### NC - Contracts (2:05)

#### I negate the resolution

#### Just is defined as morally correct [Cambridge Dictionary]. Thus, I defend that a morally correct government ought not recognize an unconditional right for workers to strike.

#### I start with my framework

#### Ethics start with motivation. Externalism collapses into internalism.

Joyce Joyce, Richard. “Richard Joyce - The Myth of Morality (Cambridge Studies in Philosophy) (2002).” www.docme.ru/doc/1269345/richard-joyce---the-myth-of-morality--cambridge-studies-i...

Back to the [Suppose] external reason[s]. Suppose it were claimed, instead, that I have a reason to refrain from drinking the coffee because it is tapu and must not be touched. This reason claim will be urged regardless of what I may say about my indifference to tapu, or my citing of nihilistic desires to tempt the hand of fate. [r]egardless of my desires (it is claimed) I ought not drink - l have a reason not to drink. But **how could** that reason ever explain any action of mine? Could the **external reason** even **explain** my **[action]** from drinking**?** Clearly, in order to explain it **the** external **reason must have some causal**ly efficacious **role [in]** among the antecedents of **the action** (in this case, an omission) — l must have. in some manner. "internalized" it. The only possibility, it would seem, consistent with its being an external reason, is that I believe the external reason claim [but] : I believe that the coffee is tapu. There's no doubting that such a belief can play a role in explaining actions - including my refraining from drinking the coffee. The question is whether the **belief alone can[not] produce action**, to which the correct answer is “No.” A very familiar and eminently sensible view says that **in order to explain** an **action** the **belief must couple with desire**s (such that those same desires had in the absence of the belief would not have resulted in the action). And this seems correct: if I believe that the coffee is [bad] tapu but really just don’t care about that, then I will not refrain from drinking it. So in order for the belief to explain action it must couple with [desire] elements - but in that case the putative **external reason collapses into** an **internal** one.3

#### Agents can only be motivated their own desires; not the external desires of another because A) one can’t access the desires of others and B) There are infinite desires of others that aren’t communicated and thus not accounted for.

#### Only Contractarianism is based in the empirical fact that individuals have self-interest, any other justification fails. Desires provide a non-circular origin for the ability to form a legal obligation.

Gauthier**,** Gauthier, David P. *Morals by Agreement*. Oxford: Clarendon, 1986. Print.

**“A contractarian theory** of morals, developed as part of the theory of rational choice, has evident strengths. It enables us to **demonstrate[s] the rationality of impartial constraints on the pursuit of individual interest to persons who** may **take no interest in others'** interests**.** Morality **is** thus **given a** sure **grounding in a** weak and widely accepted **conception of practical rationality. No alternative account** of morality **accomplishes this. Those who claim that** moral **principles are objects of rational choice in special circumstances fail to establish the rationality of actual compliance** with these principles. Those who claim **to establish the rationality of such compliance appeal[s] to a** strong and controversial **conception of reason that** seems to **incorporate[s] prior** moral **suppositions**. No alternative account generates morals, as a rational constraint on choice and action, from a non-moral, or morally neutral, base.”

#### Contractarian principles are in the interest of all parties involved and accounts for mutual restraint Gauthier 86:

Gauthier, David P. *Morals by Agreement*. Oxford: Clarendon, 1986. Print.

Moral principles are introduced as the objects of full voluntary ex ante agreement among rational persons. Such agreement is hypothetical, in supposing a pre-moral context for the adoption of moral rules and practices. But the parties to agreement are real, determinate individuals, distinguished by their capacities, situations, and concerns. In so far as [Since] they would agree to constraints on their choices, restraining their pursuit of their own interests, they acknowledge a distinction between what they may and may not do. As rational persons understanding the structure of their interaction, they recognize [the need] for mutual constraint, and so for a moral dimension in their affairs.

#### Even if individuals don’t agree with the contract, they are still constitutively bound to it.

Nardin, Terry Nardin, “International Ethics and International Law”. Review of International Studies, Vol. 18, No. 1 (Jan., 1992), pp. 19-30, published by Cambridge University Press.

