1AC

## 1AC – Policy

### 1AC - FWK

#### The meta-ethic is moral substitutability - only it can explain reasons for acting.

Sinnott-Armstrong 92 [Walter, professor of practical ethics. “An Argument for Consequentialism” Dartmouth College Philosophical Perspectives. 1992.]

A moral reason to do an act is consequential if and only if the reason depends only on the consequences of either doing the act or not doing the act. For example, a moral reason not to hit someone is that this will hurt her or him. A moral reason to turn your car to the left might be that, if you do not do so, you will run over and kill someone. A moral reason to feed a starving child is that the child will lose important mental or physical abilities if you do not feed it. All such reasons are consequential reasons. All other moral reasons are non-consequential. Thus, a moral reason to do an act is non-consequential if and only if the reason depends even partly on some property that the act has independently of its consequences. For example, an act can be a lie regardless of what happens as a result of the lie (since some lies are not believed), and some moral theories claim that that property of being a lie provides amoral reason not to tell a lie regardless of the consequences of this lie. Similarly, the fact that an act fulfills a promise is often seen as a moral reason to do the act, even though the act has that property of fulfilling a promise independently ofits consequences. All such moral reasons are non-consequential. In order to avoid so many negations, I will also call them 'deontological'. This distinction would not make sense if we did not restrict the notion of consequences. If I promise to mow the lawn, then one consequence of my mowing might seem to be that my promise is fulfilled. One way to avoid this problem is to specify that the consequences of an act must be distinct from the act itself. My act of fulfilling my promise and my act of mowing are not distinct, because they are done by the same bodily movements.10 Thus, my fulfilling my promise is not a consequence of my mowing. A consequence of an act need not be later in time than the act, since causation can be simultaneous, but the consequence must at least be different from the act. Even with this clarification, it is still hard to classify some moral reasons as consequential or deontological,11 but I will stick to examples that are clear. In accordance with this distinction between kinds of moral reasons, I can now distinguish different kinds of moral theories. I will say that a moral theory is consequentialist if and only if it implies that all basic moral reasons are consequential. A moral theory is then non-consequentialist or deontological if it includes any basic moral reasons which are not consequential. 5. Against Deontology So defined, the class of deontological moral theories is very large and diverse. This makes it hard to say anything in general about it. Nonetheless, I will argue that no deontological moral theory can explain why moral substitutability holds. My argument applies to all deontological theories because it depends only on what is common to them all, namely, the claim that some basic moral reasons are not consequential. Some deontological theories allow very many weighty moral reasons that are consequential, and these theories might be able to explain why moral substitutability holds for some of their moral reasons: the consequential ones. But even these theories cannot explain why moral substitutability holds for all moral reasons, including the non-consequential reasons that make the theory deontological. The failure of deontological moral theories to explain moral substitutability in the very cases that make them deontological is a reason to reject all deontological moral theories. I cannot discuss every deontological moral theory, so I will discuss only a few paradigm examples and show why they cannot explain moral substitutability. After this, I will argue that similar problems are bound to arise for all other deontological theories by their very nature. The simplest deontological theory is the pluralistic intuitionism of Prichard and Ross. Ross writes that, when someone promises to do something, 'This we consider obligatory in its own nature, just because it is a fulfillment of a promise, and not because of its consequences.'12 Such deontologists claim in effect that, if I promise to mow the grass, there is a moral reason for me to mow the grass, and this moral reason is constituted by the fact that mowing the grass fulfills my promise. This reason exists regardless of the consequences of mowing the grass, even though it might be overridden by certain bad consequences. However, if this is why I have a moral reason to mow the grass, then, even if I cannot mow the grass without starting my mower, and starting the mower would enable me to mow the grass, it still would not follow that I have any moral reason to start my mower, since I did not promise to start my mower, and starting my mower does not fulfill my promise. Thus, a moral theory cannot explain moral substitutability if it claims that properties like this provide moral reasons.

#### The standard is maximizing expected well-being.

Consequentialism SPEC: NEC (necessary enabler consequentialism) – all moral reasons for acts are provided by facts that the acts are necessary enablers for preventing death.

#### Prefer:

#### 1 - Pleasure and pain are intrinsic value and disvalue.

Blum et al. 18 Kenneth Blum, 1Department of Psychiatry, Boonshoft School of Medicine, Dayton VA Medical Center, Wright State University, Dayton, OH, USA 2Department of Psychiatry, McKnight Brain Institute, University of Florida College of Medicine, Gainesville, FL, USA 3Department of Psychiatry and Behavioral Sciences, Keck Medicine University of Southern California, Los Angeles, CA, USA 4Division of Applied Clinical Research & Education, Dominion Diagnostics, LLC, North Kingstown, RI, USA 5Department of Precision Medicine, Geneus Health LLC, San Antonio, TX, USA 6Department of Addiction Research & Therapy, Nupathways Inc., Innsbrook, MO, USA 7Department of Clinical Neurology, Path Foundation, New York, NY, USA 8Division of Neuroscience-Based Addiction Therapy, The Shores Treatment & Recovery Center, Port Saint Lucie, FL, USA 9Institute of Psychology, Eötvös Loránd University, Budapest, Hungary 10Division of Addiction Research, Dominion Diagnostics, LLC. North Kingston, RI, USA 11Victory Nutrition International, Lederach, PA., USA 12National Human Genome Center at Howard University, Washington, DC., USA, Marjorie Gondré-Lewis, 12National Human Genome Center at Howard University, Washington, DC., USA 13Departments of Anatomy and Psychiatry, Howard University College of Medicine, Washington, DC US, Bruce Steinberg, 4Division of Applied Clinical Research & Education, Dominion Diagnostics, LLC, North Kingstown, RI, USA, Igor Elman, 15Department Psychiatry, Cooper University School of Medicine, Camden, NJ, USA, David Baron, 3Department of Psychiatry and Behavioral Sciences, Keck Medicine University of Southern California, Los Angeles, CA, USA, Edward J Modestino, 14Department of Psychology, Curry College, Milton, MA, USA, Rajendra D Badgaiyan, 15Department Psychiatry, Cooper University School of Medicine, Camden, NJ, USA, Mark S Gold 16Department of Psychiatry, Washington University, St. Louis, MO, USA, “Our evolved unique pleasure circuit makes humans different from apes: Reconsideration of data derived from animal studies”, U.S. Department of Veterans Affairs, 28 February 2018, accessed: 19 August 2020, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6446569/>, R.S.

