# **1NC – Workers Strike**

## **I stand in firm negation that resolved: A just government ought to recognize an unconditional right of workers to strike.**

#### **my value for today’s debate is justice.**

#### **my standard for today’s debate is minimizing structural violence.**

#### **1] prioritize slow violence and everyday war against disenfranchised populations – it’s footnoted in favor of sensational impacts, which normalizes everyday violence.**

Hunt 18 (Dallas Hunt, PhD Candidate, University of British Columbia, Canada., Chapter 10 “Of course they count, but not right now”: Regulating precarity in Lee Maracle’s Ravensong and Celia’s Song, in Biopolitical Disaster Edited by Jennifer L. Lawrence and Sarah Marie Wiebe, 2018 Routledge, JKS)

“There is a hierarchy to care”: theoretical concerns and applications In Frames of War (an extension and preoccupation with similar issues she outlines in her text Precarious Life), Judith Butler focuses on the ways in which particular, violent perceptions of everyday life are normalized and propagated as legible or granted “intelligibility” (through numbers, statistics, etc.). According to Butler, Frames of War follows on from Precarious Life ... especially its suggestion that specific lives cannot be apprehended as living. If certain lives do not qualify as lives or are, from the start, not conceivable as lives within certain epistemological frames, then these lives are never lived nor lost in the full sense. (2010: 1) For Butler, then, a primary concern is how these intelligibilities allow “a state to wage its wars without instigating a popular revolt” (xvi). Although Butler is writing within the context of the Iraq War and the “War on Terror,” her insights on precarity and modes of state violence exceed their immediate rele- vance. Indeed, as is clear below, the notions of war and settler-colonialism and the biopolitical rationalities they allow are eminently applicable to a local, Canadian context. The frames of war, Butler argues, are not circumscribed to combat zones with the mobilization of weapons. Instead, to Butler, “perceptual weapons” are acting on populations consistently to naturalize violences and enlist citizens to tacitly consent to (and, in some cases, actively participate in) violent forms that authorize dehumanization: “[w]aging war ... begins with the assault on the senses; the senses are the first target of war” (xvi). These perceptual violences resonate with Rob Nixon’s formulation of “slow violence” as well. To Nixon, slow violence is “a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all” (2011: 3). Further, and “[c]rucially, slow violence is often not just attritional but also exponential, operating as a major threat multiplier; it can fuel long-term, proliferating conflicts in situations where the conditions for sustaining life become increasingly but gradually degraded” (4). Conditioning the senses or what is intelligible, then, functions as the way in which state violences are legitimized, as the frames of war dictate the “sensuous parameters of reality itself” (ix). According to Butler, the task at hand is not only to “understand ... these frames, where they come from and what kind of action they perform” (2010: 83), but also to find and articulate “those modes of representation and appearance that allow the claim of life to be made and heard” (81). While Butler is exam- ining conditions of precarity, (in)security, and disposability in the context of “the War on Terror,” and Palestine–Israel, her examination of an imperial/ colonial power exerting force and enacting violence on vulnerable and racialized populations (and in the process producing and reproducing these vulnerable populations) can be fruitfully employed in the Canadian context, though not without some alteration. Although we may not perceive the more mundane, i.e. non-military, violences visited upon Indigenous communities as “war” strictly speaking, Sora Han’s oft-cited phrase that we must think of the United States (and settler-colonial nations more broadly) not “at war” but “as war” is useful here (cited in Simpson 2014: 153, emphasis in original). If we view the biopolitical man- agement of Indigenous populations and Indigenous territories as rationalities rooted in the organizing frame of settler-colonialism, then the states of emer- gency putatively thought to be produced through war are “structural, not eventful” – that is to say, war is the very condition of settler-colonialism and not a by-product of it (154). Indeed, the largest ever domestic deployment of military forces in North America took place within Canada, in the context of the so-called “Oka crisis.” As Audra Simpson writes, the “highest number of troops in the history of Indigenous-settler relations in North America was deployed to Kanehsatà:ke, as this was the most unambiguous form of exceptional relations, that of warfare. There were 2,650 soldiers deployed...” (2014: 152). And, as Roxanne Dunbar-Ortiz and others have noted, Western imperial powers still refer to “enemy territories” abroad as “Indian Country” and to “wanted terrorists” as “Geronimo” (2014: 56). I follow the lineages of these Indigenous theorists who view settler-colonialism as a kind of permanent war, drawing parallels between the so-called everyday violences (displacement, sexual violence) inflicted upon Indigenous peoples in the US and Canada and the death-delivering reaches of empire embodied by the West more globally. Or, to echo Mink, the transformer/shapeshifter narrating the events in Mara- cle’s Celia’s Song: “This is war” (2014: 9). For Butler, there are varying tactics for distributing “precarity” differently, or what she describes as “that politically induced condition in which certain populations suffer from failing social and economic networks of support,” producing a “maximized precariousness for populations ... who often have no other option than to appeal to the very state from which they need protec- tion” (2010: 26). In the depictions provided in her writing, as well as that of Maracle, violence is deployed not only as “an effort to minimize precarious- ness for some and to maximize it for others,” but also as a mode of shaping the perceptions of citizens in order to make such acts legible, and hence, in a sense justifiable (Butler 2010: 54). Ultimately what Butler is advocating for is a new ethico-political orientation, one with the potential to disrupt the violent regimes of the sensible, as well as the ways in which precarity is currently allocated and distributed. Paraphrasing Jacques Rancière, Jeff Derksen also advocates for political movements that disrupt “regimes of the sensible”: “a politics of the aesthetic could ... redistribute and rethink the possibility of the subject (potentially an isolated figure) within the present and within a com- munity to come” (2009: 73). In sum, Butler’s text illustrates the ways in which State-sanctioned (and induced) precarity “perpetuate[s] a way of dividing lives into those that are worth defending, valuing, and grieving when they are lost, and those that are not quite lives” (2010: 42), as well as the resistive practices that might disrupt the naturalization of “differential distribution[s] of pre- carity” (xxv). The remainder of the chapter considers to what extent Mara- cle’s texts offer such a disruption of the mundane frames of settler-colonial war within the context of an exceptional moment (an epidemic), and asks how her work gestures toward the alternatives that might be offered by Indigenous frames.

#### **2] especially because each life improved could solve an existential catastrophe.**

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Notice, the problem can be cast two different ways. First, the loss associated with humanity's premature extinction is so great that even if the probability of a catastrophic event is very low, an expected value calculation suggests that we should strive to prevent its possible occurrence. And yet, there is something deeply puzzling about ruining the lives of all actual persons for the sake of humanity eking out a longer stay in the universe. Second, you may have realized that the above implication bears close resemblance to the dreaded Repugnant Conclusion. The Repugnant Conclusion states that for any population, all with a very high quality of life, there must be some larger imaginable population whose existence, all else being equal, would be better despite their lives being barely worth living.19The mistake, as countless critics have noted, is that quantity (that is, size of population) should not be able to compensate for a stark reduction to their average quality of life. I'm inclined to agree that this looks worrisome. For some, if this were the end of the story, it would surely act as a reductio ad absurdum of the view. But this is not the full story. AN INDIRECT APPROACH TO LOWERING THE THREAT OF EXTINCTION In setting out our earlier comparison of the two populations it was assumed that only costs go up, never benefits. That is to say, A was fixed and the total sum of goods went up merely because the size of the population grew, despite internalization costs reducing average quality of life. Colouring in the picture, this corresponds to the scenario where, all else being equal, existential threats are directly targeted. To illustrate, this could amount to putting a lot of resources towards asteroid deflection programmes.20 I now wish to argue that we could instead reduce existential risk by indirect means, and in so doing make the world in two ways go better. As noted earlier, we would prolong humanity's place in the cosmos. Furthermore, an indirect approach improves the average welfare of persons, particularly the worse-off in our population. Certainly, it would be a mistake to concentrate exclusively on indirectly lowering the probability of doomsday. Returning to our earlier example, reducing global poverty cannot prevent an Earth-bound asteroid the size of Texas from making impact. Nevertheless, if we were also to adopt an indirect approach, then this would contribute to existential risk reduction by curbing the negative ripple effects of readily preventable illnesses, global hunger, and so forth. Ripple effects are a class of phenomena that affect the far future in significant ways, shaping how our history unfolds over time.21A ripple effect is initiated by a particular event that has some causal influence on the course of events that follow it. These events, in turn, may have their own impact on how further events play out. And so on it goes, reaching wider and wider as time passes. Consider the following example. A doctor is in a position to cure some infant's blindness. Sure, the infant will probably have a better life after the operation. Most of us are quick to hone-in on this feature of the situation. And many other goods go unacknowledged by us as a result. Just a few of the proximate advantages we might reasonably expect to find after curing the infant's blindness include: her parents will be less worried about her, subsequently finding more free time to develop their own personal projects; the government will spend fewer resources on providing her education; this child will grow up with more opportunities, as well as perhaps being inspired to start a grassroots initiative or develop an anti-malarial drug. All of these consequences will have some role in shaping our future due to their own ripple effects. This network of ripple effects might go so far as causing '[her] country's economy to develop very slightly more quickly, or make certain technological or cultural innovations arrive more quickly'.22

