike-exposed parents were not more likely to say that they would vote for a traditional union at their jobs, possibly reflecting the fact that the strikes emphasized individual teachers and not necessarily teacher unions as organizations either in schools or in parents’ own workplaces. Further research might explore this difference, together with the fact that we find somewhat stronger evidence in favor of the imitation hypothesis (i.e., support for labor action at one’s own work) than for the public support hypothesis (i.e., support for the striking teachers). Before we discuss the broader implications of our findings for the understanding of the labor movement, we briefly review and address several caveats to the interpretation of our results. One concern is whether the results we identify from a single survey can speak to enduring changes in public opinion about the strikes and unions. Given the timing of the teacher strikes in the first half of 2018, our respondents were reflecting on events that happened 7–12 months in the past. We therefore think that our results represent more durable changes in opinion as a result of the strikes, in line with other studies of historical mobilizations and long-term changes in attitudes (Mazumder 2018). The AFL-CIO time-series polling data, moreover, further suggest that there were increases in aggregate public support for unions in the strike states after the strikes occurred. Nevertheless, follow-up studies should examine how opinion toward, and interest in, unions evolve in the mass teacher strike states, and it would be especially interesting to understand whether unions have begun capitalizing on the interest in the labor movement that the strikes generated. We also note that, despite the large sample size of our original survey, we still lack sufficient statistical power to fully explore the effects of the strikes on all of our survey outcomes. Future studies ought to consider alternative designs with the power to probe the individual outcomes that were not considered in this study.

Another question is how to generalize from our results to other strikes and labor actions. Although it is beyond the scope of this article to develop and test a more general theory of strike action, there are factors that suggest that the teacher strikes we study here represent a hard test for building public support. The affected states had relatively weak public sector labor movements, meaning that few individuals had personal connections to unions; most were also generally conservative and Republican leaning, further potentially reducing the receptivity of the public to the teachers’ demands. And lastly, the type of work we study —teaching—involves close interaction with a very sympathetic constituency: children and their parents. This should make strike disruptions more controversial and increase the likelihood of political backlash (and indeed, we do find that the strikes were less persuasive for parents who may have lacked access to childcare). Nevertheless, additional factors may have strengthened the effects of the strikes; namely, that education spending in the strike and walkout states had dropped so precipitously since the Great Recession, giving teachers the opportunity to connect their demands to broader public goods. Considering these factors together, we feel comfortable arguing that strikes are likely to be successful in other contexts where involved employees can successfully leverage close connections to the clients and customers they serve and connect their grievances to the interests of the broader community. This is likely to be especially true in cases where individuals feel they are not receiving the level of quality service they deserve from businesses or governments. The flip side of our argument is that strikes are less likely to be successful—and may produce backlash—when the mass public views striking workers’ demands as illegitimate or opposed to their own interests or when individuals are especially inconvenienced by labor action and do not have readily available alternatives (such as lacking childcare during school strikes). This suggests that teachers’ unions’ provision of meals and childcare to parents (as happened in a number of the recent strikes) is a particularly important tactic to avoid public backlash. In addition, our results suggest that future strikes on their own are unlikely to change public opinion if all they do is to provide information about workers’ grievances or disrupt work routines. Our exploratory analysis of the mechanisms driving our results suggests that it was not necessarily information about poor school quality or the strikes themselves that changed parents’ minds, but perhaps the fact that the teachers were discussing the public goods they were seeking for the broader community. We anticipate that strikes or walkouts that adopt a similar strategy—similar to the notion of “bargaining for the common good”—would be most likely to register effects like ours in the future (McCartin 2016). Notably, that is exactly the strategy deployed by teachers in Los Angeles, who spent several years building ties to community members and explaining the broader benefits that a stronger union could offer to their community in the run-up to a strike in early 2019 (Caputo-Pearl and McAlevey 2019). In all, our results complement a long line of work arguing for the primacy of the strike as a tactic for labor influence (e.g. Burns 2011; Rosenfeld 2006; Rubin 1986). Although this literature generally has focused on the economic consequences of strikes, we have shown that strikes can also have significant effects on public opinion. Even though private sector strikes have long sought to amass public support, public-facing strikes are even more important for public sector labor unions, given their structure of production and the fact that their“managers”are ultimately elected officials. But how should we view strikes relative to the other strategies that public sector unions might deploy in politics, such as campaign contributions, inside lobbying, or mobilization of their members (cf. DiSalvo 2015; Moe 2011)? Given the large cost of mass strikes in terms of time and grassroots organizing, we expect that public sector unions will be most likely to turn to public-facing strikes (like the 2018 teacher walkouts) when these other lower-cost inside strategies are unsuccessful and when their demands are popular in the mass public.

Under these circumstances, government unions have every reason to broaden the scope of conflict to include the mass public (cf. Schattschneider 1960). But when unions can deploy less costly activities (like simply having a lobbyist meet with lawmakers) or when they are pursuing demands that are more controversial with the public, we suspect that unions will opt for less public-facing strategies (on the logic of inside versus outside lobbying more generally, see, for example, Kollman 1998). Indeed, our results complement work by Terry Moe and Sarah Anzia describing how teacher unions work through low-salience and low-visibility strategies, such as capturing school boards, pension boards, or education bureaucracies, when they are pushing policies that tend not to be supported by the public (Anzia 2013; Anzia and Moe 2015; Moe 2011). Our results yield a final implication for thinking about the historical development of the labor smovement: suggest that the decline of strikes we tracked in Figure 1 may form a vicious cycle for the long-term political power of labor. As we have documented, strikes seem to be an important way that people form opinions about unions and develop interest in labor action. As both strikes and union membership have declined precipitously over the past decades, few members of the public have had opportunities to gain firsthand knowledge and interest in unions. Moreover, strikes appear to foster greater interest in further strikes, feeding on one another. If unions are to regain any economic or political clout in the coming years, our study suggests that the strike must be a central strategy of the labor movement.