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

#### Prefer for bindingness – if I put my hand on a hot stove I have a biological imperative to pull it back – that happens before a signal is sent to my brain which outweighs because if an ethical theory isn’t binding people could say why not which makes it incoherent.

#### 2 - Actor Specificity:

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

#### b. No intent-foresight distinction – the actions we take are informed by predictions from certain mental states, meaning consequences are a collective part of the will.

#### c. Comes first since different agents have different ethical standings. Takes out util calc indicts since they’re empirically denied and link turns them because the alt would be no action.

#### 3 - Extinction comes first under any framework.

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

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### a. Gateway issue - we need to be alive to assign value and debate competing moral theories.

#### b. no moral theory can allow for extinction because it means the end of value.

### 1AC - Advantage

#### Status quo illegality decreases strike activity.

**Pope 10**, James. (Professor Pope received an A.B. and J.D. from Harvard, and a Ph.D. in politics from Princeton. From 1974 to 1980, he worked in the metal trades and was an active member of the International Association of Machinists and the Industrial Union of Marine and Shipbuilding Workers. After law school, he clerked for Chief Justice Rose Elizabeth Bird of the California Supreme Court. Prior to joining the Rutgers faculty in 1986, he was associated with the Boston law firm of Segal, Roitman & Coleman, where he represented labor unions and workers. Professor Pope is a member of the National Lawyers Guild and serves on the Executive Council of the Rutgers AAUP/AFT (AFL-CIO). His articles about workers’ rights, constitutional law, and labor history have appeared in a wide variety of publications including the Columbia Law Review, Law & History Review, the Michigan Law Review, the University of Pennsylvania Law Review, the Texas Law Review, the Yale Law Journal, Labor History, New Labor Forum (with Peter Kellman & Ed Bruno), and Working USA (also with Kellman & Bruno).) "The Right to Strike under the United States Constitution: Theory, Practice, and Possible Implications for Canada." Rutgers University Libraries, 2010, scholarship.libraries.rutgers.edu/discovery/fulldisplay/alma991031549922004646/01RUT\_INST:ResearchRepository.

In practice, however (with the sole exception of the Wolff Packing case, discussed below), the Supreme Court has upheld restrictions on the right to strike without considering their effect on the ability of workers to influence their conditions of employment. As a result, U.S. law is extraordinarily unprotective of the right to strike. The Court has, for example, approved the privilege of employers to permanently replace economic strikers, upheld a flat prohibition on secondary strikes, and sustained flat bans on public employee rights.6 The ILO’s Committee on Freedom of Association has concluded that each of these outcomes violates international standards.7 Scholars have suggested that the permanent replacement rule, in particular, has contributed to a drastic decline in strike activity in the U.S.8 Once labor’s great equalizer, the threat of a strike has been appropriated by management both in negotiations, where employers are more likely to threaten permanent replacement than unions are to threaten a strike, and in organizing drives, where the threat of permanent replacement is “Exhibit Number One” against unionizing.9

#### Scenario 1 – Soft Power

#### US soft power is wavering - there’s still hope for recovery but it requires consistency

Brand 21 [Brand finance reports on a wide array of domestic and global news stories; news topics include politics/government, business, technology, religion, sports/entertainment, science/nature, and health/lifestyle. “The decline of US soft power? Last year's ranking leader, America plummets down the Global Soft Power Index.” May 2, 2021. https://www.prnewswire.com/news-releases/the-decline-of-us-soft-power-last-years-ranking-leader-america-plummets-down-the-global-soft-power-index-301238970.html]

LONDON, March 2, 2021 /PRNewswire/ -- A year of widespread turmoil is starkly reflected in America's steep drop in the Global Soft Power Index 2021, making the US the fastest-falling soft power nation globally. Defined as ability to influence the preferences and behaviors of other nations around the world, soft power is linked to attraction or persuasion, rather than coercion. Between a turbulent election campaign and a haphazard COVID-19 response, the US lost its position as the world's soft power superpower, falling from last year's 1st to 6th position in 2021. With an overall Index score of 55.9 out of 100, down by -11.2 points on last year's 67.1 – the US recorded a more significant decline than any other nation in the ranking. With former President Donald Trump's hesitance to acknowledge the scale and severity of the pandemic criticized at home and abroad, the US places at the very bottom of the Index's COVID-19 metric, ranking at an abysmal 105th place among all nations rated in the study. David Haigh, CEO of Brand Finance, commented: "The raging of the virus across the US combined with President Trump's rebuke of medical expertise and touting of reckless home-remedies is the most likely culprit for the waning of America's long-held role model status internationally, at a time where sensible global leadership has arguably been most needed." Unveiled at the virtual Global Soft Power Summit 2021, hosted by leading brand valuation consultancy Brand Finance in partnership with BBC Global News, the Global Soft Power Index 2021 represents the most comprehensive research study on perceptions of nation brands – capturing the opinions of 75,000 respondents across 100 countries. Playing host to various speakers, the Summit also included inputs from David Miliband, CEO and President of the International Rescue Committee, as well as Joseph Nye – the Harvard University Professor originally responsible for coining the phrase 'soft power'. According to Professor Nye, the demise of US soft power began as early as 2017 under the Trump administration, but there is hope for recovery: "Trump's narrow view of international allies, withdrawal from global agreements like the Paris Climate Accord, and lack of support for the WHO were already damaging American soft power before COVID-19 even hit. "Trump was the first president that did not place a high emphasis on values. When America emphasized values, it made the nation more attractive to society, hence our soft power was unrivalled. "The question is if we can recover our soft power, and I think the answer is yes. If America continues making progress on vaccines and can get the pandemic under control, coupled with a sharp economic recovery, then our prospects look good. So, if I were to comment on what the Global Soft Power Index will say next year, I believe the US will be back on an upward trend." David Miliband, in turn, warned of the challenges ahead and underlined the importance of integrity and internal unity for soft power: "There are more power centers today than ever before, and this increased competition for soft power means reproducing past results is going to be much tougher. In this regard, I think the US is going to have to work a lot harder to re-establish its reputation in the next four years. "If a nation is divided, it becomes harder to attract others, and soft power will suffer as a result. Every government lives in coalition with its own people, regardless of the type of rule in place, and the greatest threat to the soft power of a country is dissonance between what it says it stands for and what its actions reveal it to stand for."