## **Contention 1: Healthcare Workers**

#### **Healthcare strikes cause millions of deaths from a lack of treatment in developing countries – poor people have no alternatives to public doctors**

**Aacharya and Varghese 16** [Ramesh P Aacharya, Department of Emergency and General Practice, Tribhuvan University Teaching Hospital, Institute of Medicine, and Sibichan Varghese, Department of Higher Secondary Education, Omanoor P.O. Malappuram, 2016, “Medical Doctors’ Strike: An Ethical Overview with Reference to the Indian Context,” Journal of Clinical Research & Bioethics, https://www.longdom.org/open-access/medical-doctors-strike-an-ethical-overview-with-reference-to-the-indiancontext-2155-9627-1000272.pdf]/Kankee

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Health is a very important human value and hence health care is a paramount social good. In this context doctors have more responsibility on health of every people [3]. In many countries health care workers including doctors are unsatisfied with factors like payments and with non-monetary aspects such as healthcare policy issues, security and safety issues, better working conditions and hospital’s physical and administrative infrastructure [4-12]. Doctors argue that they are compelled to action to make their needs or demands met, and that strikes may be chosen as an ultimate choice of action. Such collective actions by practicing doctors are occurring with increasing frequency worldwide [13-15]. In 2006, Frizelle pointed out that in the past two decades there has been strikes by medical doctors in many countries including Australia, Belgium, Canada, Chile, Finland, France, Germany, Ghana, India, Ireland, Israel, Italy, Korea, Malta, New Zealand, Peru, Serbia, Spain, Sri Lanka, Romania, USA, UK, Zambia and Zimbabwe [14]. Many of these strikes have been harmful to patients as strikes reduce patient’s access to care by eliminating or delaying necessary care, and may, at times interfere with the continuity of such care [16,17]. A doctors’ strike, regardless of the reason for it, receives a lot of media attention and meets a great deal of criticism and resistance from the general public as well as within the healthcare profession [18,19]. In fact, it arouses intense debate on the ethical justification of medical professionals failing to prioritise human life and their needs, and to find less harmful ways of negotiating their own needs without harming patients [20-22]. Many empirical studies and reviews on strikes indicate that in many instances, medical services are badly affected by doctors’ strikes [7,15]. The objections against medical strikes range from causing harm to patients, deterioration of physician-patient relationship to decrease of public’s respect for the medical profession [23]. In the recent past, a number of such strikes have been reported from many developing countries including India [4-7,10,24]. The impact of such strikes is very destructive in developing countries like India where medical insurance and health care systems are very poor and substandard. Pandya pointed out that “in such a (strike) situation, the paralysis of health care centres by striking doctors runs contrary to the raison d'être of the profession. It also violates the first dictum of medicine - Primum, non nocere” [25]. Although doctors usually put forward reasons to justify their strikes, such strikes need close ethical scrutiny. 6ignificantl\, striking doctors may feel psychological distress and ethical conflict regarding the consequences and impact of their strikes on patients [26]. In such a complex situation, various ethical dilemmas arise, like the legitimacy of doctors’ strikes while patients are harmed [18], which further questions whether a medical doctor has autonomy to engage in what he/she feels to be his/her right. In this context our question is whether doctors’ strikes can be ethically legitimate, especially in the Indian scenario? Do they have the right to strikes or work slowdowns, even if they have a genuine reason, which may put the lives of defenceless patients at serious danger? How can doctors genuinely press for their demands without making untoward eوٴects to human life? Нerefore, in this article we would like to discuss doctors’ strikes and its ethical reflection with special reference to India. Нis ethical debate is literature based for which various databases and online sources including PubMed, Web of Science, Google Scholar, Philosophers index etc. were used. Most of the full texts were accessed through Health Internetwork Access to Research Initiative (HINARI) currently named as HINARI Access to Research in Health Programme. Нe objective of this work is to study and describe reasons, modalities and impacts of the doctors’ strikes in India. Further, we try to develop an ethical reflection on doctors’ strikes and to evaluate the doctors’ strikes in India using these ethical reflections. Discussion 1. НH Indian situation with doctors’ strikes In India, strikes of junior as well as senior doctors have been more frequent in recent times which cause harm in diوٴerent dimensions of a patient’s life giving rise to ethical debates [21,22,27,28]. 1a. Reasons for doctors’ strike in India: Considering inadequate Indian public health care system, doctors argue that there are good reasons for carrying out strikes. Нe\ also argue that they deploy such activities when situations are hopeless and helpless, especially when dissatisfaction has become substantially worse. Нe major reasons can be categorised as follows: Low wages: Нe main discontent for majority of doctors relates to a ‘fair wage’ [29]. Нe ‘stipend’ given to resident doctors are very low and they need to work increasingly longer hours and thus junior doctors are exploited by the administration bypassing all labour laws in the name of training. For this reason junior or resident doctors are leading groups to strike all over the world including India. Most of the senior doctors also receive a relatively low salary compared to their time at work, risks and expertise. Failure to fulfil their expectations has contributed to a ‘brain drain’ to the rich and developed countries. Lack of security and safety at work places: Another reason for doctor’s strike is increasing incidents of attacks on doctors [6,7], by relatives of certain unfortunate patients who lost their lives during the course of treatment. Such incidents increase the lack of security and safety in their working environments. Health care policy issues: Another main reason for doctors’ strikes is related with health care policy issues adopted by central or state governments [4,5,10,24], which hamper the opportunity of a majority of talented and committed doctors to further their academic or professional and financial advancement. Upgrading of institutional capacity: A number of strikes were also reported for better working conditions and for hospital infrastructure development [6,7]. Нe infrastructures in hospitals including professional resources are inadequate to accommodate the needs of all patients seeking for public hospital services. Нe number of medical staوٴ is lower in every public hospital than is required. In many hospitals, many posts for medical staوٴ remain vacant, and the attempts to get new recruits are inadequate and ineوٴective. Despite the fact that medical education infrastructure has grown rapidly during the last decade enrolling 46,456 medical students in 2014 [30] which is 64% increment compared to 2005, the doctor-patient ratio is unsatisfactory with one government doctor for every 11,528 people [31]. Нerefore, overcrowded public hospitals are very common in India, putting more pressure on the shoulders of public hospital doctors. 1b. Modes of Strike: Unlike what workers oіen do in other strikes, most striking doctors do not begin by sudden abandoning of patients in critical conditions [32]. Rather, the usual course is starting from simple work slow-down and then, gradual increase in intensity to strong actions. Initially, they may stop indoor admissions, not attend medical boards meetings. Later, they may deny services to out-patients and also exclude surgeries. However, in most cases, emergency departments are attended by some doctors during the strike. Most of such strikes last for one day to a few weeks, and the modes of striking diوٴer from one situation to other. Doctors conduct demonstration [6], sit-in, absenteeism and some of them even undergo hunger strikes [5,29,33]. 1c. Impact of doctors’ strikes: Нe impact of such strikes varies depending on a number of factors such as the duration, cases under treatment and mode of strike [2]. Most patients who come from poor backgrounds and seek for free healthcare, they are harmed greatly because they have neither medical insurance nor social security insurance. According to United Nation's Millennium Development Goal (MGD) programme 21 percent out of India's population of 1.29 billion are living below the poverty line [34]. Further, in India, only less than 10 per cent of people have comprehensive health insurance coverage. This worsens their poor condition ending in sometimes very fatal results because they cannot financially afford to go to private hospitals. Thus outcomes of physicians’ strikes are likely to affect patients and their vulnerability to illness makes patients relatively powerless in relationship to the health care system, and influencing patients’ attitudes (of trust) towards medical doctors [1,26,35]. In India, there is a system of employing part time or alternative service especially doctors from army during periods of strike. Нe relatively small number of such part-time and/or full-time consultants in most departments is insuٹcient in comparison to the patients’ load of those who are seriously ill requiring hospital care. According to Pandya “…. If doctors in such hospitals go on strike, the only option open to these patients is to turn their faces to the wall, sicken further, and, in some instances, die. These are compounded, avoidable tragedies, all the more terrible as they follow no fault of their” [25]. Нis statement clearly illustrates the depth of the consequences of doctors’ strikes in India, which, in concluding this section, brings us back to our former question of whether it is ethically justifiable for doctors to demand to strike. Нe professional virtues behind such strikes raise moral and ethical questions. 2. Doctors’ strike: a general ethical reflection