#### Right to Strike mobilizes socio-economic inequality.

Human Rights Watch, 4-29-2021, "Why the US PRO Act Matters for the Right to Unionize: Questions and Answers," https://www.hrw.org/news/2021/04/29/why-us-pro-act-matters-right-unionize-questions-and-answers

How does the right to organize affect economic and social inequality? (Loyola IB)

Protecting the rights to organize and bargain collectively can play a key role in [reducing economic and social inequality](https://www.nber.org/papers/w24587). These rights allow workers to stand together and bargain for fair wages, adequate benefits, and safe working conditions, and they protect against unjustified job loss and discriminatory or unfair employer behavior, which can help to narrow the racial and gender wage gap.

Many policymakers and commentators have long promoted hard work and [academic success](https://equitablegrowth.org/the-wage-divide-for-black-and-latinx-workers-goes-deeper-than-a-skills-gap-or-requiring-more-credentials/) as primary tools for overcoming a precarious economic existence, but research published in 2018 for the [National Bureau of Economic Research](https://www.nber.org/papers/w24587) in the US shows that this approach overemphasizes the ability of individuals to pull themselves up by their bootstraps and neglects the many structural barriers that limit economic opportunity or keep people trapped in poverty. Labor movements and unions are tools of workers to overcome these barriers collectively and to [address power imbalances](https://equitablegrowth.org/factsheet-the-pro-act-addresses-income-inequality-by-boosting-the-organizing-power-of-u-s-workers/) between workers and employers in a labor market. They can also play a critical role in tempering exploitation through [monopsony](https://equitablegrowth.org/understanding-the-importance-of-monopsony-power-in-the-u-s-labor-market/), a situation in which a few powerful employers depress workers’ wages by dominating the labor market.

Protecting the right to organize may also limit the [corporate capture](https://investorsforhumanrights.org/corporate-capture#:~:text=Corporate%20capture%20refers%20to%20the%20means%20by%20which,or%20remove%2Fundermine%20relevant%20regulations%20that%20seek%20to%20) of public institutions. Companies regularly lobby and pressure legislatures, policymakers and government agencies to weaken workers’ rights protections that the companies perceive to be detrimental to their business interests. The collective power of unions and other labor groups serves as a critical check on this influence. In a 2019 study, researchers at [Duke University and the University of Toulouse](https://people.duke.edu/~ds381/papers/Stegmueller_Becher_UnionsRepresentation_Jan2019.pdf) found that where unions are weaker, politicians tend to be less responsive to the preferences of low-income earners and more attentive to the interests of the elites. Participation in unions also [appears](https://www.jstor.org/stable/2669299?seq=1) to [promote voter participation](https://prospect.org/labor/unions-boost-democratic-participation/) in elections.

#### Unionization uniquely increases biopharma innovation and infastructure- further solves Covid. Works long term.

Pilma, 8-16-2021, ( Pharmaceutical Industry Labor-Management Association) "New Study Shows Partnership Between New York's Skilled Craft Unions And The Biopharmaceutical Industry Resulted In Nearly $3 Billion In Investment Over Six Years," No Publication, <https://www.prnewswire.com/news-releases/new-study-shows-partnership-between-new-yorks-skilled-craft-unions-and-the-biopharmaceutical-industry-resulted-in-nearly-3-billion-in-investment-over-six-years-301355420.html> (Loyola IB)

NEW YORK, Aug. 16, 2021 /PRNewswire/ -- The Pharmaceutical Industry Labor-Management Association released an update to its first-of-its-kind report on the economic impact of the long-standing partnership between skilled craft unions and the biopharmaceutical industry in New York and 13 other states. The report found that New York building trades helped drive $2.93 billion in investment on major construction projects (over $5 million) active at any point between 2015 and 2021. During the same time period, skilled craft union worker earnings in New York reached nearly $112.5 million – representing more than 3 million hours of work – in addition to significant funding for union health insurance and pension benefits. Updated from a study between 2012 and 2017, the study shows a steady growth in investment from the biopharmaceutical industry both in New York and in the US – with the investment and earnings growing every year since 2015.

"This study demonstrates the value of the critical partnership between the biopharmaceutical industry and the skilled construction craft union workers in New York," said Matthew Aracich, President, Building and Construction Trades Council of Nassau & Suffolk Counties. "As New York looks to recover from the human and economic losses of the COVID-19 pandemic, the biopharmaceutical industry – and the skilled union craft workers that work on industry jobsites– led in developing a path to recovery. Our members are proud of the work they provided to help bring an end to the pandemic. Here in New York, the biopharmaceutical industry relies on high quality training, skills and safety of our members in both building and retrofitting complex facilities."

The study was conducted by the Institute for Construction Economic Research (ICERES), a non-partisan network of academic researchers whose goal is to find pragmatic solutions to workplace and labor market issues in the construction industry. Data for the study were provided by Industrial Information Resources (IIR), a global consulting firm specializing in market data on major power, energy, and industrial infrastructure projects in the United States.

Additional key findings of the report include:

41 major construction projects were active in New York at any point during the six-year time period analyzed.

14 skilled New York craft unions contributed an estimated 3,090,661 labor hours to biopharmaceutical industry construction projects over the six years, earning $112,469,159.

Electricians, instrumentation technicians, plumbers and pipefitters, and carpenters had the highest number of labor hours among the New York trades.

"Skilled construction trades people have been integral to Pfizer's global R&D facility in Pearl River, NY, helping to enable the research, development, and delivery of our vaccines portfolio," said Steve Bjornson, Vice President and Chief Operating Officer, Vaccine Research and Development, Pfizer Inc.

The biopharmaceutical sector in New York turns to union contractors and their workers because of their long-established and highly effective training and apprenticeship programs. Building, refurbishing, and retrofitting biopharmaceutical facilities to handle next-generation research and development requires an educated, skilled, and experienced labor force.