#### US disregard of ILO wrecks soft power.

Rosenberg 20 [Eli Rosenberg covers work and labor for The Washington Post.. “U.S. accused of violating international labor laws, forced-labor protections in new complaint.” October 7, 2020. https://www.washingtonpost.com/business/2020/10/08/international-complaint-worker-protections/]

The Labor Department and Occupational Safety and Health Administration did not respond to a request for comment. The National Labor Relations Board declined to comment. The complaint points to two main avenues of failure for U.S. labor law and policy: the country’s antiquated labor laws, such as the 1935 National Labor Relations Act, which leaves farmers, gig workers, contractors and other classes of workers without protection; and the softening of workers’ protections by the Trump administration that has continued into the pandemic. Some of the complaint’s harshest words were reserved for the Trump administration’s orders declaring industries such as meatpacking essential, compelling them to stay open even amid potential novel coronavirus outbreaks, while federal agencies, including OSHA, declined to issue enforceable safety regulations. “These executive orders gave a green light for employers to force workers to report for work and risk their lives or lose their jobs,” said the complaint, signed by Trumka and SEIU President Mary Kay Henry. “This is tantamount to forced labor.” The complaint highlighted the racial implications of these orders too, arguing one executive order was inherently discriminatory because the vast majority of meatpacking workers who contracted the coronavirus were Black or Hispanic. The complaint also took aim at other ways Trump’s labor agencies rolled back protections for workers. During the pandemic’s early weeks, the NLRB, which oversees union elections, suspended them, giving companies more time to maneuver against them, the complaint charged. The NLRB also issued a memo in March that the union presidents said signaled employers could avoid bargaining about proposed layoffs because of the pandemic. And in two cases in August, the NLRB said companies were in the clear for dismissing workers who expressed concern about safety issues during the pandemic, even though workers have protections from the National Labor Relations Act from being fired in many cases for raising safety concerns at work. “Each of these decisions disarms workers and their unions in the face of management actions to violate their collective bargaining rights in the Covid-19 crisis,” the complaint said. “Since these memoranda also serve as instructions to NLRB regional authorities on how to handle similar cases, they have a cascading effect that will undermine workers’ rights in weeks and months ahead as the pandemic continues to ravage American workplaces.” As they rushed to maintain U.S. meat supply, big processors saw meat plants become covid-19 hot spots, worker illnesses spike It also put a spotlight on OSHA, charged with upholding worker safety regulations, noting that the agency failed to issue a safety standard businesses would be required to adhere to for coronavirus safety. “The complaint is stunning in its level of detail and the number of examples,” said Joseph A. McCartin, a U.S. labor expert at Georgetown University. “What becomes clear is that the U.S. is far from an example for how to protect workers and is actually showing itself to be well behind the curve.” McCartin said the type of complaint was not very typical of prosperous, democratic countries. Countries that had complaints investigated by the U.N. labor body in 2019 include Burundi, China, Myanmar, Pakistan and France. Though the ILO does not have any enforcement power, a finding against the United States after an investigation could have serious ramifications for the country’s reputation, McCartin said. “It would strengthen politically the argument that our laws are inadequate,” McCartin said. “It could help to bring some political pressure to bear on those agencies if in the eyes of the world and this duly designated committee that the U.S. is found to be failing to ensure basic human rights.” The United States participates in the ILO but has not signed on to all of its conventions. “The committee’s finding that the U.S. is in violation of these essential international standards would make it a lot more difficult for the U.S. to hold other countries accountable,” said Lance Compa, a labor law expert who helped draft the complaint. “To the extent that the committee finds that the U.S. has violated international standards, it makes it a lot more difficult for the U.S. to, for example, hold China accountable for labor rights violations. Or Russia, or India, or Brazil.” Henry, SEIU’s president, said that state of labor protections in the United States was “unconscionable.”

#### Soft power fosters multilateralism - solves extinction but also renews the institutional foundation of the global order.

John G. Ikenberry 11, Albert G. Milbank Professor of Politics and International Affairs at Princeton, Spring, “A World of Our Making”, http://www.democracyjournal.org/20/a-world-of-our-making.php?page=all

