# NC

## T – A

**Interpretation: The affirmative must defend a just government as a general principle, not specify a subset**

**CCC** Capital Community College [a nonprofit 501 c-3 organization that supports scholarships, faculty development, and curriculum innovation], “Articles, Determiners, and Quantifiers”, http://grammar.ccc.commnet.edu/grammar/determiners/determiners.htm#articles AG

The three articles — a, an, the — are a kind of adjective. The is called the definite article because it usually precedes a specific or previously mentioned noun; a and an are called indefinite articles because they are used to refer to something in a less specific manner (an unspecified count noun). These words are also listed among the noun markers or determiners because they are almost invariably followed by a noun (or something else acting as a noun). caution CAUTION! Even after you learn all the principles behind the use of these articles, you will find an abundance of situations where choosing the correct article or choosing whether to use one or not will prove chancy. Icy highways are dangerous. The icy highways are dangerous. And both are correct. The is used with specific nouns. The is required when the noun it refers to represents something that is one of a kind: The moon circles the earth. The is required when the noun it refers to represents something in the abstract: The United States has encouraged the use of the private automobile as opposed to the use of public transit. The is required when the noun it refers to represents something named earlier in the text. (See below..) If you would like help with the distinction between count and non-count nouns, please refer to Count and Non-Count Nouns. We use a before singular count-nouns that begin with consonants (a cow, a barn, a sheep); we use an before singular count-nouns that begin with vowels or vowel-like sounds (an apple, an urban blight, an open door). Words that begin with an h sound often require an a (as in a horse, a history book, a hotel), but if an h-word begins with an actual vowel sound, use an an (as in an hour, an honor). We would say a useful device and a union matter because the u of those words actually sounds like yoo (as opposed, say, to the u of an ugly incident). The same is true of a European and a Euro (because of that consonantal "Yoo" sound). We would say a once-in-a-lifetime experience or a one-time hero because the words once and one begin with a w sound (as if they were spelled wuntz and won). Merriam-Webster's Dictionary says that we can use an before an h- word that begins with an unstressed syllable. Thus, we might say an hisTORical moment, but we would say a HIStory book. Many writers would call that an affectation and prefer that we say a historical, but apparently, this choice is a matter of personal taste. For help on using articles with abbreviations and acronyms (a or an FBI agent?), see the section on Abbreviations. First and subsequent reference: When we first refer to something in written text, we often use an indefinite article to modify it. A newspaper has an obligation to seek out and tell the truth. In a subsequent reference to this newspaper, however, we will use the definite article: There are situations, however, when the newspaper must determine whether the public's safety is jeopardized by knowing the truth. Another example: "I'd like a glass of orange juice, please," John said. "I put the glass of juice on the counter already," Sheila replied. Exception: When a modifier appears between the article and the noun, the subsequent article will continue to be indefinite: "I'd like a big glass of orange juice, please," John said. "I put a big glass of juice on the counter already," Sheila replied. Generic reference: We can refer to something in a generic way by using any of the three articles. We can do the same thing by omitting the article altogether. A beagle makes a great hunting dog and family companion. An airedale is sometimes a rather skittish animal. The golden retriever is a marvelous pet for children. Irish setters are not the highly intelligent animals they used to be. The difference between the generic indefinite pronoun and the normal indefinite pronoun is that the latter refers to any of that class ("I want to buy a beagle, and any old beagle will do.") whereas the former (see beagle sentence) refers to all members of that class

**Standards**

1. **Precision outweighs - anything outside the res is arbitrary and unpredictable because the topic determines prep, not being bound by it lets them jettison any word. Aff arguments are non-unique since a] it relies on semantics to convey those messages and b] pragmatics can be discussed anytime while we only have 2 months to discuss the wording of this unique topic**
2. **Limits and Ground - decimates clash by exploding limits to infinite governments with infinite possible interps of what constitutes a just one, each with different political climates, economies, and human rights problems which makes contesting the aff with unifying neg ground impossible and means they can always pick the most aff skewed country. Means a] we always have an irreciprocal research burden since we have to prepare for infinite combinations of affs b] our arguments aren’t researched in depth worsening clash and c] worsens small school accessibility by infinitely multiplying their caselist**
3. **TVA – read your aff as an advantage under whole res – we still get your content education and sufficient aff ground by switching up aff advantages, frameworks, implementation, etc. The existence of pics doesn’t answer this - a] 1ar theory checks b] plans incentivize more generic cheaty counterplans since nothing else links and c] preemptive abuse doesn’t justify actual abuse or they’ll read 50 a prioris to answer 40 condo pics**
4. **Reasons that specification is good are an independent shell for us - if specifying a just government was good, you should’ve also specified strikes, workers, etc**