#### **That violates the categorical imperative and uses patients as a mere means to an end**

**Aacharya and Varghese 16** [Ramesh P Aacharya, Department of Emergency and General Practice, Tribhuvan University Teaching Hospital, Institute of Medicine, and Sibichan Varghese, Department of Higher Secondary Education, Omanoor P.O. Malappuram, 2016, “Medical Doctors’ Strike: An Ethical Overview with Reference to the Indian Context,” Journal of Clinical Research & Bioethics, https://www.longdom.org/open-access/medical-doctors-strike-an-ethical-overview-with-reference-to-the-indiancontext-2155-9627-1000272.pdf]/Kankee

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2a. Are doctors’ strikes ethically justifiable" Most early literary writings on ethics of physician strikes were analyzed in terms of justice, rights, or moral duties [36,37]. In addition to these, recent debates and literature on doctors’ strike give more emphasize to trust-relationship, non-maleficence, autonomy, and professionalism etc. [23,38-42]. Нere are ongoing discussions and debates regarding the ethical justification of doctor’s strike around the world. However, the ethical basis for these arguments can be found in Kant’s second formulation of the categorical imperative: always treat other persons as having individual moral worth and dignity and never treat them merely as a means to one’s own ends. Reitemeier believes that adherence to a few basic ethical principles is required for any protest action that impacts patient care [16]. Otherwise, the lay individual cannot empathize with the notion that highly educated and literate individuals such as medical doctors deign to take industrial action. In theory, a doctors’ profession differs from other workers in that their primary goals are not making money but of saving the lives of patients with whom they have a fiduciar\ commitment. Нerefore physicians should serve the interests of their patients according to their professional commitments above and beyond their own personal and immediate interests [39]. Jackson opined that in the event of a physicians’ strike for personal financial gain, even if it were possible to delude patients that such a strike was really for ‘their own good’, the action would go against the collective conscience of the profession [38]. Only as a last resort and that under almost inconceivable conditions, might a total strike of health care professionals be justified [32] and one of these conditions is, that their actions will not harm the lives of their patients. Such justification could vary across diوٴerent countries and contexts based on their political, social and cultural background. Health care system is also diوٴerent between nations on account of its structure, funding, infrastructure etc. which is unique to each country. In the medical profession there are a set of shared values which relate to their behavior towards their patients. Нis behavior is regulated by guidelines, recommendations and biomedical principles. 2b. Hippocrates Oath and code of ethics: In the context of doctors’ strike, the significance and meaning of the Hippocratic Oath deserves more attention. The Hippocratic Oath, the first reflective code of professional ethics, is historically taken by doctors swearing to practice medicine ethically. It enables doctors to adopt a more humane and professional approach to the service. Considering the Hippocratic Oath as a core of the medical profession makes the physicians’ action at work a central issue to the discussion. Pellegrino clearly emphasizes the importance of the Hippocratic Oath - Without the Oath the doctor is a skilled technician or laborer whose knowledge fits him for an occupation but not a profession…….. When the Oath is proclaimed, if it is taken seriously as a binding commitment to place one’s special knowledge and skill at the service of the sick, the graduate has then made his ‘profession’ [40]. He or she enters the company of others with similar commitments. At this moment, one enters a moral community whose defining purpose is to respond to and to advance the welfare of patients – those who are ill, who are in need of help, healing, or relief of suوٴering, pain or disability. Нus his or her commitment becomes ethically challenging for any activity like strike with a focus on personal and financial gain of doctors at the expense of treating patients [17] and violates ethical codes of the conduct of his or her service. Further, diوٴerent Codes of Medical Ethics [43] have also been controlling, directing and guiding doctors in various aspects including refrain from staging collective actions. In India, there are various laws and regulations which also exist to control such collective actions by health care professionals including the national constitution. In a historic judgment in 2003 involving the striking government employees in Tamil Nadu, the Supreme Court ruled that Government employees cannot take society at ransom by going on strike [44]. Нis ruling refers to the moral duties of public employees, such as doctors, concerning the fact that they have no legitimate claim to go on a strike and take the helpless patients at ransom to meet their demands with the government [45]. In the ‘Code of Ethics and Regulations’ framed under the Medical council of India (MCI) Act, it is unconditionally stated that medical doctors cannot refuse treatment to any patient who is in need of emergency medical care and once a physician has undertaken a case, he or she should not neglect the patient, nor he / she should withdraw from the case without giving adequate notice to the patient and the family [43]. In December 2010, the Delhi Medical Council issued a statement in response to doctors’ strike at the Safdarjung Hospital mentioned that it violates the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations and so under no circumstances doctors should resort to strike [27]. Further, in India, the Essential Services Maintenance Act (ESMA), 1981 enables the government to ban strikes and demand conciliation or arbitration in certain essential services to maintain proper functioning of the community [46]. In this Act, ‘essential services’ incorporates any service connected with the maintenance of public health and sanitation including hospitals and dispensaries. Laws like ESMA are not implemented eوٴectivel\ to minimize the negative impact to the public and/or end the strikes. 2c. 1on-maleficence and beneficence In essence, all strikes are against someone and causing harm to somebody directly or indirectly. Нe first moral reason constituting the ‘deliberative presumption’ (the principles that govern our moral life) against physicians’ strike is that physicians cause harm to patients through their strikes and harm to patients ranges from physical injury to psychological stress or anxiety to prolonged pain and suffering to added expense in accessing care [23]. Further, doctors’ strike may cause anger, resentment, fear, or mistrust in patients. The principle of non-maleficence is more important in this context. It imposes an obligation not to cause harm on others and in biomedical ethics it has been closely associated with the maxim primum non noncere meaning ‘above all do not harm’ [47]. Considering this principle, it is apparent that doctors’ strike definitely harms patients in one way or another. Similar to the principle of nonmaleficence, Mahabharata; one of the two major Sanskrit epics of ancient India says ͦНis is the sum of duty. Do not do unto others that which would cause you pain if done to you.” [48]. %eneficence, referring to actions that promote the wellbeing of others, is considered as one of the core values of health care ethics [47]. In the medical context, this means taking actions that serve the best interests of patients (Salus aegroti suprema lex). ‘Wellbeing’ of the patient is the ultimate goal of medical profession. All health care systems revolve around this core principle. Hence, how can a striking doctor serve the well-being of patients? Whether doctors’ strikes are justifiable if strike is helpful to improve the well-being of future generations especially patients? 2d. Autonomy: Autonomy is one of the most discussed principles in biomedical ethics. Нe autonomous individual acts freely in accordance with a self-chosen plan [47] and respecting autonomy involves acknowledging value and decision making rights of person and enabling them to act autonomously. Here, doctors are autonomous to do work or not, and have right to conduct strike [49] for their needs and resolving problems in their professional situations, especially in a democratic country. Are they autonomous like other professionals to carry out strike by neglecting patient’s dependent condition? Нe new organizational changes are having profound eوٴects on professional autonomy and accountability in virtually every aspect of patient care [16]. In medical profession, there is a set of shared ethical values and they over all relate to the saving of life, the healing of the sick, the wellbeing of the patients and the special responsibility of doctors for their patients [50]. 2e. Deontological versus utilitarian reasoning: Deontological reasoning refers to duty, which is usually determined without regard to circumstances or consequences. According to Kant, man is subject to the moral law; since man is a moral agent, he is responsible for his actions. It is a way of judging ‘moral correctness’ of an action, based on whether or not the action follows established rules. In other words, the ends do not justify the means. Here, strikes are considered as means in democratic society to achieve certain ends. In this context all over the world, doctors’ strikes are ethically not justified since they ‘use’ or ‘instrumentalize’ patients in order to improve their situation [23]. As opposed to this, many contemporary ethicists and philosophers are in line with utilitarian theories which seem to be an eوٴective tool to assess a specific action in terms of its utility [51]. Utilitarian reasoning always considers circumstances and consequences. According to utilitarianism, actions are right insofar as they tend to promote the greatest happiness for the greatest number, and wrong as they tend to promote the opposite [52]. Nevertheless, there are many situations in which maximizing happiness (improvement of health care system due to strike) could conflict with other values and principles, namely nonmaleficence. However, in a context of doctor’s strike, weighing the benefits with harm is a problematic issue when the strikes end up with success which may give benefit to a large group of future patients. All these general ethical reflections on physicians’ strike can be useful to assess Indian doctors’ striking activities in their specific context. 3. Ethical analysis for doctors’ strike in India