Grand Strategy as Liberal Order Building **American dominance** of the global system **will eventually yield to the rise of other powerful states. The unipolar moment will pass. In facing this circumstance, American grand strategy should be informed by answers to this question: What sort of international order would we like to see in place in 2020 or 2030 when America is less powerful?** Grand strategy is a set of coordinated and sustained policies designed to address the long-term threats and opportunities that lie beyond the country’s shores. Given the great shifts in the global system and the crisis of liberal hegemonic order, how should the United States pursue grand strategy in the coming years? The answer is that **the United States should work with others to rebuild and renew the institutional foundations of the liberal international order** and along the way re-establish its own authority as a global leader. The United States is going to need to invest in alliances, partnerships, multilateral institutions, special relationships, great-power concerts, cooperative security pacts, and democratic security communities. That is, **the United States will need to return to the great tasks of liberal order building.** It is useful to distinguish between two types of grand strategy: positional and milieu oriented. With a positional grand strategy, a great power seeks to diminish the power or threat embodied in a specific challenger state or group of states. Examples are Nazi Germany, Imperial Japan, the Soviet bloc, and perhaps—in the future—Greater China. With a milieu-oriented grand strategy, a great power does not target a specific state but seeks to structure its general international environment in ways that are congenial with its long-term security. This might entail building the infrastructure of international cooperation, promoting trade and democracy in various regions of the world, and establishing partnerships that might be useful for various contingencies. My point is that under conditions of unipolarity, in a world of diffuse threats, and with pervasive uncertainty over what the specific security challenges will be in the future, this milieu-based approach to grand strategy is necessary. The United States does not face the sort of singular geopolitical threat that it did with the fascist and communist powers of the last century. Indeed, compared with the dark days of the 1930s or the Cold War, America lives in an extraordinarily benign security environment. Rather than a single overriding threat, the United States and other countries face a host of diffuse and evolving threats. **Global** warming**,** nuclear proliferation, jihadist terrorism, energy security**, health** pandemics**—these and other dangers loom on the horizon. Any of these threats** could endanger **Americans’** lives **and way of life either directly or indirectly** by destabilizing the global system **upon which American security and prosperity depends**. What is more, these threats are interconnected—and it is their interactive effects that represent the most acute danger. And **if** several of **these threats materialize at the same time and interact to generate greater** violence and instability, then **the global order itself, as well as the foundations of American national security, would be put at risk.** What unites these threats and challenges is that they are all manifestations of rising security interdependence. More and more of what goes on in other countries matters for the health and safety of the United States and the rest of the world. Many of the new dangers—such as health pandemics and transnational terrorist violence—stem from the weakness of states rather than their strength. At the same time, technologies of violence are evolving, providing opportunities for weak states or nonstate groups to threaten others at a greater distance. When states are in a situation of security interdependence, they cannot go it alone. They must negotiate and cooperate with other states and seek mutual restraints and protections. The United States can-not hide or protect itself from threats under conditions of rising security interdependence. It must get out in the world and work with other states to build frameworks of cooperation and leverage capacities for action against this unusually diverse, diffuse, and unpredictable array of threats and challenges. This is why a milieu-based grand strategy is attractive. **The objective is to shape the international environment to maximize your capacities to protect the nation from threats.** To engage in liberal order building is to invest in international cooperative frameworks—that is, rules, institutions, partnerships, networks, standby capacities, social knowledge, etc.—in which the United States operates. **To build international order is to increase the global stock of “social capital**”—**which is the term** Pierre Bourdieu, Robert Putnam, and other **social scientists have used to define the actual and potential resources and capacities within a political community, manifest in and through its networks of social relations, that are available for solving collective problems.** If American grand strategy is to be organized around liberal order building, what are the specific objectives and what is the policy agenda? There are five such objectives. First, the United States needs to lead in the building of an enhanced protective infrastructure that helps prevent the emergence of threats and limits the damage if they do materialize. Many of the threats mentioned above are manifest as socioeconomic backwardness and failure that cause regional and international instability and conflict. These are the sorts of threats that are likely to arise with the coming of global warming and epidemic disease. What is needed here is institutional cooperation to strengthen the capacity of governments and the international com-munity to prevent epidemics or food shortages or mass migrations that create global upheaval—and mitigate the effects of these upheavals if they occur. The international system already has a great deal of this protective infrastructure—institutions and networks that pro-mote cooperation over public health, refugees, and emergency aid. But as the scale and scope of potential problems grow in the twenty-first century, investments in these preventive and management capacities will also need to grow. Early warning systems, protocols for emergency operations, standby capacities, etc.—these safeguards are the stuff of a protective global infrastructure. Second, the United States should recommit to and rebuild its security alliances. The idea is to update the old bargains that lie behind these security pacts. In NATO, but also in the East Asia bilateral partner-ships, the United States agrees to provide security protection to the other states and brings its partners into the process of decision-making over the use of force. In return, these partners agree to work with the United States—providing manpower, logistics, and other types of support—in wider theaters of action. The United States gives up some autonomy in strategic decision-making, although it is more an informal restraint than a legally binding one, and in exchange it gets cooperation and political support. Third, the United States should reform and create encompassing global institutions that foster and legitimate collective action. The first move here should be to reform the United Nations, starting with the expansion of the permanent membership on the Security Council. Several plans have been proposed. All of them entail adding new members—such as Germany, Japan, India, Brazil, South Africa, and others—and reforming the voting procedures. Almost all of the candidates for permanent membership are mature or rising democracies. The goal, of course, is to make them stakeholders in the United Nations and thereby strengthen the primacy of the UN as a vehicle for global collective action. There really is no substitute for the legitimacy that the United Nations can offer to emergency actions—humanitarian interventions, economic sanctions, uses of force against terrorists, and so forth. Public support in advanced democracies grows rapidly when their governments can stand behind a UN-sanctioned action. Fourth, the United States should accommodate and institution-ally engage China. China will most likely be a dominant state, and the United States will need to yield to it in various ways. The United States should respond to the rise of China by strengthening the rules and institutions of the liberal international order—deepening their roots, integrating rising capitalist democracies, sharing authority and functional roles. The United States should also intensify cooperation with Europe and renew joint commitments to alliances and multilateral global governance. The more that China faces not just the United States but the entire world of capitalist democracies, the better. This is not to argue that China must face a grand counterbalancing alliance against it. Rather, it should face a complex and highly integrated global system—one that is so encompassing and deeply entrenched that it essentially has no choice but to join it and seek to prosper within it. The United States should also be seeking to construct a regional security order in East Asia that can provide a framework for managing the coming shifts. The idea is not to block China’s entry into the regional order but to help shape its terms, looking for opportunities to strike strategic bargains at various moments along the shifting power trajectories and encroaching geopolitical spheres. The big bargain that the United States will want to strike is this: to accommodate a rising China by offering it status and position within the regional order in return for Beijing’s acceptance and accommodation of Washington’s core strategic interests, which include remaining a dominant security provider within East Asia. In striking this strategic bargain, the United States will also want to try to build multilateral institutional arrangements in East Asia that will tie China to the wider region. Fifth, the United States should reclaim a liberal internationalist public philosophy. When American officials after World War II championed the building of a rule-based postwar order, they articulated a distinctive internationalist vision of order that has faded in recent decades. It was a vision that entailed a synthesis of liberal and realist ideas about economic and national security, and the sources of stable and peaceful order. These ideas—drawn from the experiences with the New Deal and the previous decades of war and depression—led American leaders to associate the national interest with the building of a managed and institutionalized global system. What is needed today is a renewed public philosophy of liberal internationalism—a shift away from neoliberal-ism—that can inform American elites as they make trade-offs between sovereignty and institutional cooperation. Under this philosophy, the restraint and the commitment of American power went hand in hand. Global rules and institutions advanced America’s national interest rather than threatened it. The alternative public philosophies that have circulated in recent years—philosophies that champion American unilateralism and disentanglement from global rules and institutions—did not meet with great success. So an opening exists for America’s postwar vision of internationalism to be updated and rearticulated today. The United States should embrace the tenets of this liberal public philosophy: Lead with rules rather than dominate with power; provide public goods and connect their provision to cooperative and accommodative policies of others; build and renew international rules and institutions that work to reinforce the capacities of states to govern and achieve security and economic success; keep the other liberal democracies close; and let the global system itself do the deep work of liberal modernization. **As it navigates this brave new world, the United States will find itself needing to share power and rely in part on others to ensure its security**. **It will not be able to depend on unipolar power or airtight borders.** It will need, above all else, authority and respect as a global leader. **The United States has lost some of that authority and respect in recent years. In committing itself to a grand strategy of liberal order building, it can begin the process of gaining it back.**