## ASpec

#### Interp: The affirmative must specify the agent that does the plan.

#### The standard is strat skew--1ars can clarify to delink neg offense mooting the 1nc and kills clash by skirting NC discussion e.g. if I read a courts DA, you can you defend congress. Independently links to resolvability--judge can’t know who to vote on if we don’t know what the 1ac advocates and we can’t clash with it or read nuanced arguments absent such knowledge either. Resolvability outweighs, all arguments presume you can resolve them and otherwise Ws or Ls can’t properly happen. Cx doesn’t check--

#### 1 - Moots AC prep since I have to wait to cx and precludes using cx strategically for substance

#### 2 - You get extra time to prep our interp if we ask in cx and have an incentive to be infinitely abusive and just kick it if we call you out on it

#### 3 - Its non verifiable since judges don’t flow it

#### 4 - Key to inclusion since novices might forget to ask and get crushed since you shifted

#### No solvency – there’s no such actor as the “Federal Government”, only specific branches

**Brovero 94** (Adrienne, Debate Coach, “Immigration Policies”, Debater’s Research Guide, http://www.wfu.edu/Student-organizations/debate/MiscSites/DRGArticles/Brovero1994Immigration.htm)

The problem is not that there is not a plan; this time there is one. The problem is that there is no agent specified. The federal government does not enact policies, agents or agencies within the federal government enact policies. The agent enacting a policy is a very important aspect of the policy. For some of the same reasons the affirmative team should specify a plan of action, the affirmative team should specify an agent of action.

## DA – PQD

#### Plan breaks the PQD—it’s an entirely unprecedented act of court policymaking that justifies unrestrained Judicial intervention

**Hall, 10**

(Associate-Riggs, Abney, Neal, Turpen, Orbison & Lewis, Denver, CO & JD-Loyola Law School, 13 Chap. L. Rev. 265, Lexis)