North America's Building Trades Unions spend more than $1.6 billion a year on apprentice and education programs throughout the country without imposing a nickel of student debt or requiring a dime of taxpayer money. Workers develop skills while on the jobsite and participate in classroom learning in the evenings. North America's Building Trades Unions (NABTU) sponsors comprehensive apprenticeship readiness programs (ARPs) throughout the U.S. These programs provide a gateway for local residents – focusing on women, people of color, and transitioning veterans – to gain access to Building Trades' registered apprenticeship programs.

The full report is available at [www.pilma.org/unionjobs](https://c212.net/c/link/?t=0&l=en&o=3259834-1&h=989208436&u=http%3A%2F%2Fwww.pilma.org%2Funionjobs&a=www.pilma.org%2Funionjobs).

Study Methodology

The report examined private-sector biopharmaceutical construction projects active at any time between 2015 and 2020 in 14 states (CA, CO, CT, DE, IL, MA, MD, MI, NJ, NY, OH, OR, PA, and WA). The states included in this report were selected by PILMA. The report relies extensively on data from Industrial Information Resources (IIR), a global consulting firm specializing in market data on major power, energy, and industrial infrastructure projects in the U.S. The study team identified major private-sector projects in each state and made estimates of total industry construction spending and labor demand based on IIR data. Projects that were co-developed with academic institutions, government (e.g. NIH), and hospital systems were not included in the analysis. The second part of the study integrated data from IIR and the U.S. Census Bureau to examine the economic impact of the partnership between the pharmaceutical and biotech industry and construction trades unions.

About Pharmaceutical Industry Labor-Management Association

PILMA is a coalition of labor organizations and companies in the pharmaceutical industry who have joined forces to grow this important sector in our economy, create high-quality jobs, and promote medical innovations to cure disease. More information is available at [www.pilma.org](https://c212.net/c/link/?t=0&l=en&o=3259834-1&h=257710729&u=http%3A%2F%2Fwww.pilma.org%2F&a=www.pilma.org).

The Institute for Construction Economics Research (ICERES)

The Institute for Construction Economics Research (ICERES) is a non-partisan network of academic researchers whose goal is to find pragmatic solutions to workplace and labor market issues in the construction industry.

SOURCE PILMA

#### Disruptive innovation in healthcare solves Covid and future pandemics

Shaikh 15 (Affan T. Shaikh, Professor at Emory’s school of public health Lisa Ferland, Robert Hood-Cree, Loren Shaffer, and Scott J. N. McNabb, September 23rd 2015, “Disruptive Innovation Can Prevent the Next Pandemic” NCBI <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4585064/>) MULCH

Public health surveillance (PHS) is at a tipping point, where the application of novel processes, technologies, and tools promise to vastly improve efficiency and effectiveness. Yet twentieth century, entrenched ideology and lack of training results in slow uptake and resistance to change. The term disruptive innovation – used to describe advances in technology and processes that change existing markets – is useful to describe the transformation of PHS. Past disruptive innovations used in PHS, such as distance learning, the smart phone, and field-based laboratory testing have outpaced older services, practices, and technologies used in the traditional classroom, governmental offices, and personal communication, respectively. Arguably, the greatest of these is the Internet – an infrastructural innovation that continues to enable exponential benefits in seemingly limitless ways. Considering the Global Health Security Agenda and facing emerging and reemerging infectious disease threats, evolving environmental and behavioral risks, and ever changing epidemiologic trends, PHS must transform. Embracing disruptive innovation in the structures and processes of PHS can be unpredictable. However, it is necessary to strengthen and unlock the potential to prevent, detect, and respond.

Introduction Fifty-two years ago, Alexander Langmuir articulated our modern understanding of public health surveillance (PHS) – the systematic collection, consolidation and evaluation, and dissemination of data (1). In this workflow process, public health provides epidemiologic intelligence to assess and track conditions of public health importance, define public health priorities, evaluate programs, and conduct public health research (2). However, amid this rapidly changing world, PHS has remained sluggish and hindered by the impediments of siloed, vertical (outcome-specific) systems, inadequate training and technical expertise, different information and communication technology (ICT) standards, concerns over data sharing and confidentiality, poor interoperability, and inadequate analytical approaches and tools (3–7).

Gaps and impediments in PHS have become increasingly evident to the world in the wake of the largest Ebola epidemic ever – in which these challenges impacted our ability to prevent, detect, and respond. Under the looming threat of MERS-CoV, leishmaniasis, influenza, multidrug-resistant tuberculosis, and plague, the global public health community now realizes the urgent need to address shortcomings in PHS. Properly preparing for the next major outbreak hinges on our willingness to transform; the consequences of not doing so are dire.

Transforming PHS to meet the needs of the twenty-first century requires novel approaches. A helpful concept to understand and chart this future is disruptive innovation – a term first introduced by Clayton Christensen to describe innovations in technology and processes that disrupt existing markets (8). Disruptive innovations occur when advances in technologies or processes create markets in existing industries. This differs from sustaining innovations, where existing practices are incrementally improved to meet the demands of existing customers; in contrast, newly introduced innovations with disruptive potential (typically unrefined, simple, and affordable in character) target lower-end market needs or create entirely new market segments. As sustaining innovations improve disrupting technologies or processes, these new innovations will meet increasingly greater needs, capture greater market share, and eventually reshape the industry. Christensen uses the example of increasingly smaller disk sizes in the hard disk drive industry, the introduction of hydraulic technology in the mechanical excavator industry, and the rise of minimills in the steel industry to demonstrate the impact of disruptive innovations (8). Here, we describe the need for disruptive innovation in PHS and identify opportunities for disruption in PHS structures and processes.