#### Scenario 2 - Union Strength

#### Strikes are necessary to sustain union strength.

**Reich**, Adam, **et al 20**. (Adam Reich received his PhD in sociology from UC Berkeley in 2012, and was a Robert Wood Johnson Health & Society Scholar at Columbia from 2012 to 2014.  He focuses on economic and cultural sociology.  Much of his research concerns how people make sense of their economic activities and economic positions within organizations.  Reich is the author of three books, the most recent of which is Selling Our Souls: The Commodification of Hospital Care in the United States (Princeton, 2014).  He is also the author of several peer-reviewed articles, which have appeared in journals such as the American Journal of Sociology and Social Science & Medicine. Education Ph.D.  University of California, Berkeley, 2012.) "Schooled by Strikes? The Effects of Large-Scale Labor Unrest on Mass Attitudes Toward the Labor Movement." Cambridge Core, 2 June 2020, www.cambridge.org/core/journals/perspectives-on-politics/article/abs/schooled-by-strikes-the-effects-of-largescale-labor-unrest-on-mass-attitudes-toward-the-labor-movement/0B7101A887DCE4134E26B758D082C8DB.

Strikes and Labor Power in an Era of Union Decline We examined the political consequences of large-scale teacher strikes, studying how firsthand exposure changed mass attitudes and public preferences. Across a range of specifications and approaches, we find that increased exposure to the strikes led to greater support for the walkouts, more support for legal rights for teachers and unions, and, especially, greater personal interest in labor action at people’s own jobs, though not necessarily through traditional unions. Returning to the theoretical expectations we outlined earlier, the teacher strikes appear to have changed the ways that parents think about the labor movement, generating greater public support. The results regarding workers’ interest in undertaking labor action in their own jobs also suggests evidence in favor of the public inspiration and imitation hypothesis, underscoring the role that social movements and mobilizations can play in teaching noninvolved members about the movement and tactics. Still, an important caveat to these findings is that strike-exposed parents were not more likely to say that they would vote for a traditional union at their jobs, possibly reflecting the fact that the strikes emphasized individual teachers and not necessarily teacher unions as organizations either in schools or in parents’ own workplaces. Further research might explore this difference, together with the fact that we find somewhat stronger evidence in favor of the imitation hypothesis (i.e., support for labor action at one’s own work) than for the public support hypothesis (i.e., support for the striking teachers). Before we discuss the broader implications of our findings for the understanding of the labor movement, we briefly review and address several caveats to the interpretation of our results. One concern is whether the results we identify from a single survey can speak to enduring changes in public opinion about the strikes and unions. Given the timing of the teacher strikes in the first half of 2018, our respondents were reflecting on events that happened 7–12 months in the past. We therefore think that our results represent more durable changes in opinion as a result of the strikes, in line with other studies of historical mobilizations and long-term changes in attitudes (Mazumder 2018). The AFL-CIO time-series polling data, moreover, further suggest that there were increases in aggregate public support for unions in the strike states after the strikes occurred. Nevertheless, follow-up studies should examine how opinion toward, and interest in, unions evolve in the mass teacher strike states, and it would be especially interesting to understand whether unions have begun capitalizing on the interest in the labor movement that the strikes generated. We also note that, despite the large sample size of our original survey, we still lack sufficient statistical power to fully explore the effects of the strikes on all of our survey outcomes. Future studies ought to consider alternative designs with the power to probe the individual outcomes that were not considered in this study. Another question is how to generalize from our results to other strikes and labor actions. Although it is beyond the scope of this article to develop and test a more general theory of strike action, there are factors that suggest that the teacher strikes we study here represent a hard test for building public support. The affected states had relatively weak public sector labor movements, meaning that few individuals had personal connections to unions; most were also generally conservative and Republican leaning, further potentially reducing the receptivity of the public to the teachers’ demands. And lastly, the type of work we study —teaching—involves close interaction with a very sympathetic constituency: children and their parents. This should make strike disruptions more controversial and increase the likelihood of political backlash (and indeed, we do find that the strikes were less persuasive for parents who may have lacked access to childcare). Nevertheless, additional factors may have strengthened the effects of the strikes; namely, that education spending in the strike and walkout states had dropped so precipitously since the Great Recession, giving teachers the opportunity to connect their demands to broader public goods. Considering these factors together, we feel comfortable arguing that strikes are likely to be successful in other contexts where involved employees can successfully leverage close connections to the clients and customers they serve and connect their grievances to the interests of the broader community. This is likely to be especially true in cases where individuals feel they are not receiving the level of quality service they deserve from businesses or governments. The flip side of our argument is that strikes are less likely to be successful—and may produce backlash—when the mass public views striking workers’ demands as illegitimate or opposed to their own interests or when individuals are especially inconvenienced by labor action and do not have readily available alternatives (such as lacking childcare during school strikes). This suggests that teachers’ unions’ provision of meals and childcare to parents (as happened in a number of the recent strikes) is a particularly important tactic to avoid public backlash. In addition, our results suggest that future strikes on their own are unlikely to change public opinion if all they do is to provide information about workers’ grievances or disrupt work routines. Our exploratory analysis of the mechanisms driving our results suggests that it was not necessarily information about poor school quality or the strikes themselves that changed parents’ minds, but perhaps the fact that the teachers were discussing the public goods they were seeking for the broader community. We anticipate that strikes or walkouts that adopt a similar strategy—similar to the notion of “bargaining for the common good”—would be most likely to register effects like ours in the future (McCartin 2016). Notably, that is exactly the strategy deployed by teachers in Los Angeles, who spent several years building ties to community members and explaining the broader benefits that a stronger union could offer to their community in the run-up to a strike in early 2019 (Caputo-Pearl and McAlevey 2019). In all, our results complement a long line of work arguing for the primacy of the strike as a tactic for labor influence (e.g. Burns 2011; Rosenfeld 2006; Rubin 1986). Although this literature generally has focused on the economic consequences of strikes, we have shown that strikes can also have significant effects on public opinion. Even though private sector strikes have long sought to amass public support, public-facing strikes are even more important for public sector labor unions, given their structure of production and the fact that their“managers”are ultimately elected officials. But how should we view strikes relative to the other strategies that public sector unions might deploy in politics, such as campaign contributions, inside lobbying, or mobilization of their members (cf. DiSalvo 2015; Moe 2011)? Given the large cost of mass strikes in terms of time and grassroots organizing, we expect that public sector unions will be most likely to turn to public-facing strikes (like the 2018 teacher walkouts) when these other lower-cost inside strategies are unsuccessful and when their demands are popular in the mass public. Under these circumstances, government unions have every reason to broaden the scope of conflict to include the mass public (cf. Schattschneider 1960). But when unions can deploy less costly activities (like simply having a lobbyist meet with lawmakers) or when they are pursuing demands that are more controversial with the public, we suspect that unions will opt for less public-facing strategies (on the logic of inside versus outside lobbying more generally, see, for example, Kollman 1998). Indeed, our results complement work by Terry Moe and Sarah Anzia describing how teacher unions work through low-salience and low-visibility strategies, such as capturing school boards, pension boards, or education bureaucracies, when they are pushing policies that tend not to be supported by the public (Anzia 2013; Anzia and Moe 2015; Moe 2011). Our results yield a final implication for thinking about the historical development of the labor smovement: they suggest that the decline of strikes we tracked in Figure 1 may form a vicious cycle for the long-term political power of labor. As we have documented, strikes seem to be an important way that people form opinions about unions and develop interest in labor action. As both strikes and union membership have declined precipitously over the past decades, few members of the public have had opportunities to gain firsthand knowledge and interest in unions. Moreover, strikes appear to foster greater interest in further strikes, feeding on one another. If unions are to regain any economic or political clout in the coming years, our study suggests that the strike must be a central strategy of the labor movement.