#### **Healthcare strikes punish blameless patients as leverage to change government policy – that violates the doctors’ moral responsibility**

**Park and Murray 13** [John J Park, Centre for Population Health Sciences, The University of Edinburgh, Medical School, Edinburgh, Scott A Murray, 2013, “Should Doctors strike?,” British Medical Journal, https://sci-hub.se/10.1136/medethics-2013-101397]/Kankee

REFLECTIONS Almost all doctors will agree that we should obey the law, but often the law is unclear or does not detail a particular situation. Here we must appeal to open ethical discussion. The GMC, in Good medical practice, claim that ‘Good doctors make the care of their patients their first concern’. 8 Yet does this new model of industrial action reconcile with this aim? On reflection, we raise some questions concerning this action and its claims. First, is it possible to justify strikes in any position other than in an effort to preserve the life and health of patients? To withdraw treatment not only goes against the principles of the NHS in which we practice but goes uncomfortably close to conflicting with the primary role of the doctor. Even the utilitarian argument, as proposed by Brecher, suggests that strike action is only justifiable if there is enough long-term benefit to doctors, patients and a positive improvement to healthcare delivery.6 And Veach further suggests that it may be appropriate if the concurrent increase benefits those most needing healthcare.9 Yet, this strike, with a focus on personal and financial gain of doctors at the expense of treating patients, seems difficult to justify on these grounds. Second, in what situations can doctors strike, if any? The justification made in this occasion was that patient care would be made an ‘overriding priority’ despite a significant withdrawal of human resources and medical treatment.2 A major concern raised by such an argument is the confusion that arises over whether to treat or not treat a patient. Clarity on this issue was lacking, not least to patients who were turned away from appointments, clinics and surgeries. It is further debateable as to whether any strike action can be described to make patient care a priority. Third, in a social health system such as the NHS, is it ethically permissible to strike when the health service’s very existence is founded upon a binding, mutual responsibility of state and doctors? Of course it is not a legal agreement as such, yet Bevan would call the agreement the largest ‘social contract’ in the world.10 Julian Bion put it well in his recent article to the BMJ, ‘Failure of one monopoly does not absolve the other, and unjust treatment by the state does not entitle beneficent practitioners to become maleficent.’ 11 It is difficult in any health system to justify strike action in terms of retaliation to a partner. Indeed even if government may have provoked action, it was ill considered to react to such provocation when it was clear to see that it would be detrimental to patients’ wellbeing. Finally, as was the case with many doctors’ strikes around the world, these strikes in the UK did not resolve the dispute. As Seymour Glick aptly puts it, ‘There are no victors in physicians’ strikes’. 12 Worst of all, the result of this strike was that patients suffered most. FINAL THOUGHTS

#### **Healthcare strikes stifle public support and don’t help workers**

**Li et al. 15** [Su-Ting T. Li, MD, MPH Department of Pediatrics, University of California Davis, School of Medicine, Malathi Srinivasan, MD Department of Internal Medicine, University of California Davis, School of Medicine, Richard L. Kravitz, MD, MSPH Department of Internal Medicine, University of California Davis, School of Medicine, and Michael S. Wilkes, MD, MPH, PhD Department of Internal Medicine, University of California Davis, School of Medicine, 2015, “Ethics of Physician Strikes in Health Care,” INTERNATIONAL ANESTHESIOLOGY CLINICS, https://sci-hub.se/10.1097/AIA.0000000000000054]/Kankee

Modern History of Physician Strikes—Have Physician Strikes Been Successful? Withdrawal or cessation of clinical services (striking) is the most extreme form of collective action. Physician strikes over the past 20 years have varied in purpose and success (Table 1). Health care provider strikes may have a negative impact on health care providers overall, if the public does not support the rationale surrounding the strike or if patient harm results from the strike. This negative public view increases if the strike is considered primarily physician welfare–centered rather than patient welfare-centered.2,25,36 Physicians, even when employed, are usually high wage earners, relative to the average wage earner. Yet, the practice of medicine is tightly regulated. Professionals in less tightly regulated fields have the ability to increase or decrease their professional fees more easily. A strong negative reaction was seen during the Ontario, Canada strike in 1986. In this strike, physicians went on a 23-day strike to try to prevent a federal ban on “extra-billing” (charging more than the amount payable by the Ontario Health Insurance Plan for providing an insured service). The strike failed to prevent the ban from going into law, and it also alienated the public.25 Looking Toward the Future of Strike

## **Contention 2: Hong Kong**

#### **Hong Kong doesn’t allow political strikes**

**Tang and Pang 20** [Nickolas Tang, writer on Hong Kong’s self-determination for the Nation, and, Jun Pang, writer and researcher of migration and detention for the Nation, 3-12-2020, "‘I Am Willing to Take a Bullet for You. Are You Willing to Go on Strike for Me?’," Nation, https://www.thenation.com/article/world/hong-kong-unions-strike/]/Kankee

After the wave of political mobilization in the 1960s, the British colonial government attempted to defuse activism by strengthening social service provisions, including implementing free basic education, shorter working hours, and increasing the availability of public housing. Academic Agnes Ku notes that the government continually pointed to the example of the 1967 riots as an example of the threat of social upheaval, stressing instead the importance of state-directed efficiency, stability, and prosperity. This continued after the handover, with the government adopting policies prioritizing Hong Kong’s economic development and competitiveness, presenting them as a panacea to all social and distributive issues. Article 27 of Hong Kong’s Basic Law—the territory’s mini-constitution—guarantees residents the right to form and join associations, including trade unions. The right to form a union is reserved for those who ordinarily reside in Hong Kong; that does not necessarily include migrant workers, though some have mobilized through unions and other networks to fight for stronger protections. Notably, there are no provisions for collective bargaining for anyone, which means that negotiations between employers and trade unions are not protected by law. Furthermore, strikes are legally protected only when they pertain solely to labor disputes—which is why, for example, the Hospital Authority recently warned striking medics that they may face repercussions for their politicized strike action. Carol Ng, the chairperson of the Hong Kong Confederation of Trade Unions, the largest pro-democracy union organization in Hong Kong, believes that many of the city’s unions have failed to reflect their members’ political views. “For example, there are seven unions representing railway workers in Hong Kong, but they are all pro-establishment, and disconnected from their members’ grievances,” she says. “It wasn’t until the formation of Railway Power [a pro-democracy union] last October that rank-and-file workers have a union actively supporting their demands.”