#### The first thing to observe in considering this objection is that the purposes of a practice are not necessarily the same as the purposes either of those who designed or of those who participate in it. From the standpoint of an umpire supervising a particular game of chess, the paramount consideration governing the play is that it should be in conformity with the rules of chess. If a player makes an illegal move, arguing that it will result in a more intellectually challenging game, the proper response is to ignore the argument and prohibit the move. In other words, the kinds of reasons that are valid within the game are different from those that might be considered by chess federation officials contemplating changes in the rules of the game. From the internal perspective of the player or the umpire, the authority of the rules is absolute Players or umpires may disagree about the interpretation or proper application of the rules, but they may not take the position that a valid, authoritative rule should be set aside. It is also important to distinguish between the intentions that may be embedded in a rule or system of rules and the consequences of observing that rule or participating in the system.

#### Thus, the standard is consistency with contractarian principles of mutual restraint, as individuals would constrain actions to further self-interest, as the reciprocal nature of contracts guide the actions of others.

#### Prefer the standard:

#### 1. Consent- Contractarianism is based on consent and acceptance of a contract— Defines the conditions of what is moral or immoral. Contracts preclude the normativity of other ethical theories.

#### 2. Infinite Regress- Other theories have no Brightline to what constitutes a “good” or “bad” action. Contractarianism solves this based on a rational restriction guiding their action individual agents who are not forced to engage in element they do not wish to.

#### My Offense

#### Workers agree to not strike in contracts and have a moral obligation to restrict their actions to the contract. Employers are allowed to fire people in violation of contracts, and this is upheld by the government.

"Employer Sanctions for Violation of No-Strike Clause: Union Busting through Mass Discharge and Rescission." ***Yale Law Journal*,** digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=8323&context=ylj. Accessed 23 June 2021.

**EMPLOYERS often secure no-strike clauses** 1 in collective bargaining contracts 2 with their employees' unions, 3 in order to ensure greater union responsibility for the maintenance of stable production schedules.4 **Under such clauses, the union promises not to authorize or sanction any strike during the term of its contract.' The employer is** usually **given power to** discipline or **discharge all the individual union members who strike in violation of the no-strike clause.0**

When confronted with a union-sponsored strike in violation of a no-strike clause, the employer may be forced to accede to the union's demands because of production requirements or the scarcity of replacement workers. 7 Alternatively, he may shut down his plant and wait out the strike, disciplining the strikers when they return to work, subject to an arbitrator's review.8 However, if he believes his bargaining position to be strong, he may discharge all the strikers, rescind the contract, and refuse thereafter to deal with the union.0 **The National Labor Relations Board has upheld such employer actions on the grounds that they are justified by the union's prior material breach of the contract,'** ° and that strikers in violation of contract are not protected by the National Labor

### CP: Arbitration (1:10)

#### Status – Unconditional

#### Counterplan Text- A just government ought to Implement a Compulsory Interest Arbitration Mechanism to settle public labor disputes and private sector disputes - workers will be allowed to strike only after arbitration

#### Solves the aff - allows effective collective bargaining without destructive strikes – incentivizes people to engage with the system

Alaine S. Williams, 1979, Florida Law Review, https://core.ac.uk/download/pdf/217315075.pdf//SJJK