#### A – Innovation

#### We’re on the brink - decline in R&D cedes dominance to China - labor market investment is the strongest internal link to tech development and jobs.

Augustine and Baker 21 [Norman R. Augustine is the retired chair and CEO of Lockheed Martin Corp. and former under secretary of the US Army. Neal Lane is a senior fellow in science and technology policy at the Baker Institute for Public Policy at Rice University. He is a former presidential science adviser and director of the National Science Foundation. “America on Edge: Settling for Second Place?” October 22, 2021. https://issues.org/america-on-edge-settling-second-place-augustine-lane/]

The United States is on edge in ways the nation has rarely experienced throughout its young history. The country’s global leadership is being challenged in a rapidly changing and increasingly competitive world. Meanwhile, the nation’s sustained complacency in dealing with long-festering domestic needs has weakened our institutions from within and placed in grave danger our leadership in the critical fields of science and technology—on which so much of our economy and security is based. America is at a tipping point, in short, and Americans are justifiably unsettled. The country has faced existential challenges in the past—moments in history that shook its foundation—but has risen to the occasion under strong leadership. Four overarching challenges we face today require comparable leadership and response: competing with China, coping with climate change, maintaining cybersecurity, and combating and preparing for pandemics. There are many causes of the nation’s current dilemmas, and their solutions will require exceptionally wise policy actions across a broad spectrum. But, as in the past, advances in science and technology (S&T) and research and development (R&D), driven by accelerated and focused investments, will be critical to success. America is at a tipping point, in short, and Americans are justifiably unsettled. As presidential science adviser Vannevar Bush recognized more than 75 years ago in his pioneering report, Science, the Endless Frontier, efforts in basic research—funded primarily by the federal government—and overall science, technology, engineering, and mathematics (STEM) education will continue to be critical in the future. University-performed basic research, whether purely curiosity-driven or use-inspired, is of special consequence as its products include not only discoveries (made freely available to the world), but also science and engineering graduates, the engines of research and the transfer of knowledge and technology from laboratory to society. Because of the exploratory nature of basic research, progress requires freedom, patience, tolerance of risk, and sustained support. And since nature is global, even universal, basic research prospers best with international cooperation. US researchers need access to sites, facilities, and the best minds from across the globe. The critical role of S&T has not gone unrecognized in other parts of the world. In 2008, for example, Wen Jiabao, former premier of the State Council of the People’s Republic of China, wrote, “Scientific discovery and technological inventions have brought about new civilizations, modern industries, and the rise and fall of nations…. I firmly believe that science is the ultimate revolution.” On May 30, 2021, China’s president Xi Jinping was quoted by the South China Post saying, “Scienceand technology has become the main battleground of global power rivalry. Competition over cutting-edge technology has intensified to an unprecedented level. We must have a strong sense of urgency and be fully prepared.” Meanwhile, in the United States, the federal government has cut its investment in R&D over recent decades from 1.5% of gross domestic product (or 12% of the federal budget) to 0.7% of GDP (3% of the federal budget). The portion supporting basic research, as defined by the federal government, now constitutes only 0.2% of GDP—an amount roughly equivalent to what the US population spends every year on beer. Because of the exploratory nature of basic research, progress requires freedom, patience, tolerance of risk, and sustained support. While surveys have shown that Americans are generally supportive of scientific research, that support has not prompted elected representatives to give research funding higher priority in government budgets. Too often, the public does not recognize how the products that pervade our daily lives were made possible by basic research that took place in a laboratory often decades before. Examples are ubiquitous: television, microwave ovens, stents, cell phones, laptops, GPS, meteorological and communication satellites, artificial joints, CT scans, all-electric cars, clean water, vaccines for polio and smallpox, a cure for hepatitis C, medications, jet aircraft, solar energy, and much more—including the mRNA vaccines for COVID-19. More broadly, it is advancements in S&T that power the US economy, the foundation of the nation’s ability to educate its people, provide quality jobs, defend itself, keep its population healthy, sustain social programs, modernize infrastructure, and combat climate change. China is now making many of these advances more quickly and convincingly than the United States and is reaping the rewards. To be sure, in today’s interconnected world a responsible foreign policy with China is far more complicated than a race between two nations. All the same, it is clear that the United States cannot afford to continue on its current path of complacency. DIFFERING TRAJECTORIES Comparison with China illuminates how deeply this complacency has taken hold in the United States. In many respects, China is in the midst of a revolution, managed by the central government and controlled by one political party with a membership of under 7% of the population. This revolution is focused on employing science, technology, and innovation to make China more prosperous, and its government is rapidly growing investments in R&D to provide the necessary new knowledge and tools. Indeed, for many