#### **Backing down on the Hong Kong strike implodes the CCP and escalates Chinese nationalism**

**Hiciano 20** [Lery Hiciano, graduate student at Claremont, 2020, “Nearly Halfway There: The Future of Hong Kong, China, and One Country Two Systems,” Claremont Colleges, https://scholarship.claremont.edu/cgi/viewcontent.cgi?article=3513&context=cmc\_theses]/Kankee

Chapter 5: Domestic Legitimacy, The CCP, and Xi Jinping Today, Hong Kong’s democratic movements pose even less risk than before to China’s economic growth. In fact, 2019’s protest shows that an actively rebellious Hong Kong can still meet the requirements for China’s domestic market. With the 2047 date looming ever closer, the Central Government likely feels assured of eventual economic integration. The seriousness with which Beijing treats Hong Kong protest movements, as well as other offenses to China’s territorial integrity, are driven not by economic concerns, but more foundationally by concern about the CCP’s ability to survive into the future. Mainland reactions to the protests of 2003 and 2012 compared to the protests of 2014 and 2019 demonstrate China’s policymakers have become significantly less tolerant of Hong Kong demands for democracy, autonomy, and personal freedoms. The balancing act between Beijing’s credibility, China’s domestic security, and defense of its territorial sovereignty on one hand, and the need for a prosperous, placated Hong Kong on the other, is the central issue in Beijing’s calculations regarding the territory. The CCP betrays its anti-colonial roots when it suppresses local autonomy in the name of unification. China is not the first nation that disregarded its revolutionary origins. Zakaria’s theories are founded in the fact that the U.S underwent a similar process when it went from advocating a European-free hemisphere to seeking its own colonies. Within China, the same fears of Hong Kong secessionism and pro-independence ring even louder as Chinese officials view Hong Kong as merely an arena for Chinese nationalism to compete with local elements. As one expert put it, “Hong Kong’s resilient struggle for autonomy is seen as presenting similar challenges already apparent in China’s peripheries: terror attacks in Xinjiang, self-immolations in Tibet, and political agitation in Taiwan.”180 Xinjiang and Tibet, although different due to the role ethnicity has played in both region’s resistance to Chinese rule and subsequent Chinese tactics of repression, are fundamentally related to the issue of Hong Kong and stages on which the CCP can demonstrate its commitment to territorial integrity no matter the cost. Snyder’s most relevant observation is that states’ adherence to the myth of domino theory – “losses in the empire’s periphery can easily bring a collapse of power at the imperial core” – can lead to strategic blunders and over-expansion.181 He cites this as, additionally, a product of the myth of the “turbulent frontier,” the belief that the best defensive strategy is one that continuously expands into the periphery in order to tame anarchic forces seeking to undermine the state in those same territories. Some of the first moves made by the newly founded PRC were on shoring up periphery, on the national front invading Tibet and forcing the Dalai Lama into exile, reintegrating the nascent second East Turkestan Republic into Xinjiang (literally translated to “new frontier”), and the First Taiwan Crisis. Within China, the concept of untamed, peripheral, frontiers is central to the nation’s creation myth. Zhongguo, or China, most accurately translates to “middle country,” a designation derived from the old imperial system in which the Chinese emperor not only governed China, but in fact, invested legitimacy in other monarchs. Confucian maps from pre-modern China show a world in which the emperor is at the center, with each concentric ring radiating out, signifying not just physical distance, but also cultural distance, or civilizational distance. Cartographers placed Korea in the second ring, since Koreans adopted Confucianism and used Chinese characters. Semi-nomadic, semi-Confucian barbarians in areas under nominal Chinese authority made up the third ring. Beyond them, untamed nomadic settlers made up the fourth. Centralized, Chinese authorities delegating autonomy to frontier, non-Chinese groups is part of a wider web of narratives that nationalist groups promote as an integral part of China’s legacy. The PRC, deriving legitimacy from this historical tradition, no doubt was inspired by dynastic precedent. The original basis for OCTS, even before Deng offered it to Taiwan, has its roots in a 17-point proposal from 1951 to allow Tibet to maintain autonomy. That proposal itself derived from Qing imperial policy that encouraged border areas to maintain local autonomy for a short period of time, before eventual integration within China. As Ho-fung Hung states, “The “one country, two systems” formula for Hong Kong is just a tactical and transitional arrangement. What awaits Hong Kong is what Tibet has seen since 1959: forced assimilation and tight direct control by Beijing.”182 Part of the CCP’s suppression of Hong Kong’s autonomy is the use of very paternal language. Xi himself stated in a 2017 speech, “It has been 20 years since Hong Kong’s return. According to China’s tradition, a man enters adulthood at the age of 20. So today, we are celebrating the coming of age of the Hong Kong Special Administration Region (HKSAR), which has grown with the vigor of a bamboo or pine tree.”183 His language is obviously patronizing, and by specifying that the HKSAR had not yet entered “adulthood,” he reduces the conflicts of the Umbrella Movement to adolescent rebelliousness. Xi’s words speak to a larger trend of thought within the ranks of the CCP. Another official once stated that Hong Kong residents’ different understanding of OCTS necessitated not just “serious attention,” but that “the people of Hong Kong should be re-enlightened about the ‘one country, two systems’ policy.”184 Behind this rhetoric, it is clear that there is growing tension within the PRC to how to resolve the issues within Hong Kong. Ultimately, the CCP finds itself at a critical juncture. Its core interests, and the lengths it goes to in order to protect them from slights, betray an inherent insecurity within the CCP apparatus. It has been abundantly clear for much of the decade that the way forward for the CCP and China looks very different from the path it has taken so far. The same methods of economic growth are no longer possible, the demographics of the nation are different, the global stage is changed, and institutional ossification within the CCP has only further set in. The 2019 Hong Kong protests touched on various sensitive nerves within a party that is increasingly wary of threats, however real or imaginary, to its rule. Simultaneously, the CCP is currently led by Xi Jinping, who is the first leader since Mao to abandon the party’s practices of ruling-bycommittee. The CCP Within a State-Party system such as China, the fundamental goal of the party is to survive. Following Mao, the CCP staked its legitimacy on economic progress, with its nationalist defense of Chinese honor in close second.185 To describe nationalism as natural, or to assume Chinese people are inherently more nationalistic than others, would be a mistake. The CCP has made it an explicit goal to foster nationalism within China through educational means and statecontrolled media. The Taiwan issue became the third rail of Chinese politics because of years of propaganda initiatives. It is such a problem that many within China, from officials to military generals to average citizens, remain convinced that “No regime could survive the loss of Taiwan.”186 There is no way for any observer to know if this is true, but Shirk states, “…the myth linking the political survival of the CCP regime to Taiwan is so pervasive that it creates its own political reality, especially in Communist Party headquarters.”187 If Taiwanese independence, something that has been the de-facto reality for seven decades, is a threat to the CCP’s survival, then Hong Kong’s moving away from China through democracy would assuredly be a setback. Hong Kong’s independence, the first time China would have lost territory following the Century of Shame, would be such a disaster for the party’s ability to rule that it is not mentioned as a potential possibility. The question of regime survival in the aftermath of Taiwanese, or worse, Hong Kong secession, is a question Chinese leadership is keen to avoid, hence the tension around the lack of any law in the territory supporting Article 23. The CCP’s Propaganda Ministry is ultimately responsible for the wellspring of domestic pressure that a Chinese official has termed a “hostage” situation, in which Chinese citizens, taught to care about Taiwan and Hong Kong as integral territories of China cut off by foreign powers, refuse to allow government acquiescence. The Chinese Communist Party depends on its nationalist image: the party fought off Japanese invasion in World War II, won the Civil War despite the KMT receiving significant amounts of foreign aid, and eventually negotiated the peaceful return of Hong Kong and Macau back to Chinese sovereignty. In the 1990s, in the aftermath of Tiananmen Square, the breakup of the Soviet Union, the impending return of Hong Kong, and the Taiwan Strait Crisis, the Propaganda Ministry led the “patriotic education campaign” to improve CCP legitimacy, a strategy that now severely distorts rhetoric with regards to Hong Kong democratic movements or Taiwanese elections. The Chinese professor who said that China can afford to let Taiwan go dared not voice this opinion even in a time of “soft politics” and the current domestic political situation in Mainland China is far from the softer politics that dominated pre-2008 and especially pre-Xi Jinping.188 In describing the CCP’s crisis of nationalism, Snyder states, “it may nonetheless become politically entrapped in its own rhetoric. Insofar as the elite’s power and policies are based on society’s acceptance of imperial myths, its rule would be jeopardized by renouncing the myths when their side effects become costly. To stay in power and to keep central policy objectives intact, elites may have to accept some unintended consequences of their imperial sales pitch.”189 In this case, the unintended consequences include political upheaval and the potential dissolution of the stateparty apparatus. Conventional logic dictates Chinese political survival is staked upon satisfying not the opinion of the “silent majority,” Chinese citizens who mostly likely could do without Taiwan or Hong Kong if it guaranteed continued economic growth, but instead those citizens who feel so strongly and buy into nationalist rhetoric so much that they may participate in mass protests against the government.190 This had led to a growing problem within Chinese policy-making: the country’s military power continues to increase relative to the United States and Taiwan, yet the party has lost control of the narrative of Taiwan’s flirtation with independence or US undermining of strategic interests.191 Furthermore, this nationalist juggernaut occurred nearly simultaneously with Taiwan’s switch from authoritarian, Chinese-facing and mainlander-dominated rule, to a democratic system in which younger generations of Taiwanese lack the romantic ideals of a reunified China.192 Ergo, the “unintended consequences” originally conceived decades ago have continuously increased in volatility. An earlier example of this would be the anti-American protests following the accidental bombing of the Chinese embassy in Belgrade. 