#### New pandemics are coming and cause extinction – preventative measures solve

Diamandis 21 (Eleftherios P. Diamandis, Division Head of Clinical Biochemistry at Mount Sinai Hospital and Biochemist-in-Chief at the University Health Network and is Professor & Head, Clinical Biochemistry, Department of Laboratory Medicine and Pathobiology, University of Toronto, Ontario, Canada, April 14th 2021, “The Mother of All Battles: Viruses vs. Humans. Can Humans Avoid Extinction in 50-100 Years?” modified to fix author typo [“could result n” 🡪 “could result in” <https://www.preprints.org/manuscript/202104.0397/v1>) MULCH

The recent SARS-CoV-2 pandemic, which is causing COVID 19 disease, has taught us unexpected lessons about the dangers of human extinction through highly contagious and lethal diseases. As the COVID 19 pandemic is now being controlled by various isolation measures, therapeutics and vaccines, it became clear that our current lifestyle and societal functions may not be sustainable in the long term. We now have to start thinking and planning on how to face the next dangerous pandemic, not just overcoming the one that is upon us now. Is there any evidence that even worse pandemics could strike us in the near future and threaten the existence of the human race? The answer is unequivocally yes. It is not necessary to get infected by viruses of bats, pangolins and other exotic animals that live in remote forests in order to be in danger. Creditable scientific evidence indicates that the human gut microbiota harbor billions of viruses which are capable of affecting the function of vital human organs such as the immune system, lung, brain, liver, kidney, heart etc. It is possible that the development of pathogenic variants in the gut can lead to contagious viruses which can cause pandemics, leading to destruction of vital organs, causing death or various debilitating diseases such as blindness, respiratory, liver, heart and kidney failures. These diseases could result [in] the complete shutdown of our civilization and probably the extinction of human race. In this essay, I will first provide a few independent pieces of scientific facts and then combine this information to come up with some (but certainly not all) hypothetical scenarios that could cause human race misery, even extinction. I hope that these scary scenarios will trigger preventative measures that could reverse or delay the projected adverse outcomes.

### Solvency

#### Under the National Labor Relations Act, the US right to strike has become meaningless with a laundry list of exceptions and loopholes that prevents effective strikes- unconditional is key

Reddy 21 [Diana S. Reddy, Doctoral Fellow at the Law, Economics, and Politics Center at UC Berkeley Law, PhD candidate in UCB's Jurisprudence and Social Policy Program and former Fellow in the General Counsel's Office of the AFL-CIO, “There Is No Such Thing as an Illegal Strike”: Reconceptualizing the Strike in Law and Political Economy,” Yale Law Journal, https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy]/Kankee

The “Right” to Strike Under the NLRA, workers are generally understood to have a “right” to strike. Section 7 of the Act states that employees have the right to engage in “concerted activities for . . . mutual aid or protection,”79 which includes striking. To drive this point home, section 13 of the NLRA specifies, “Nothing in this [Act] . . . shall be construed so as either to interfere with or impede or diminish in any way the right to strike . . .”80 Note that it is a testament to deeply-held disagreements about the strike (is it a fundamental right which needs no statutory claim to protection, or a privilege to be granted by the legislature?) that the statute’s language is framed in this way: the law which first codified a right to strike does so by insisting that it does not “interfere with or impede or diminish” a right, which had never previously been held to exist.81 To say that a strike is ostensibly legal, though, is not to say whether it is sufficiently protected as to make it practicable for working people. Within the world of labor law, this distinction is often framed as the difference between whether an activity is legal and whether it is protected. So long as the state-as-regulator will not punish you for engaging in a strike, that strike is legal. But given that striking is protest against an employer, rather than against the state-as-regulator, being legal is insufficient protection from the repercussion most likely to deter it—job loss. Employees technically cannot be fired for protected concerted activity under the NLRA, including protected strikes. But in a distinction that Getman and Kohler note “only a lawyer could love—or even have imagined,”82, judicial construction of the NLRA permits employers to permanently replace them in many cases. Consequently, under the perverse incentives of this regime, strikes can facilitate deunionization. Strikes provide employers an opportunity, unavailable at any other point in the employment relationship, to replace those employees who most support the union—those who go out on strike—in one fell swoop. As employers have increasingly turned to permanent replacement of strikers in recent decades, strikes have decreased.83 A law with a stated policy of giving workers “full freedom of association [and] actual liberty of contract” offers a “right” which too many workers cannot afford to invoke.84 It is not just that the right is too “expensive,” however; it is that its scope is too narrow, particularly following the Taft-Hartley Amendments. Law cabins legitimate strike activity, based on employees’ motivation, their conduct, and their targets. The legitimate purposes are largely bifurcated, either “economic,” that is to provide workers with leverage in a bargain with their employer, or to punish an employer’s “unfair labor practice,” its violation of labor law (but not other laws). A host of reasons that workers might want to protest are unprotected—Minneapolis bus drivers not wanting their labor to be used to “shut down calls for justice,” for instance. Striking employees also lose their limited protection if they act in ways that are deemed “disloyal to their” employer,85 or if they engage in the broad swath of non-violent activity construed to involve “violence,” such as mass picketing.86 Tactically, intermittent strikes, slow-downs, secondary strikes, and sit-down strikes are unprotected.87 Strikes are also unprotected if unionized workers engage in them without their union’s approval,88 if they concern nonmandatory subjects of bargaining,89 or if they are inconsistent with a no-strike clause.90 Independent contractors who engage in strikes face antitrust actions.91 Labor unions who sanction unprotected strikes face potentially bankrupting liability.92 The National Labor Relations Board—the institution charged with enforcing the policies of the Act—summarizes these “qualifications and limitations” on the right to strike on its website in the following way: The lawfulness of a strike may depend on the object, or purpose, of the strike, on its timing, or on the conduct of the strikers. The object, or objects, of a strike and whether the objects are lawful are matters that are not always easy to determine. Such issues often have to be decided by the National Labor Relations Board. The consequences can be severe to striking employees and struck employers, involving as they do questions of reinstatement and backpay.93 The “right” to strike, it seems, is filled with uncertainty and peril. Collectively, these rules prohibit many of the strikes which helped build the labor movement in its current form. Ahmed White accordingly argues that law prohibits effective strikes, strikes which could actually change employer behavior: “Their inherent affronts to property and public order place them well beyond the purview of what could ever constitute a viable legal right in liberal society; and they have been treated accordingly by courts, Congress, and other elite authorities.”94 B. The Limits of Legal Categories