If the legislature has enacted legislation which inadequately implements and protects the constitutional right to collectively bargain, the judiciary should be bold in declaring the law unconstitutional.5 ' Thereafter, the legislature would be compelled to enact meaningful collective bargaining-in other words, to institute compulsory interest arbitration. One reason for implementing compulsory interest arbitration is because without it "collective bargaining" in Florida lacks any meaning whatsoever. Another substantial and more positive reason •to do so is because interest arbitration is a rational alternative to strikes. 5 Private employees have a right to strike, a right believed to be significant for the maintenance of labor peace53 and essential to meaningful bargaining." Most public employees in this country have a right to collectively bargain, but because the majority of jurisdictions prohibit strikes, the right has been more accurately described as "collective begging." In a 1972 decision upholding the sentences of a group of striking teachers, a New Jersey court noted that: Jailing teachers is not the answer to school strikes .... Public employees have the right to bargain collectively as to the terms and conditions of their employment but cannot do so on equal terms with their employment unit since they have no means of negotiating from a position of strength. If the present policy prohibiting strikes by public employees is to be continued, machinery for the compulsory settlement of deadlocked labor disputes involving public employees should be established. 5 With an effective, fair method of settling contract negotiation disputes, as opposed to the one-sided factfinding system in Florida, public employee strikes, besides being illegal, would also occur less often. In addition, negotiations should be more fruitful when some form of threat-namely, forced arbitration-is present. 7 If the public employer in Florida were subject to outside arbitration in the event contract negotiations broke down, he probably would be more enthusiastic about good faith bargaining. The threat of arbitration would have the desired effect of encouraging bargaining and would motivate the parties to voluntarily agree to the contract. Although some argue that arbitration is not a substitute for strikes but rather a substitute for bargaining,18 statistics compiled under the New York arbitration law indicate that there is no evidence that compulsory interest arbitration has chilled collective bargaining. 5 9 Instead, factors such as hostility between union and management representatives, political pressure tactics by the union, and the use of outside negotiators were more likely to account for an impasse than the availability of arbitration machinery. 0

**Empowering interest arbitration is able to resolve disputes while simultaneously giving the time and consideration necessary to prevent future conflicts over labor.**

**Malin, ‘13** [Martin H. Malin is Professor of Law Emeritus at Chicago-Kent College of Law, Published: 1/14/13, “Two Models of Interest Arbitration” Ohio State Journal on Dispute Resolution, https://scholarship.kentlaw.iit.edu/cgi/viewcontent.cgi?article=1741&context=fac\_schol ]

**To develop the interest arbitration process as an extension of the collective bargaining process, policymakers should encourage arbitrators to mediate. Sufficient time should be allotted in establishing deadlines for the arbitration award to allow for mediation, and the parties should be authorized to extend those deadlines by agreement. The arbitrator should have authority to remand the dispute to the parties for further negotiations if the arbitrator determines that such a remand is appropriate.** Tri-partite arbitration boards facilitate mediation but are not essential, as effective mediation can occur even where there is a single, neutral arbitrator. Interest arbitration statutes should be designed such that the outcome of an arbitration proceeding will be unpredictable. **Where statutes specify factors for the arbitrator to consider, something that may be necessary in many states to avoid having the statute voided as an unconstitutional delegation of sovereign authority,96 the factors should be worded broadly to give the arbitrator as much discretion as possible. Prioritizing some factors over others should be avoided and the list should contain express authorization for the arbitrator to .consider factors in addition to those expressly listed.** Arbitrators should not be required to address expressly every factor; indeed, as with grievance arbitration, they should not be required to provide detailed reasons for their awards. At most, they should be required to indicate that they have considered all relevant factors in reaching the decision. Judicial review of interest arbitration awards should be extremely narrow. **As long as the arbitrator acted within the scope of his or her authority, was not biased and did not engage in willful misconduct, a reviewing court or administrative agency should defer to the award. The goal of interest arbitration should be to resolve a particular dispute, not to develop a body of precedent binding on future adjudications. When interest arbitration is situated as an extension of the collective bargaining process, the disadvantages of resolving bargaining impasses through arbitration will be mitigated. Parties are more likely to reach agreement and, in so doing, have a better chance of innovating rather than replicating the status quo, and of resolving conflict rather than diverting it to contract administration**. When parties resolve their bargaining disputes by agreement, they own the resolution and cannot avoid accountability by pushing responsibility off on the arbitrator.