193 If such an accident were to happen today, with higher tensions, more modern weapons, and current leadership, the ensuing crisis could quickly spiral into conflict. In China’s Hong Kong, A Political and Cultural Perspective, Jiang Shigong attempts to reflect on Hong Kong’s role within China. Throughout the work, he uses the word “empire” with positive connotations, actively encouraging the CCP to incorporate elements of dynastic legitimacy and justifying the CCP’s decisions in Hong Kong by saying it ensured “patriotic people ruled Hong Kong.”194 According to him, “The return of Hong Kong was legitimate in political philosophy. Its legitimacy came from historical traditions- ‘Hong Kong as a part of China since ancient times.”195 The emphasis on history goes hand in hand with his earlier quote on “coercion” via modernity. Modernity inconveniences the government because Basic Law, the Sino-British Joint Declaration, and OCTS are not agreements that can easily be ignored. Ideally for him, the CCP could pick and choose when ‘one country’ or ‘two systems’ takes priority. However, his main thesis is that China must transform the identity of Hong Kong residents into people who first and foremost identify with the Chinese nation, or the arrangement of OCTS will never be sufficient. This is an opinion that is not unique to him, but that has circulated within policy-making circles.196 Jiang is not a harmless intellectual- he served as a researcher within the Hong Kong and Macau Liaison office, where he published several books.197 Throughout Jiang’s work, as well as in state media coverage of the city, the city’s history and independent culture is often reduced. Wai-Man Lam writes, “Hong Kong is re-emphasised, and in fact minimalised by Chinese officials as an economic city.”198 To briefly return to Anderson’s theories on nationalism and national identities, the goal of this language is to ensure that the imagined community of Hong Kong not only stays on the sub-national level, but that its existence is reduced to the imagination of just a few. Acknowledgement of democratic demands, or infractions against Basic Law, would implicitly not just support protestors, but also implicitly support the other imagined communities that the CCP hopes to erase. Even Xi himself stated, “China’s continuous and rapid development over the years provides an invaluable opportunity, an inexhaustible source of strength, and a broad space for Hong Kong’s development. As a saying in Hong Kong goes, “After leaving Suzhou, a traveler will find it hard to get a ride on a boat,” meaning an opportunity missed is an opportunity lost.”199 Hong Kong protestors waving British or American flags, Western media outlets’ favorable depiction of democratic movements, and increasing mutual suspicion all play a part in mainland depictions of the protests. News stories for The People’s Daily, all throughout the Umbrella Movement, as well as the Anti-Extradition Protests, cite “hostile foreign forces” as attempting to undermine Chinese sovereignty.200 The Simon Cheng incident during the 2019 protest illustrates how protests strike at the heart of the CCP’s PR problem, and how the divergent international and domestic audiences conflict. In August, Chinese security forces detained, interrogated, and tortured Simon Cheng, a Hong Kong resident and British consulate worker. At the Hong Kong-Shenzhen high-speed rail link, Chinese police stopped Cheng and placed him on a train going back to Shenzhen, reinforcing the increasing blurriness of the legal boundaries between Hong Kong and the Mainland.201 During interrogation, police mostly focused on his role as an agent for the British government to incite unrest in Hong Kong UK government sources found his claims credible, and Chinese police later released a tape of Cheng confessing to soliciting prostitutes, a common tactic used to shame political prisoners. The incident greatly inflamed China-UK relations, whose officials increasingly took a pro-protestor position, and it also further incited anger in the city as Cheng alleged that with him in prison were several Hong Kong protestors. 202 However, domestically, it is effective for the CCP to kidnap a consular worker as it allows them to continue to cite outside enemies. This tactic not only perpetuates myths about a hostile Western world, when the reality is a much murkier situation of aggression on both sides, but also undermines the legitimate complaints of the Hong Kong population. In one small study about news coverage of the Hong Kong protests, the writers found that there was a negative correlation between nationalism and attitudes toward democracy or pro-democratic movements.203 The same study also showed that people who were against the protests were more likely to read state news media in China. Overseas Chinese who had access to outside sources were more likely to support protestors, and less likely to cite reasons such as “foreign forces” as arguments behind the protests. However, like many other propaganda tactics, this narrative severely limits the government’s ability to bargain with protestors. To acquiesce in Hong Kong is not to listen to fellow Chinese citizens, it is to be misled by the West once again attempting to transform China into a liberal democracy. Therefore, the protests, Hong Kong, and democracy are inextricable from the tension in China’s relationship with the United States. Snyder’s relevant observations do not end at merely describing domino theory. His analysis of the domestic situations within Japan and Germany that led both countries down a path of world war and eventual destruction has several parallels within modern day China. He finds that late industrialization, including “large government role in in mobilizing and allocating investment, centralized financial institutions, relatively low levels of mass consumption, and economic concentration in the hands of a few giant cartels,” played a massive role in the expansion undertaken by both nations, as the melding of government and financial institutions led to a feedback loop with little space for democratic intervention.204 China’s economic rise demonstrates all of these issues: state-owned enterprises dominate the economy and a political banking sector secures cheap lines of credit for favorite firms. Successful Chinese enterprises often work in tandem with the state on matters such as trade policy and the development of technologies considered essential for the CCP’s larger goals. The limited levels of consumption in turn limit firm’s abilities to expand within China’s domestic market, and contribute to severe wealth stratification and income inequality that threatens cohesion as economic progress is confined to select urban areas primarily located on the eastern seaboard.205 The byzantine nature of the CCP, with its many councils, committees, and massive membership adds more complications with regard to China’s policy aims. As Snyder explains, a cartelized government, in which various different factions pull policy in different ways may lead to a situation in which the end result is an unintended consequence by all parties involved. In China, this is reflected in the complex process by which CCP leadership is chosen, a process that over the years has increasingly played out in the public sphere. For example, during the campaigns by Bo Xilai and Xi Jinping, both publicly criticized each other in the media, previously unheard of within internal CCP politics.206 Nien-Ching Chang Liao states, “China’s provocative behavior is driven by the dysfunctional internal dynamics of the government’s decision-making process. Certain ministries or agencies- the military, the fishing industry, the oil industry, various maritime agencies, provincial governments, and other local actors- might harbor parochial objectives of increasing their budget, promoting trade, or ensuring adequate supplies of energy.”207 The different goals of various government actors, either local officials, leaders of state-owned enterprises, or institutional actors, reflects inconsistency and unreliability. How does this relate to Hong Kong? Due to the autonomy promised within Basic Law, the Liaison Office in Hong Kong, the Office of the HKSAR in Beijing, and the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Hong Kong Special Administrative Region all influence policy with regards to Hong Kong. Some believe that the Hong Kong government’s initial missteps during the early stages of 2019’s crisis were caused in part by the conflicting instructions received from different offices. 208 Therefore, not only does cartelization make China’s domestic and foreign policy unwieldly, it also played a direct role in how the situation in Hong Kong deteriorated further.