#### Establishing an unconditional right to strike is key – it’s the backbone of organized labor activities in every sector

Pope 18 [James Gray Pope is a distinguished professor of law at Rutgers Law School and serves on the executive council of the Rutgers Council of AAUP/AFT Chapters, AFL-CIO. He can be reached at jpope@law.rutgers.edu. "Labor’s right to strike is essential." https://www.psc-cuny.org/clarion/september-2018/labor%E2%80%99s-right-strike-essential]

The recent teacher strikes underscore another, equally vital function of the strike: political democracy. It is no accident that strikers often serve as midwives of democracy. Examples include Poland in the 1970s, where shipyard strikers brought down the dictatorship, and South Africa in the 1970s and 1980s, where strikers were central to the defeat of apartheid. Even in relatively democratic countries like the United States, workers often find it necessary to withhold their labor in order to offset the disproportionate power of wealthy interests and racial elites. During the 1930s, for example, it took mass strikes to overcome judicial resistance to progressive economic regulation. Today, workers confront a political system that has been warped by voter suppression, gerrymandering and the judicial protection of corporate political expenditures as “freedom of speech.” With corporate lackeys holding a majority of seats on the Supreme Court, workers may soon need strikes to clear the way for progressive legislation just as they did in the 1930s.

But if the right to strike is a no-brainer, then how did Cuomo and de Blasio justify attacking it? “The premise of the Taylor Law,” said Cuomo, “is you would have chaos if certain services were not provided,” namely police, firefighters and prison guards. If that’s the premise, then why not endorse Nixon’s proposal as to teachers and most public workers, and propose exceptions for truly essential services? That’s the approach of international law, and that’s what Nixon clarified she supports. But Cuomo couldn’t explain why teachers and other non-essential personnel should be denied this basic human right. As for de Blasio, he claimed that the Taylor Law accomplishes “an important public purpose” and that “there are lots of ways for workers’ rights to be acknowledged and their voices to be heard.” What public purpose? Forcing workers to accept inadequate wages and unsafe conditions? What ways to be heard? Groveling to politicians for a raise in exchange for votes?

The ban forces once-proud unions to serve as cogs in the political machines of Wall Street politicians. No sooner did Nixon endorse the right to strike than two prominent union leaders rushed to provide cover for Cuomo. Danny Donohue, president of the Civil Service Employees Association, called her “incredibly naive” and charged that “clearly, she does not have the experience needed to be governor of New York.” Evidently Cuomo, who was elected governor on a program of attacking unions and followed through with cuts to public workers’ pensions and wages, does have the requisite experience. John Samuelsen of the Transport Workers Union, which represents more than 40,000 New York City transit workers, also lashed out, saying, “I believe that she will cut and run when we shut the subway down…. As soon as her hipster Williamsburg supporters can’t take public transit to non-union Wegmans to buy their kale chips, she will call in the National Guard and the Pinkertons.”

Tough talk. Roger Toussaint, the TWU Local 100 president who led a subway strike in 2005 and was jailed for it, once tagged Samuelsen a “lapdog” for Cuomo. But “attack dog” might be more accurate in this case. Presented with a rare opportunity to trumpet workers’ most fundamental right in the glare of media attention, Samuelsen chose instead to drive a cultural wedge between traditionally minded workers and nonconformists, many of whom toil as baristas, restaurant servers and tech workers – constituencies that are fueling the anti-Trump resistance and pushing the Democratic Party to break with Wall Street.

Here we see shades of former AFL-CIO President George Meany, who helped to elect a very different Richard Nixon by refusing to endorse George McGovern, one of the most consistently pro-labor candidates in US history, on the ground that he was supported by “hippies.”

Samuelsen’s descent to Cuomo attack dog is inexplicable except as a response to the crushing pressures generated by the Taylor Law. He stands out from most other public-sector labor leaders not for sucking up to establishment politicians, but for minimizing it. Just two years ago, Samuelsen was one of the few major labor leaders who had the guts to endorse Bernie Sanders over Wall Street’s choice, Hillary Clinton. And when he was elected president of the New York local, it was on a promise to be more effective at mobilization and confrontation than Toussaint. Once on the job, however, he and his slate had to confront the devastating results of the strike ban. In addition to jailing Toussaint and penalizing strikers two days’ pay for each day on strike, a court had fined the union millions of dollars and stripped away its right to collect dues through payroll deductions. No wonder Samuelsen quietly redirected the union’s strategy away from striking and toward less confrontational mobilizations and political deal-making.

A WAY FORWARD

Any way you look at it, striking will be absolutely essential if American organized labor, now down to 11 percent of the workforce, is to revive. As AFL-CIO President Richard Trumka once warned, workers must have “their only true weapon – the right to strike,” or “organized labor in America will soon cease to exist.” Red-state teachers have shown the way, exercising their constitutional and human right to strike in defiance of “law.” Will Democrats and labor leaders celebrate their example, or will they follow Cuomo, de Blasio and the Republicans down the path of suppression?

### FW

#### Prefer: The standard is maximizing expected well-being: (Hedonistic Util)

#### 1] Pleasure and pain are intrinsic value and disvalue – everything else regresses. Evolutionary knowledge is reliable – broad consensus and robust neuroscience prove.