years China’s leadership has been drawn from the ranks of engineers and scientists. In the United States, by contrast, only about 1% of the US Congress has degrees in science or engineering, and only two presidents—Herbert Hoover and Jimmy Carter—have had backgrounds in STEM. An education in science and engineering may not be vital to effective political leadership, but it does help policymakers understand the power and promise of S&T to propel a nation forward. In today’s interconnected world a responsible foreign policy with China is far more complicated than a race between two nations. China’s president since 2013, Xi Jinping, himself an engineer, has promised the nation’s 1.4 billion people a share of the “Chinese Dream.” China’s middle class, once miniscule, is now roughly the size of the entire US population. China’s ambitious infrastructure program—the Belt and Road Initiative, announced in 2013—comprises an investment of over $1.3 trillion to connect over 60 countries on land (the belt) and by sea (the road), stretching from East Asia to Europe and Africa. China assigns a high priority to educating its people, but the gap in educational opportunities between rural and urban children continues to be large. In response, China is rapidly increasing its number of universities and colleges—now numbering more than 2,600, with a new institution opening every week—as well as the quality of faculty and the education provided. In the 2021 US News & World Report rankings of Best Global Universities, China had the second-highest number of the world’s top 100 universities, after the United States. According to the 2021 Times Higher Education World University Rankings, Tsinghua and Peking Universities have now moved up in rank to join the top 25 in the world. China produces more than twice as many engineers and half again as many scientists each year as the United States, and the differential is rapidly expanding. Moreover, under its Thousand Talents Program, China offers large financial and professional incentives to talented scientists and engineers from around the world to move to China. To date, the effort has not had a dramatic impact in the United States: STEM doctoral students from China attending US universities still have a high stay rate—currently about 83%—even with a difficult process for renewing visas and obtaining green cards. Similarly, recent surveys show that when researchers around the world were asked to what country they would prefer to move were they to leave their home country, about 57% answered the United States and only about 9% answered China. Still, there is no doubt that China is taking very ambitious steps to attract and retain STEM researchers, and countries that wish to compete must take this into account. The anti-China rhetoric that many political leaders routinely include in their statements is not likely to encourage young people to choose the United States as the place to study and establish their careers. China’s efforts are also reflected in its investment activities. Between 2000 and 2017, the country’s domestic spending on R&D grew by an average of 17% per year, compared to 4% per year for the United States. Though China’s economy has cooled in recent years, it is still making substantial investments in such critical fields as artificial intelligence, semiconductors, quantum information, high-performance computing, 5G communications, genomics, and renewable energy and energy storage. China produces more than twice as many engineers and half again as many scientists each year as the United States, and the differential is rapidly expanding. These investments have paid off. Since 2011, the share of US-based smartphone companies and solar panel manufacturers in the global marketplace has fallen from 19% to 15% and from 8% to just 1%, respectively. Meanwhile, China has increased its share in these sectors from 11% to 58% in smartphone sales and from 35% to 67% in solar panel sales. China also holds the clear majority of market share of commercial drones (80% to the United States’ 4%), lithium-ion batteries (projected 2800 GWh production capacity by 2030, to the United States’ projected 500 GWh production capacity), and network infrastructure equipment (36% to the United States’ 9%), led by the telecom giant Huawei. And while the United States still remains the leader in semiconductors (47% of the total, compared to China’s 4%), many US companies do not manufacture these chips, but rather outsource their production to major overseas manufacturers. The United States continues to maintain a lead in a number of key areas, but the margins are closing. China has now passed the United States in the number of Fortune 500 domestically headquartered companies. It has also overtaken the United States as the top merchandise trading partner among the world’s nations. Of the 19 firms created in the past 25 years that are valued at over $100 billion, nine are in the United States and eight are in China. And of critical importance, China is projected to pass the United States in GDP not long after the United States celebrates its 250th birthday in 2026. Measured by purchasing power parity, China’s GDP has already surpassed that of the United States. To be clear, the United States still invests more in R&D than any other country. But China has been rapidly increasing its R&D spending and can be expected to overtake the United States within the present decade. And China is not alone in assigning a higher priority to investing in R&D than the United States, which now ranks ninth among Organization for Economic Cooperation and Development (OECD) nations, having fallen from second place in a few decades. In terms of the percentage of R&D funded by the federal government, the United States has fallen to 29th in the world. For a half century, the total US fraction of GDP devoted to R&D has remained stagnant, in spite of the increasing impact of S&T on everyday life. Lack of R&D investment is one of the reasons the United States ranks ninth on the Bloomberg Innovation Index. It ranks 21st in the number of professionals engaged in R&D per capita.