#### **The perception of backing down on a “core interest” magnifies the link – the aff is seen as compromising national sovereignty**

**Hiciano 20** [Lery Hiciano, graduate student at Claremont, 2020, “Nearly Halfway There: The Future of Hong Kong, China, and One Country Two Systems,” Claremont Colleges, https://scholarship.claremont.edu/cgi/viewcontent.cgi?article=3513&context=cmc\_theses]/Kankee

Core Interests In Mainland criticisms and observations of Hong Kong’s status, several sources present a focus on the definition of “one country.” In another speech contained within The Governance of China, Xi highlights that for OCTS to function, there must be a “strong sense of one country.” He further adds that sovereignty is not for negotiation, and that it is China’s “red line.”209 The mythmaking around China’s history: the imperial system that placed Han civilization at the center of the world, which was then erased in “The Century of Shame,” in turn defines the CCP’s core interests. The nationalist core of CCP legitimacy and mythmaking is that the party will be the vanguard to lead China out of the ruins of that horrible period. Starting with the First Opium War and continuing until the CCP’s victory over the communists, China was the scene of some of history’s most tragic stories. The First Opium War was followed by the Second Opium War, the Taiping Rebellion, Dungan Rebellion, Boxer Rebellion, the First Sino-Japanese War, the Warlord Period, the First Chinese Civil War, and the Second World War. In one century, China suffered tens of millions of deaths inflicted by combat, disease, famine, and natural disasters. Following the CCP’s victory in 1949, Chinese leaders across different eras have all explicitly made reference to the goal of returning the nation to its previous heights. Despite the party’s missteps in the 20th century, it has succeeded in rapidly moving China up in the global hierarchy. In a country such as China, a framework like OCTS is particularly groundbreaking because it is an agreement between the CCP and the people of Hong Kong. Not only that, it is also an agreement with the people of China, as it forever alters the contract between rulers and subjects by creating distinctions between the rights of different subnational entities. At the same time, it drastically widens the purview of “politics,” as the individual distinctions between subnational entities are negotiated. To do this between the PRC, a nominally communist authoritarian state, and one of the world’s most free-market cities required a significant amount of compromise to ensure a smooth transition. One writer states, “By casting reunification as an uncompromisable issue of national sovereignty, the Chinese government made this a default justification for all political, economic, social, and cultural changes. That is, reunification with Hong Kong demanded the supreme power of sovereignty to act ethically by not abiding by existing (Maoist) socialist norms and laws.” Now that the initial transition is complete, the justifications used to drive reform and originally put forward the concept of OCTS can now be used to harshly respond to the city’s democratic impulses. As the matter of reunification is “uncompromisable” to the extent that socialism is no longer at the core of the CCP, at the very least in one area, then any attempts to damage that relationship strike at the heart of the CCP’s authority. Since 2009, the CCP has given the general policies associated with this goal the name “core interests.”210 Starting with the territorial claims in Taiwan, Tibet, and Xinjiang, they have now expanded to include regime stability, and continued economic development. The CCP is unwilling to negotiate on these issues. However, the full list of core interests as defined by the CCP has never been published or revealed. One army advisor stated, “as China becomes stronger, we can publicize by installments those core interests that our country can effectively safeguard”211 That quote is a clear admission that as China gains strength, the core interests will expand. In other words, there is no effective route of appeasement or clear stopping point for China’s potential expansion. However, the CCP is not only unwilling to negotiate on this vague list of issues, it also has a tendency to force others to acknowledge its position. For external audiences, the punishment for failing to follow the CCP agenda could come in the form of economic sanctions or corporate espionage. H.R McMaster, a former White House national security advisor, stated that the CCP’s tactics were “successful in part because the party is able to induce cooperation, wittingly or unwittingly, from individuals, companies, and political leaders.”212 In 2010, the CCP sanctioned Norway for the decision to award a Nobel Prize to dissident Liu Xiaobo. In another episode, Marriot International Hotels had to apologize for “violating national laws and hurting the feelings of the Chinese people” after perhaps insinuating that Tibet, Hong Kong, Macau, and Taiwan are independent from China.213 When Daryl Morey, General Manager of the Houston Rockets, tweeted his support for the 2019 Hong Kong Protests, the Houston Rockets had all their games banned from Chinese television, with threats that the same would happen to other NBA franchises. Other international firms consistently face the same pressure to conform to these narratives. Internal audiences, subject to actual enforcement of these policies, have no ability to dissent. The CCP’s track record regarding human rights and civil liberties is well-known to be abysmal. Human rights activists accurately compare it to a 21st century 1984, complete with mass surveillance, censored news & media, advanced facial recognition software, and much more. The personal costs of disagreeing can be extraordinarily high, even for something as apparently innocuous as a social media post. This also obscures whatever the true opinions of Chinese citizens may be. During the 2019 Hong Kong protests, many famous Chinese celebrities posted messages in support of the police or of the CCP.214 However, could any celebrity realistically have posted any message in support of the protestors? In a recent Athenaeum speech at Claremont McKenna College, a Chinese human rights lawyer questioned if the “resistance” had the ability to resist, if the state had made it impossible to do so. Hong Kong residents, through cases such as the disappearances of the booksellers, have already seen what awaits them under the CCP’s human rights regime. The CCP has succeeded in lasting this long by continuously adapting, however it is approaching the longest rule ever by a single party government. Minxin Pei, a foremost China expert, writes about how the CCP has survived by fueling mass consumerism, nationalism, and learning how to “fine tune” its repression tactics.215 However, with slowing economic growth and contentious power politics in the Asia-Pacific, it remains to be seen if increased repression is an effective tool with which to ensure regime survival. In South Korea and Taiwan, the authoritarian, economically focused, developmental states eventually gave way to democratic transitions. China is now nearing the point at which middle class citizens would call for democracy and greater participation in government ($10,000 per capita GDP).216 It remains to be seen whether in the face of growing potential crises, the CCP once again faces internal calls for democracy.

#### **Authoritarianism limits the CCP’s ability to make concessions**

**Sala 19** [Ilaria Maria Sala, journalist based in Hong Kong, 8-7-2019, "Hong Kong Strikes, and Strikes a Nerve in Beijing The Chinese government is acting as though it would come unmoored if it made any concession to the protesters.," NYT, https://www.nytimes.com/2019/08/07/opinion/hong-kong-protests-strike-china.html]/Kankee

This is not to say that all Hong Kongers are of one mind. Demonstrations in support of the police have taken place regularly, too, if less frequently and with fewer participants. In those rallies, which are never visited by riot police officers, participants stress their support for China, waving Chinese flags and wielding banners that declare their roots in various Chinese cities and provinces. The fault line running through Hong Kong is, more and more, about how much the city should be allowed to maintain its distinct identity or be refashioned as China’s Hong Kong. On Tuesday, Yang Guang, the spokesman for the Hong Kong and Macau Affairs Office in Beijing, held his office’s second news conference since the beginning of the crisis more than two months ago. Previously, the office had only one in more than two decades, after Britain handed control of Hong Kong to China in 1997. Mr. Yang didn’t address any of the protesters’ grievances or demands, such as the withdrawal of the proposed extradition bill that set off the unrest or an independent inquiry into police brutality. The mainland authorities repeated their support for the city’s chief executive and the police. They strongly condemned the violence — by protesters, that is — calling them “reckless violent groups” who will “pay the price if they play with fire.” They admonished, patronizingly, that all this striking and demonstrating was damaging Hong Kong’s economy. “Do not mistake our restraint as being soft,” Mr. Yang also said. “Do not underestimate the central government’s determination in maintaining stability.” It was a veiled threat, and an admission of weakness, too. One of the most powerful governments in the world is acting as though it would come unmoored if it made any concession to popular demands. China seems as fragile as only a truly authoritarian government can be.