Blum et al. 18

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**Pleasure** is not only one of the three primary reward functions but it also **defines reward.** As homeostasis explains the functions of only a limited number of rewards, the principal reason why particular stimuli, objects, events, situations, and activities are rewarding may be due to pleasure. This applies first of all to sex and to the primary homeostatic rewards of food and liquid and extends to money, taste, beauty, social encounters and nonmaterial, internally set, and intrinsic rewards. Pleasure, as the primary effect of rewards, drives the prime reward functions of learning, approach behavior, and decision making and provides the **basis for hedonic theories** of reward function. We are attracted by most rewards and exert intense efforts to obtain them, just because they are enjoyable [10]. Pleasure is a passive reaction that derives from the experience or prediction of reward and may lead to a long-lasting state of happiness. The word happiness is difficult to define. In fact, just obtaining physical pleasure may not be enough. One key to happiness involves a network of good friends. However, it is not obvious how the higher forms of satisfaction and pleasure are related to an ice cream cone, or to your team winning a sporting event. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure [14]. Pleasure as a hallmark of reward is sufficient for defining a reward, but it may not be necessary. A reward may generate positive learning and approach behavior simply because it contains substances that are essential for body function. When we are hungry, we may eat bad and unpleasant meals. A monkey who receives hundreds of small drops of water every morning in the laboratory is unlikely to feel a rush of pleasure every time it gets the 0.1 ml. Nevertheless, with these precautions in mind, we may define any stimulus, object, event, activity, or situation that has the potential to produce pleasure as a reward. In the context of reward deficiency or for disorders of addiction, homeostasis pursues pharmacological treatments: drugs to treat drug addiction, obesity, and other compulsive behaviors. The theory of allostasis suggests broader approaches - such as re-expanding the range of possible pleasures and providing opportunities to expend effort in their pursuit. [15]. It is noteworthy, the first animal studies eliciting approach behavior by electrical brain stimulation interpreted their findings as a discovery of the brain’s pleasure centers [16] which were later partly associated with midbrain dopamine neurons [17–19] despite the notorious difficulties of identifying emotions in animals. Evolutionary theories of pleasure: The love connection BO:D Charles Darwin and other biological scientists that have examined the biological evolution and its basic principles found various mechanisms that steer behavior and biological development. Besides their theory on natural selection, it was particularly the sexual selection process that gained significance in the latter context over the last century, especially when it comes to the question of what makes us “what we are,” i.e., human. However, the capacity to sexually select and evolve is not at all a human accomplishment alone or a sign of our uniqueness; yet, we humans, as it seems, are ingenious in fooling ourselves and others–when we are in love or desperately search for it. It is well established that modern biological theory conjectures that **organisms are** the **result of evolutionary competition.** In fact, Richard Dawkins stresses gene survival and propagation as the basic mechanism of life [20]. Only genes that lead to the fittest phenotype will make it. It is noteworthy that the phenotype is selected based on behavior that maximizes gene propagation. To do so, the phenotype must survive and generate offspring, and be better at it than its competitors. Thus, the ultimate, distal function of rewards is to increase evolutionary fitness by ensuring the survival of the organism and reproduction. It is agreed that learning, approach, economic decisions, and positive emotions are the proximal functions through which phenotypes obtain other necessary nutrients for survival, mating, and care for offspring. Behavioral reward functions have evolved to help individuals to survive and propagate their genes. Apparently, people need to live well and long enough to reproduce. Most would agree that homo-sapiens do so by ingesting the substances that make their bodies function properly. For this reason, foods and drinks are rewards. Additional rewards, including those used for economic exchanges, ensure sufficient palatable food and drink supply. Mating and gene propagation is supported by powerful sexual attraction. Additional properties, like body form, augment the chance to mate and nourish and defend offspring and are therefore also rewards. Care for offspring until they can reproduce themselves helps gene propagation and is rewarding; otherwise, many believe mating is useless. According to David E Comings, as any small edge will ultimately result in evolutionary advantage [21], additional reward mechanisms like novelty seeking and exploration widen the spectrum of available rewards and thus enhance the chance for survival, reproduction, and ultimate gene propagation. These functions may help us to obtain the benefits of distant rewards that are determined by our own interests and not immediately available in the environment. Thus the distal reward function in gene propagation and evolutionary fitness defines the proximal reward functions that we see in everyday behavior. That is why foods, drinks, mates, and offspring are rewarding. There have been theories linking pleasure as a required component of health benefits salutogenesis, (salugenesis). In essence, under these terms, pleasure is described as a state or feeling of happiness and satisfaction resulting from an experience that one enjoys. Regarding pleasure, it is a double-edged sword, on the one hand, it promotes positive feelings (like mindfulness) and even better cognition, possibly through the release of dopamine [22]. But on the other hand, pleasure simultaneously encourages addiction and other negative behaviors, i.e., motivational toxicity. It is a complex neurobiological phenomenon, relying on reward circuitry or limbic activity. It is important to realize that through the “Brain Reward Cascade” (BRC) endorphin and endogenous morphinergic mechanisms may play a role [23]. While natural rewards are essential for survival and appetitive motivation leading to beneficial biological behaviors like eating, sex, and reproduction, crucial social interactions seem to further facilitate the positive effects exerted by pleasurable experiences. Indeed, experimentation with addictive drugs is capable of directly acting on reward pathways and causing deterioration of these systems promoting hypodopaminergia [24]. Most would agree that pleasurable activities can stimulate personal growth and may help to induce healthy behavioral changes, including stress management [25]. The work of Esch and Stefano [26] concerning the link between compassion and love implicate the brain reward system, and pleasure induction suggests that social contact in general, i.e., love, attachment, and compassion, can be highly effective in stress reduction, survival, and overall health. Understanding the role of neurotransmission and pleasurable states both positive and negative have been adequately studied over many decades [26–37], but comparative anatomical and neurobiological function between animals and homo sapiens appear to be required and seem to be in an infancy stage. Finding happiness is different between apes and humans As stated earlier in this expert opinion one key to happiness involves a network of good friends [38]. However, it is not entirely clear exactly how the higher forms of satisfaction and pleasure are related to a sugar rush, winning a sports event or even sky diving, all of which augment dopamine release at the reward brain site. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure. Remarkably, there are pathways for ordinary liking and pleasure, which are limited in scope as described above in this commentary. However, there are **many brain regions**, often termed hot and cold spots, that significantly **modulate** (increase or decrease) our **pleasure or** even **produce the opposite** of pleasure— that is disgust and fear [39]. One specific region of the nucleus accumbens is organized like a computer keyboard, with particular stimulus triggers in rows— producing an increase and decrease of pleasure and disgust. Moreover, the cortex has unique roles in the cognitive evaluation of our feelings of pleasure [40]. Importantly, the interplay of these multiple triggers and the higher brain centers in the prefrontal cortex are very intricate and are just being uncovered. Desire and reward centers It is surprising that many different sources of pleasure activate the same circuits between the mesocorticolimbic regions (Figure 1). Reward and desire are two aspects pleasure induction and have a very widespread, large circuit. Some part of this circuit distinguishes between desire and dread. The so-called pleasure circuitry called “REWARD” involves a well-known dopamine pathway in the mesolimbic system that can influence both pleasure and motivation. In simplest terms, the well-established mesolimbic system is a dopamine circuit for reward. It starts in the ventral tegmental area (VTA) of the midbrain and travels to the nucleus accumbens (Figure 2). It is the cornerstone target to all addictions. The VTA is encompassed with neurons using glutamate, GABA, and dopamine. The nucleus accumbens (NAc) is located within the ventral striatum and is divided into two sub-regions—the motor and limbic regions associated with its core and shell, respectively. The NAc has spiny neurons that receive dopamine from the VTA and glutamate (a dopamine driver) from the hippocampus, amygdala and medial prefrontal cortex. Subsequently, the NAc projects GABA signals to an area termed the ventral pallidum (VP). The region is a relay station in the limbic loop of the basal ganglia, critical for motivation, behavior, emotions and the “Feel Good” response. This defined system of the brain is involved in all addictions –substance, and non –substance related. In 1995, our laboratory coined the term “Reward Deficiency Syndrome” (RDS) to describe genetic and epigenetic induced hypodopaminergia in the “Brain Reward Cascade” that contribute to addiction and compulsive behaviors [3,6,41]. Furthermore, ordinary “liking” of something, or pure pleasure, is represented by small regions mainly in the limbic system (old reptilian part of the brain). These may be part of larger neural circuits. In Latin, hedus is the term for “sweet”; and in Greek, hodone is the term for “pleasure.” Thus, the word Hedonic is now referring to various subcomponents of pleasure: some associated with purely sensory and others with more complex emotions involving morals, aesthetics, and social interactions. The capacity to have pleasure is part of being healthy and may even extend life, especially if linked to optimism as a dopaminergic response [42]. Psychiatric illness often includes symptoms of an abnormal inability to experience pleasure, referred to as anhedonia. A negative feeling state is called dysphoria, which can consist of many emotions such as pain, depression, anxiety, fear, and disgust. Previously many scientists used animal research to uncover the complex mechanisms of pleasure, liking, motivation and even emotions like panic and fear, as discussed above [43]. However, as a significant amount of related research about the specific brain regions of pleasure/reward circuitry has been derived from invasive studies of animals, these cannot be directly compared with subjective states experienced by humans. In an attempt to resolve the controversy regarding the causal contributions of mesolimbic dopamine systems to reward, we have previously evaluated the three-main competing explanatory categories: “liking,” “learning,” and “wanting” [3]. That is, dopamine may mediate (a) liking: the hedonic impact of reward, (b) learning: learned predictions about rewarding effects, or (c) wanting: the pursuit of rewards by attributing incentive salience to reward-related stimuli [44]. We have evaluated these hypotheses, especially as they relate to the RDS, and we find that the incentive salience or “wanting” hypothesis of dopaminergic functioning is supported by a majority of the scientific evidence. Various neuroimaging studies have shown that anticipated behaviors such as sex and gaming, delicious foods and drugs of abuse all affect brain regions associated with reward networks, and may not be unidirectional. Drugs of abuse enhance dopamine signaling which sensitizes mesolimbic brain mechanisms that apparently evolved explicitly to attribute incentive salience to various rewards [45]. Addictive substances are voluntarily self-administered, and they enhance (directly or indirectly) dopaminergic synaptic function in the NAc. This activation of the brain reward networks (producing the ecstatic “high” that users seek). Although these circuits were initially thought to encode a set point of hedonic tone, it is now being considered to be far more complicated in function, also encoding attention, reward expectancy, disconfirmation of reward expectancy, and incentive motivation [46]. The argument about addiction as a disease may be confused with a predisposition to substance and nonsubstance rewards relative to the extreme effect of drugs of abuse on brain neurochemistry. The former sets up an individual to be at high risk through both genetic polymorphisms in reward genes as well as harmful epigenetic insult. Some Psychologists, even with all the data, still infer that addiction is not a disease [47]. Elevated stress levels, together with polymorphisms (genetic variations) of various dopaminergic genes and the genes related to other neurotransmitters (and their genetic variants), and may have an additive effect on vulnerability to various addictions [48]. In this regard, Vanyukov, et al. [48] suggested based on review that whereas the gateway hypothesis does not specify mechanistic connections between “stages,” and does not extend to the risks for addictions the concept of common liability to addictions may be more parsimonious. The latter theory is grounded in genetic theory and supported by data identifying common sources of variation in the risk for specific addictions (e.g., RDS). This commonality has identifiable neurobiological substrate and plausible evolutionary explanations. Over many years the controversy of dopamine involvement in especially “pleasure” has led to confusion concerning separating motivation from actual pleasure (wanting versus liking) [49]. We take the position that animal studies cannot provide real clinical information as described by self-reports in humans. As mentioned earlier and in the abstract, on November 23rd, 2017, evidence for our concerns was discovered [50] In essence, although nonhuman primate brains are similar to our own, the disparity between other primates and those of human cognitive abilities tells us that surface similarity is not the whole story. Sousa et al. [50] small case found various differentially expressed genes, to associate with pleasure related systems. Furthermore, the dopaminergic interneurons located in the human neocortex were absent from the neocortex of nonhuman African apes. Such differences in neuronal transcriptional programs may underlie a variety of neurodevelopmental disorders. In simpler terms, the system controls the production of dopamine, a chemical messenger that plays a significant role in pleasure and rewards. The senior author, Dr. Nenad Sestan from Yale, stated: “Humans have evolved a dopamine system that is different than the one in chimpanzees.” This may explain why the behavior of humans is so unique from that of non-human primates, even though our brains are so surprisingly similar, Sestan said: “It might also shed light on why people are vulnerable to mental disorders such as autism (possibly even addiction).” Remarkably, this research finding emerged from an extensive, multicenter collaboration to compare the brains across several species. These researchers examined 247 specimens of neural tissue from six humans, five chimpanzees, and five macaque monkeys. Moreover, these investigators analyzed which genes were turned on or off in 16 regions of the brain. While the differences among species were subtle, **there was** a **remarkable contrast in** the **neocortices**, specifically in an area of the brain that is much more developed in humans than in chimpanzees. In fact, these researchers found that a gene called tyrosine hydroxylase (TH) for the enzyme, responsible for the production of dopamine, was expressed in the neocortex of humans, but not chimpanzees. As discussed earlier, dopamine is best known for its essential role within the brain’s reward system; the very system that responds to everything from sex, to gambling, to food, and to addictive drugs. However, dopamine also assists in regulating emotional responses, memory, and movement. Notably, abnormal dopamine levels have been linked to disorders including Parkinson’s, schizophrenia and spectrum disorders such as autism and addiction or RDS. Nora Volkow, the director of NIDA, pointed out that one alluring possibility is that the neurotransmitter dopamine plays a substantial role in humans’ ability to pursue various rewards that are perhaps months or even years away in the future. This same idea has been suggested by Dr. Robert Sapolsky, a professor of biology and neurology at Stanford University. Dr. Sapolsky cited evidence that dopamine levels rise dramatically in humans when we anticipate potential rewards that are uncertain and even far off in our futures, such as retirement or even the possible alterlife. This may explain what often motivates people to work for things that have no apparent short-term benefit [51]. In similar work, Volkow and Bale [52] proposed a model in which dopamine can favor NOW processes through phasic signaling in reward circuits or LATER processes through tonic signaling in control circuits. Specifically, they suggest that through its modulation of the orbitofrontal cortex, which processes salience attribution, dopamine also enables shilting from NOW to LATER, while its modulation of the insula, which processes interoceptive information, influences the probability of selecting NOW versus LATER actions based on an individual’s physiological state. This hypothesis further supports the concept that disruptions along these circuits contribute to diverse pathologies, including obesity and addiction or RDS.