It is beyond dispute that courts often weigh in, either explicitly or as a consequence of the decisions that they make, on certain policy issues. **However**, the manner in which policy issues are influenced by the judiciary has historically largely been limited to decisions **upholding, striking down or interpreting acts of the legislature.** For instance, examine the most significant cases of the courts that commentators often point to in identifying judicial activism. Two periods of the Supreme Court's history are continually identified as particularly "activist" periods in which the Court ventured into the realm of determining policy issues: The New Deal era and the Warren Court. n129 Before the New Deal era, the Supreme Court repeatedly declared legislative attempts to regulate worker rights, including [\*287] setting wage and hour requirements, unconstitutional, holding that such laws would impermissibly restrict the right to freedom of contract. n130 Following the famed "Switch in Time that Saved Nine," the Court suddenly began to uphold regulations setting maximum hours and minimum wages, overruling its previous precedents holding the opposite. n131 The Court decided that freedom of contract was not absolute and could permissibly be restricted where the restriction would improve health and safety or protect vulnerable groups. n132 In other words, the Court made a clear policy determination that freedom of contract should yield to worker protections where health and safety or vulnerable groups were concerned. However, it should be noted that the legislature had already made this policy choice in enacting the health and safety oriented laws in the first place, and so there was nothing "initial" about any policy determination made by the Court in these instances. The Warren Court is likewise frequently cited as being an "activist" Court for its decisions striking down numerous laws harmful to minorities and other historically vulnerable groups. n133 The Warren Court is perhaps best known for striking down the "separate but equal" doctrine in schools through Brown v. Board of Education, n134 predicated on the Court's determination that separate educational facilities based on race were inherently unequal, and thus ran afoul of equal protection. But even this decision was not setting any sort of initial policy. Instead, it was a determination that the policy previously set forth via the equal protection guaranteed by the 14th Amendment was not being advanced through segregated education. The Warren Court also recognized a constitutional right to privacy, which it held outweighed a state's interest in prohibiting its citizens from using contraceptives in striking down such a law enacted by the State of Connecticut. n135 While this could be considered a policy determination of sorts in some respects, the real policy being advanced by that decision is the Supremacy Clause - the Court in [\*288] effect prohibited a state from enacting a law that, in the Court's view, conflicted with the Constitution. Advancement of such a policy did not require any "initial" policy determination by the Court, as the Supremacy Clause is of course written into the Constitution. Some of the Court's brightest and most important moments have come amid accusations of judicial policy setting, including cases like Brown. n136 By the same token, some of the Court's lowest points, such as Korematsu v. United States, resulted from the Court's failure to inject itself into politically charged issues. n137 However, should the judicial branch be permitted to **set far reaching emissions restriction policy**, it would be taking a step **beyond the** purportedly **"activist" decisions of The New Deal era or the Warren Court**. As the District Court in Connecticut v. American Electric Power Co. correctly noted, the relief sought by the plaintiffs in that case would require the court to **unilaterally** set an appropriate **level** of emissionsreduction as well as setting a **schedule** by which those reductions were to occur. n138 Moreover, any policy sufficient to redress the injuries claimed by the plaintiffs would require, at a minimum, a broad-based decision (or series of decisions) setting restrictions on many (or all) domestic energy producers in order to make any measurable dent on the consequences of global warming complained of by the plaintiffs. n139 In other words, contrary to the vehicles used by the Warren Court in eliminating "separate but equal" education, the judicial branch would not be simply **evaluating** actions taken by the elected officials of the legislative branch and making a decision to uphold or declare unconstitutional those actions. Instead, the judicial branch would be **required to set forth**, **in the first instance,** **the policy options that should prevail** in the ongoing debate on global warming and the **mechanisms which should be implemented** to achieve those policy goals. Consider an analogy to what the Warren Court would have had to undertake in Brown to match the largely legislative function that the judicial branch would have to assume in the global warming debate to determine the guiding policies for [\*289] emissions restrictions and implement the necessary changes in one fell swoop. First, allowing the judiciary to determine that domestic energy producers should be subject to emissions restrictions without any legislative action setting forththis policy would be akin to the Warren Court creating the concept of equal protection on its own, rather than extracting it from the 14th Amendment. **There is no provision** of legislatively enacted law to support such a decree from the judiciary at this point in time. Further, allowing the judiciary to set specific emissions restrictions on specific domestic energy producers to combat global warming would be the equivalent of the Supreme Court in Brown requiring that "Topeka High School A is to consist of no more than 70 percent white students, whereas Topeka High School B is to consist of no more than 60 percent white students, and Topeka High School C is to consist of no more than 65 percent white students." These, of course, were not the tactics taken by the Supreme Court in Brown. Rather, after initially striking down segregated education as unconstitutional under the equal protection clause of the 14th Amendment, the Court set further hearing on the matter of how to implement the necessary changes. n140 The following year, the case came back to the Supreme Court in Brown II. n141 In that case, the Court **recognized** that the judicial branch should not be charged with **creating the programs** to implement desegregation**.** n142 Rather, the Court held that "full implementation of these constitutional principles may require solution of varied local school problems. School authorities have the primary responsibility for elucidating, assessing, and solving these problems; courts will have to consider whether the action of school authorities constitutes good faith implementation of the governing constitutional principles." n143 The Brown and Brown II Courts followed a traditional pattern of legislation and jurisprudence in the context of major policy change. n144 First, a legislative body enacts a law. Second, a plaintiff damaged by the law challenges its validity before the courts. Third, the courts are charged with evaluating the validity of the law. Fourth, the courts either uphold or invalidate the law. Fifth, if the courts invalidate the law, they allow for the legislative branch (or if the legislative branch has delegated [\*290] rulemaking to an agency, that agency) to amend the scheme to bring it into compliance with the previously existing law, namely in Brown, the 14th Amendment. By contrast, judicial intervention into the global warming debate steps far outside this framework**.** To date, no legislative body has acted to set emissions restrictions for domestic energy producers. Rather, through cases like Connecticut v. American Electric Power Co., plaintiffs are attempting to fit an issue requiring widespread legislation into common law doctrines such as nuisance. n145 As such, rather than being charged with evaluating the validity of a law enacted by the elected officials of the legislature, the judicial branch, should it intervene, is instead left to **create** not only **its own policies**, but also the **mechanisms** for enforcing those policies. In sum, the actions that would necessarily be undertaken by the judiciary should it intervene in the global warming debate and attempt to create its own set of emissions restrictions without allowing for the other coordinate branches of government to act would exceed the actions of even those courts long accused of "judicial activism." The courts would need to determine whether emissions restrictions should be imposed on domestic energy producers at all, and if so, such restrictions should be imposed prior to the creation of a global emissions reduction agreement and how the emissions restriction scheme should be structured. These far reaching initial policy determinations that would be required of the judiciary are **precisely what the third Baker factor** is aimed to prevent**,** and so the **political question doctrine precludes judicial intervention** in this debate **absent action by** at least one of **the other** two **branches** of government.