### DA: Innovation – Violent Strikes (1:30)

#### Uniqueness

#### Innovation is high now and it’s imperative to keep it up

Mercury News et al Mercury News & East Bay Times Editorial Boards, 6/4/21, "Editorial: How America can win the global tech war," Mercury News, <https://www.mercurynews.com/2021/06/04/editorial-why-silicon-valley-needs-endless-frontier-bill/>

The nation that wins the global tech race will dominate the 21st century. This has been true since the 1800s. Given the rapid pace of innovation and tech’s impact on our economy and defense capabilities in the last decade, there is ample evidence to suggest that the need for investment in tech research and development has never been greater. China has been closing the tech gap in recent years by making bold investments in tech with the intent of overtaking the United States. This is a tech war we cannot afford to lose. It’s imperative that Congress pass the Endless Frontier Act and authorize the biggest R&D tech investment in the United States since the Apollo years. Rep. Ro Khanna, D-Santa Clara, made a massive increase in science and technology investment a major part of his platform while campaigning for a seat in Congress in 2016. Now the co-author of the 600-page legislation is on the cusp of pushing through a bipartisan effort that has been years in the making. Khanna and his co-authors, Senate Majority Leader Chuck Schumer, D-N.Y., Sen. Todd Young, R-Ind., and Rep. Mike Gallagher, R-Wisc., are shepherding the bill through the Senate, which is expected to approve it sometime later this month. That would set up a reconciliation debate between the House and Senate that would determine the bill’s final language. The ultimate size of the investment is still very much up in the air. Khanna would like Congress to authorize $100 billion over a five-year period for critical advancements in artificial intelligence, biotechnology, cybersecurity, semiconductors and other cutting-edge technologies. The Senate is talking of knocking that number down to $50 billion or $75 billion. They should be reminded of China Premier Li Keqiang’s March announcement that China would increase its research and development spending by an additional 7% per year between 2021 and 2025. The United States still outspends China in R&D, spending $612 billion on research and development in 2019, compared to China’s $514 billion. But the gap is narrowing. At the turn of the century, China was only spending $33 billion a year on R&D, while the United States was spending nearly 10 times that amount.

#### Innovation IS increasing in all industries right now - empirics

Jamie Keaton, 9-21, 21, UN agency: Innovation continued even as coronavirus emerged, https://abcnews.go.com/Technology/wireStory/agency-innovation-continued-coronavirus-emerged-80123210

GENEVA -- The U.N.'s intellectual property agency said Monday that innovation marched forward last year despite the impact of the coronavirus outbreak. Technology, pharmaceuticals and biotech industries boosted their investments, even as hard-hit sectors like transport and travel eased back on spending. The World Intellectual Property Organization, which helps coordinate and approve international patents, trademarks and other intellectual property, also warned that change in the overall “innovation landscape” was happening too slowly, saying a broader array of countries should benefit from it as the world rebuilds after the pandemic ebbs. The findings released Monday emerged from WIPO’s latest innovation index report for 2020, which ranked Switzerland, Sweden, the United States, Britain, and fast-climber South Korea — driven partly from creativity like K-Pop music — as the most innovative economies. China and France edged up in the rankings, which continue to be dominated by Asia, Europe and North America. **“Innovation is resilient** — and even more resilient than we expected,” said WIPO Director General Daren Tang. “What COVID has done is that it has disrupted certain industries, but it has accelerated certain industries,” Tang said in an interview in his office overlooking Lake Geneva. “It comes as no surprise that **communications, hardware, software, ICT, these are sectors have done well” as well as the medical and biotech sectors.** The index ranks 132 countries, plus economies such as Hong Kong, and comes a year after WIPO said investments in innovation hit a record high in 2019 — an annualized rate of gain of 8.5 percent. Top technology companies like Apple, Microsoft and Huawei increased investment on average about 10 percent last year, and venture capital investment surged — a trend that is continuing this year, WIPO said. While the United States and China have largely driven the rise in R&D in recent years, other countries like Turkey, Vietnam, India and the Philippines — the so-called TVIP countries — have been rising consistently in the rankings over the past five years. Switzerland has consistently led the rankings for the past five years. Overall, the WIPO report on the index said, “the global innovation landscape is changing too slowly. … There is urgent need for this to change.”