#### 2] Lexical prerequisite: threats to bodily security preclude the ability for moral actors to effectively act upon other moral theories since they are in a constant state of crisis that inhibits the ideal moral conditions which other theories presuppose

#### 3] Actor specificity:

#### ---A] Aggregation – every policy benefits some and harms others, so side constraints freeze action.

#### ---B] States lack wills or intentions since policies are collective actions.

#### ---C] No act-omission distinction—governments are responsible for everything in the public sphere, so inaction is implicit authorization of action: they have to yes/no bills, which means everything collapse to aggregation.

#### ---D] Actor-specificity first since different agents have different ethical standings. Link turns calc indicts because the alt would be *no* action.

#### 4] Extinction comes first under any framework

Pummer 15 [Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT, recut BWSEKL.

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good

#### 5] Use epistemic modesty – that’s multiplying the probability of a framework being true by its general contention impact –

#### ---A] It maximizes the probability of achieving net most moral value—beating a framework acts as mitigation to their impacts but the strength of that mitigation is contingent

#### ---B] EC is too high a burden—thousands of years of philosophy can’t be resolved in 40 minutes.

#### 6] Reject calc indicts –

#### ---A] Empirically denied—both individuals and policymakers carry out effective cost-benefit analysis which means even if decisions aren’t always perfect it’s still better than not acting at all

#### ---B] Theory—they’re functionally NIBs that everyone knows are silly but skew the aff and move the debate away from the topic and actual philosophical debate, killing valuable education

### UV

#### 1] Aff gets 1AR theory since the neg can be infinitely abusive and I can’t check back

#### It’s drop the debater since the 1ar is too short to win both theory and substance.

#### No RVI or 2NR paradigm issues since they’d dump on it for 6 minutes and my 3-minute 2AR is spread too thin.

#### Competing interps since reasonability is arbitrary and bites judge intervention.

**2] Reject skep/permissibility – it’s an abhorrent view of the world that makes the debate space horrible which ow on accessibility – making args in favor of an alternate ethic solves.**

#### 3] Policy education is key to advocacy – that outweighs on portable skills.

Nixon 2KMakani Themba-Nixon, Executive Director of The Praxis Project. “Changing the Rules: What Public Policy Means for Organizing.” Colorlines 3.2, 2000.

Getting It in Writing Much of the work of framing what we stand for takes place in the shaping of demands. By getting into the policy arena in a proactive manner, we can take our demands to the next level. Our demands can become law, with real consequences if the agreement is broken. After all the organizing, press work, and effort, a group should leave a decision maker with more than a handshake and his or her word. Of course, this work requires a certain amount of interaction with "the suits," as well as struggles with the bureaucracy, the technical language, and the all-too-common resistance by decision makers. Still, if it's worth demanding, it's worth having in writing-whether as law, regulation, or internal policy. From ballot initiatives on rent control to laws requiring worker protections, organizers are leveraging their power into written policies that are making a real difference in their communities. Of course, policy work is just one tool in our organizing arsenal, but it is a tool we simply can't afford to ignore. Making policy work an integral part of organizing will require a certain amount of retrofitting. We will need to develop the capacity to translate our information, data, stories that are designed to affect the public conversation [and]. Perhaps most important, we will need to move beyond fighting problems and on to framing solutions that bring us closer to our vision

of how things should be. And then we must be committed to making it so.