#### Legislature is where the right to strike should be changed, not the courts

**Washington University Law Review 86** [Washington University Law Review, January 1986, " California Public Employees Granted Right t anted Right to Strik o Strike Without e Without Legislative Authorization—County Sanitation District No. 2 of Los Angeles County v. Los Angeles County Employees Association, Local 660, 699 P.2d 835 (Cal.)," Washington University Law Review, https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=2130&context=law\_lawreview, accessed 11-12-2021] BCortez

The specificity of the state legislation varies. The Illinois statute, for example, details the class of employees entitled to strike, the prerequisites for permissible strikes, and the procedures for employer petitions for judicial relief.'7 The Montana statute, on the other hand, broadly authorizes "concerted [bargaining] activities,"' 8 which the Montana Surpeme Court has interpreted to include a right to strike.' 9 In states that have refused to recognize a public employee right to strike, the courts have generally held that the legislature is the appropriate vehicle for such a change. In Port of Seattle v. International Longshoremen's & Warehousemen's Union,20 the Washington Supreme Court refused to overturn the common-law rule prohibiting public employee strikes, although it conceded justification for such a change.2 1 The court rejected the proposed modification, reasoning that the **legislature is better equipped to evaluate policy issues and to determine the effects of a strike on public health and safety**.22 Similarly, the New Jersey Superior Court sympathized with arguments allowing public employee strikes, but upheld the common-law prohibition.23 The court reasoned that the legislature should determine when the public interest dictated a change.24 Likewise, the Idaho Supreme Court found that the legislature had made a policy decision by not expressly providing for the right to strike in its labor statute.25 Thus, the court held that the common law would control until statutorily abrogated.26

# Case

#### No impact to disease

Farquhar et al 17 [Sebastian Farquhar (PhD Candidate in Philosophy at Oxford and Project Manager at Future of Humanity Institute), John Halstead (climate activist and one of the co-founders of 350 Indiana-Calumet), Owen Cotton-Barratt (PhD in pure mathematics at Oxford. Previously worked as an academic mathematician and as Director of Research at the Centre for Effective Altruism), Stefan Schubert (Researcher at Department of Experimental Psychology at University of Oxford), Haydn Belfield (Associate Fellow at the Leverhulme Centre for the Future of Intelligence. He has a background in policy and politics, including as a Senior Parliamentary Researcher to a British Shadow Cabinet Minister, as a Policy Associate to the University of Oxford’s Global Priorities Project, and a degree in Philosophy, Politics and Economics from Oriel College, University of Oxford), Andrew Snyder-Beattie (Director of Research at the Future of Humanity Institute at Oxford, Holds degrees in biomathematics and economics and is currently pursuing a PhD in Zoology at Oxford), Existential Risk: Diplomacy and Governance, Global Priorities Project (Bostrom’s Institute), 2017-01-23, https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf] TDI

For most of human history, natural pandemics have posed the greatest risk of mass global fatalities.37 However, there are some reasons to believe that natural pandemics are very unlikely to cause human extinction. Analysis of the International Union for Conservation of Nature (IUCN) red list database has shown that of the 833 recorded plant and animal species extinctions known to have occurred since 1500, less than 4% (31 species) were ascribed to infectious disease.38 None of the mammals and amphibians on this list were globally dispersed, and other factors aside from infectious disease also contributed to their extinction. It therefore seems that our own species, which is very numerous, globally dispersed, and capable of a rational response to problems, is very unlikely to be killed off by a natural pandemic. One underlying explanation for this is that highly lethal pathogens can kill their hosts before they have a chance to spread, so there is a selective pressure for pathogens not to be highly lethal. Therefore, pathogens are likely to co-evolve with their hosts rather than kill all possible hosts.39