#### **Declining credibility causes CCP war over Taiwan to distract attention – it’s a key driver of Chinese political dynamics**

**Blumenthal 20** [Dan Blumenthal, senior fellow and the director of Asian studies at the American Enterprise Institute9-28-2020, "China's aggressive tactics aim to bolster the Communist Party's legitimacy," American Enterprise Institute - AEI, https://www.aei.org/articles/chinas-aggressive-tactics-aim-to-bolster-the-communist-partys-legitimacy/]/Kankee

Why does China seem to be on the warpath? In the first half of the 2020, Chinese soldiers killed dozens of Indian troops over disputed borders, sank a Vietnamese fishing vessel, and launched a record number of incursions into Taiwanese airspace. Beyond military coercion, China’s belligerence included selling arms to Serbia despite concerns expressed by NATO about military dependence, pressuring the WHO to censor anti-China content, and sentencing a Canadian national to death. and placing crushing tariffs on Australia for criticizing Beijing’s handling of the coronavirus. The prevailing wisdom is that Beijing is more aggressive now because it is ascendant and the United States is distracted and declining. This “Chinese ascendancy school” argues that President Xi Jinping has successfully consolidated domestic power and built China’s military and economic might to enable his vision of an aggressive, revisionist foreign policy. But this account is overly-simplistic: Chinese aggression is not merely a result of China’s strength, but also of its weakness. Xi Jinping’s overwhelming concern with domestic stability, the Chinese Communist Party’s (CCP) legitimacy and party unity are crucial drivers of China’s bellicosity. China has faced two disasters in 2020—the coronavirus and historic floods—which exposed its fragilities and created internal unrest. Its response to both was the same: escalating aggression against its neighbors. China’s economic and military power made these provocations possible, but its need to suppress internal divisions made them necessary. The question is not why China has disputes with neighbors, but why now. If China’s aggression were only a result of its economic and military strength, then it could have paused its aggressive foreign policy as the political leadership back in Beijing refocused on dealing with the destructive wages of the coronavirus. Typically, governments in chaos have little time for adventurism abroad and must focus on remedies at home. In fact, many experts predicted that China would face inward during 2020, to focus on restarting economic growth and preventing new coronavirus cases. Yet for the CCP, external aggression is a necessary tool to combat internal weakness. The CCP is obsessed with its fragilities, such as the threat of losing popular support and legitimacy and demands for more justice and freedoms. When Chinese people criticize their government, China must act more aggressively abroad. Beijing uses external aggression to fan Chinese nationalism and cast the CCP as the protector of the people and champion of a new era of Chinese glory. Coronavirus was a true moment of weakness for the CCP, as it exposed fissures in China’s overcentralized authoritarian political system to light. A now-infamous example of Chinese paranoia over potentially out-of-control domestic crises was the case of Dr. Li Wenliang. On February 7, Li, a doctor who warned of the coronavirus but was quickly censored by the Wuhan police, died from the virus himself. Li’s death quickly became the top trending topic on Chinese social media with hashtags such as “We want freedom of speech.” The CCP censored all mentions of Li or any coronavirus failings, fearing more organized protests. Simultaneously, the coronavirus battered China’s economic growth, which underpins the CCP’s claim to legitimacy, with an unprecedented 6.8 percent Q1 contraction. Far from the unified front which Beijing seeks to project, the coronavirus revealed the CCP’s dysfunction. For example, Dali, a midsize city, intercepted and distributed a shipment of surgical masks headed to the hard-hit municipality of Chongqing. Similarly, the City of Qingdao instructed customs officials to hold on to a shipment of masks and medical products headed to Shenyang. At the same time, Hong Kong dealt the CCP a major political embarrassment when it halted traffic coming in from the mainland. These reports demonstrate the government’s inability to enforce basic order among competing cities and provinces. In response to the tumult caused by the coronavirus crisis, the CCP mobilized popular support by reigniting conflicts with its neighbors. On April 2, during the peak of the coronavirus, a Chinese maritime security vessel sank a Vietnamese fishing boat near the Parcel islands. Just two weeks later on April 16, China escalated a month’s long standoff with Malaysia by deploying the coast guard to a disputed oil shelf. China also stepped up its military activities targeting Taiwan—who’s coronavirus response was strong and effective—with as many as three incursions in a single week in June. These episodes were widely condemned by the international community, but greeted with nationalist revelry at home. The need to project strength and unity domestically explains the timing of China’s border dispute with India. In May, violent brawls broke out between Chinese and Indian soldiers near Sikkim. On June 15, the Indian government reported that twenty Indian soldiers were killed by Chinese soldiers in the Galwan River Valley, a disputed border region controlled by India but claimed by China. The CCP has made full use of the crisis to rally nationalism. China’s foreign ministry issued statements blaming India for the clashes and state-propaganda popularized the slogan “China is not afraid.” The Global Times, a propaganda outlet, cast the clashes as an Indian invasion, saying “India has illegally constructed defense facilities across the border into Chinese territory in the Galwan Valley region.” Importantly, Chinese state-owned news outlets were also running news about India’s poor coronavirus response at the time, in contrast to its own “successes.” The recent border clashes mirror China’s 2017 standoff with India at Doklam, a strategic point near Bhutan. During the conflict, Foreign Minister Wang Yi made statements that cast the conflict as an Indian attack upon China, and state media circulated images from the 1962 Sino-Indian War, to remind the China populace that Beijing had defeated Delhi before. The India clashes coincided with another threat to CCP legitimacy: a fight to remove pro-democracy advocates from the Hong Kong Legislative Council. China ended up harshly cracking down on the supposedly autonomous city as well. Understanding China’s weaknesses is essential for policymakers attempting to make sense of its aggression. This dynamic is not only a Xi Jinping phenomenon: China’s modern history shows that domestic crises are often followed by belligerence. A study that pre-dated Xi’s rule, with a dataset of over three thousand interactions between the United States and China, found that the CCP was twice as likely to initiate disputes when the Shanghai Stock Exchange (SSE) experienced a substantial drop. The SSE is a barometer of elite sentiment in China because the government pledges to protect elite investments and uses SSE listings to reward party insiders. Insight into the CCP’s domestic political objectives helps determine the magnitude of the conflict and appropriate response. The editor of the Global Times wrote that a belligerent foreign policy was “necessary to satisfy the Chinese people.” Policymakers can use history to deduce what levels of aggression are “necessary” for the CCP’s goals. In India, it is unlikely that clashes will escalate into invasion because the current skirmishes satisfy the CCP’s purpose of bolstering legitimacy. However, Taiwan may be in particular danger from China’s reactionary aggression. This is because the ways in which conflict with Taiwan would bolster the CCP’s legitimacy align more closely with more violent coercion—reunification is a core element of the CCP’s platform and Taiwan’s clear success fighting the coronavirus is a major blow to Beijing’s legitimacy. Because Taiwan’s “threat” to the CCP stems from its mere existence, it is particularly vulnerable to reactionary aggression. Xi is a self-proclaimed follower of Mao. So, the 1958 Taiwan Strait Crisis is a powerful example; Mao needed to generate support for the great leap forward and deflect criticism from poor economic growth. To stir the nation, Mao seized islands controlled by Taiwan and threatened an invasion of the country until restrained by American nuclear brinksmanship. Over the last three months, China has faced another crisis in the form of historic floods. The Yangtze river basin has been inundated, affecting sixty-three million Chinese and inflicting over twenty-five billion dollars in direct damages. Many Chinese have raised concerns that the government’s massive infrastructure projects have worsened the crisis by draining wetlands and promoting development in flood-prone areas. Poor transparency has stirred more backlash as the CCP has been accused of hiding the extent of damages and censoring criticism. One political commentator in Beijing even predicted that the “Chinese public will question Beijing from this year’s continuous natural and man-made disasters, and even question China’s governance model and its effectiveness.” Instead of hoping that the crisis created by the current floods will give China’s neighbors breathing space, the United States should brace itself for the possibility of renewed aggression. The CCP must prove its worthiness to the tens of millions of displaced people across China, making it prone to lashing out. Taiwan may be an appealing target; it has been spared from flooding and has been visible in assisting neighboring countries like Japan with post-flood reconstruction. Already, China has begun live-fire sea-crossing drills near Taiwan. Recognizing the nature of the problem is the first step to successfully confronting China’s threats. China’s aggression is enabled by its power but motivated by its fragility. The coronavirus crisis makes it clear that the CCP views external aggression as a key tool to shore up its domestic support and legitimacy. Instead of viewing China’s aggressions merely as a “natural” function of its supposedly inevitable ascendency, neighbors, policymakers should start examining China’s weaknesses for signs of looming threats. The United States and its allies can both better prepare for onslaughts of aggression and devise better deterrent policies.