#### Links

#### Aff increases violent union strikes which kill productivity in tech companies

Chaithra Hanasoge, No Date, "The Union Strikes: The Good, the Bad and the Ugly," Supply Wisdom, <https://www.supplywisdom.com/resources/the-union-strikes-the-good-the-bad-and-the-ugly/>

The strike witnessed several instances of social disorder, violence and clashes, ultimately calling for third party intervention (Secretary of Labor – Thomas Perez) to initiate negotiations between the parties. Also, as a result of the strike, Verizon reported lower than expected revenues in the second quarter of 2016. Trade unions/ labor unions aren’t just this millennia’s product and has been in vogue since times immemorial. Unions, to ensure fairness to the working class, have gone on strike for better working conditions and employee benefits since the industrial revolution and are as strong today as they were last century. With the advent of technology and advancement in artificial intelligence, machines are grabbing the jobs which were once the bastion of the humans. So, questions that arise here are, what relevance do unions have in today’s work scenario? And, are the strikes organized by them avoidable? As long as the concept of labor exists and employees feel that they are not receiving their fair share of dues, unions will exist and thrive. Union protests in most cases cause work stoppages, and in certain cases, disruption of law and order. Like in March 2016, public servants at Federal Government departments across Australia went on a series of strikes over failed pay negotiations, disrupting operations of many government departments for a few days. Besides such direct effects, there are many indirect effects as well such as strained employee relations, slower work processes, lesser productivity and unnecessary legal hassles. Also, union strikes can never be taken too lightly as they have prompted major overturn of decisions, on a few occasions. Besides the Verizon incident that was a crucial example of this, nationwide strikes were witnessed in India in March and April this year when the national government introduced reforms related to the withdrawal regulations and interest rate of employee provident fund, terming it as ‘anti-working class’. This compelled the government to withhold the reform for further review. In France, strike against labor law reforms in May turned violent, resulting in riots and significant damage to property. The incident prompted the government to consider modifications to the proposed reforms.

#### Impact

#### Tech innovation key to solve every existential threat – outweighs on probability and magnitude

Dylan Matthews; dylan@Vox.com, 10-26-2018, "How to help people millions of years from now," Vox, <https://www.vox.com/future-perfect/2018/10/26/18023366/far-future-effective-altruism-existential-risk-doing-good>

But what does prioritizing the far future even mean? The most literal thing it could mean is preventing human extinction, to ensure that the species persists as long as possible. For the long-term-focused effective altruists I know, that typically means identifying concrete threats to humanity’s continued existence — like unfriendly artificial intelligence, or a pandemic, or global warming/out of control geoengineering — and engaging in activities to prevent that specific eventuality. But in a set of slides he made in 2013, Beckstead makes a compelling case that while that’s certainly part of what caring about the far future entails, approaches that address specific threats to humanity (which he calls “targeted” approaches to the far future) have to complement “broad” approaches, where instead of trying to predict what’s going to kill us all, you just generally try to keep civilization running as best it can, so that it is, as a whole, well-equipped to deal with potential extinction events in the future, not just in 2030 or 2040 but in 3500 or 95000 or even 37 million. In other words, caring about the far future doesn’t mean just paying attention to low-probability risks of total annihilation; it also means acting on pressing needs now. For example: We’re going to be better prepared to prevent extinction from AI or a supervirus or global warming if society as a whole makes a lot of scientific progress. And a significant bottleneck there is that the vast majority of humanity doesn’t get high-enough-quality education to engage in scientific research, if they want to, which reduces the odds that we have enough trained scientists to come up with the breakthroughs we need as a civilization to survive and thrive. So maybe one of the best things we can do for the far future is to improve school systems — here and now — to harness the group economist Raj Chetty calls “lost Einsteins” (potential innovators who are thwarted by poverty and inequality in rich countries) and, more importantly, the hundreds of millions of kids in developing countries dealing with even worse education systems than those in depressed communities in the rich world. What if living ethically for the far future means living ethically now? Beckstead mentions some other broad, or very broad, ideas (these are all his descriptions): Help make computers faster so that people everywhere can work more efficiently Change intellectual property law so that technological innovation can happen more quickly Advocate for open borders so that people from poorly governed countries can move to better-governed countries and be more productive Meta-research: improve incentives and norms in academic work to better advance human knowledge Improve education Advocate for political party X to make future people have values more like political party X