#### Unions are critical to R&D and innovation.

**Shin et al. 19**, Illhang, et al. (Affiliation: Ph.D., Assistant Professor of Accounting, College of Business, Gachon University, Seongnam-si, Gyunggi-do) "The effect of labor unions on innovation and market valuation in business group affiliations: new evidence from South Korea." Springer Link, 26 Oct. 2019, link.springer.com/article/10.1057/s41291-019-00089-9.

In contrast, unions can facilitate innovation by reducing grievances and staff turnover or by improving employees’ moral and training (Freeman and Medof 1984). Ulph and Ulph (1989) argued that an increase in union power can actually increase R&D as the union bargains over employment and wages. Furthermore, unions may allow firms to increase the speed of diffusion and implementation of technology and, hence, increase the firm’s incentive to invest (Menezes-Filho et al. 1998a, b). For instance, in the European studies, there was no compelling evidence that unions have a detrimental effect on R&D (e.g., Menezes-Filho et al. 1998a, b; Schnabel and Wagner 1992). Menezes-Filho et al. (1998a) showed that a negative relationship between unions and R&D investment disappears when unions could control the availability of innovative technology in the industry in the UK. Furthermore, Menezes-Filho et al. (1998b) showed that unions in the UK improve a firm’s relative R&D performance. In addition, Schnabel and Wagner (1992) showed that unions do not impede innovation in Germany, because of the more cooperative nature of industrial relations. Strong labor unions may act as a corporate governance mechanism that monitors the agency problems, thereby mitigating managerial myopia. This may eventually encourage risk taking and innovative behaviors. According to Chen et al. (2011), labor unions can effectively monitor managerial actions because they can acquire their firms’ information more easily than can outside stakeholders can. Also, unions exert their power on management by using their bargaining power to increase the corporate transparency. For instance, affiliated labor unions in Korea have asked management to share information and to allow their participation in decision making in order to monitor whether managers harm the transparency and betray the trust of stakeholders.2 The union social responsibility (USR) declared by LG Electronics is an example of such a role being taken by labor unions. The USR describes the four major guidelines: (1) to protect the ecosystem, (2) to help the disadvantaged, (3) to increase the transparency of union and company, and (4) to lead innovations in the feld. Hence, these arguments support the prediction that labor unions promote innovating activities by increasing transparency and mitigating managerial myopia.

#### China uses biotech gains for massive bio-military advantages over the US – spurs bio-attacks.

**Kuo 17**, Mercy. “The Great US-China Biotechnology and Artificial Intelligence Race.” The Diplomat, 23 Aug. 2017, thediplomat.com/2017/08/the-great-us-china-biotechnology-and-artificial-intelligence-race/.

Trans-Pacific View author Mercy Kuo regularly engages subject-matter experts, policy practitioners, and strategic thinkers across the globe for their diverse insights into the U.S. Asia policy. This conversation with Eleonore Pauwels – Director of Biology Collectives and Senior Program Associate, Science and Technology Innovation Program at the Wilson Center in Washington D.C. – is the 104th in “The Trans-Pacific View Insight Series.” Explain the motivation behind Chinese investment in U.S. genomics and artificial intelligence (AI). With large public and private investments inland and in the U.S., China plans to become the next AI-Genomics powerhouse, which indicates that these technologies will soon converge in China. China’s ambition is to lead the global market for precision medicine, **which necessitates acquiring strategic tech**nological and human capital in both genomics and AI. And the country excels at this game. A sharp blow in this U.S.-China competition happened in 2013 when BGI purchased Complete Genomics, in California, with the intent to build its own advanced genomic sequencing machines, therefore securing a technological knowhow mainly mastered by U.S. producers. There are significant economic incentives behind China’s heavy investment in the increasing convergence of AI and genomics. This golden combination will drive precision medicine to new heights by developing a more sophisticated understanding of how our genomes function, leading to precise, even personalized, cancer therapeutics and preventive diagnostics, such as liquid biopsies. By one estimate, the liquid biopsy market is expected to be worth $40 billion in 2017. Assess the implications of iCarbonX of Shenzhen’s decision to invest US$100 million in U.S.-company PatientsLikeMe relative to AI and genomic data collection. iCarbonX is a pioneer in AI software that learns to recognize useful relationships between large amounts of individuals’ biological, medical, behavioral and psychological data. Such a data-ecosystem will deliver insights into how an individual’s genome is mutating over time, and therefore critical information about this individual’s susceptibilities to rare, chronic and mental illnesses. In 2017, iCarbonX invested $100 million in PatientsLikeMe, getting a hold over data from the biggest online network of patients with rare and chronic diseases. If successful, this effort could turn into genetic gold, making iCarbonX one of the wealthiest healthcare companies in China and beyond. The risk factor is that iCarbonX is handling more than personal data, but potentially vulnerable data as the company uses a smartphone application, Meum, for customers to consult for health advice. Remember that the Chinese nascent genomics and AI industry relies on cloud computing for genomics data-storage and exchange, creating, in its wake, new vulnerabilities associated with any internet-based technology. This phenomenon has severe implications. How much consideration has been given to privacy and the evolving notion of personal data in this AI-powered health economy? And is our cyberinfrastructure ready to protect such trove of personal health data from hackers and industrial espionage? In this new race, will China and the U.S. have to constantly accelerate their rate of cyber and bio-innovation to be more resilient? Refining our models of genomics data protection will become a critical biosecurity issue. Why is Chinese access to U.S. genomic data a national security concern? **Genomics** and computing research **is inherently dual-use, therefore a strategic advantage in a nation’s security arsenal.** Using AI systems to understand how the functioning of our genomes impacts our health **is of strategic importance for biodefense.** This knowledge will lead to increasing developments at the forefront of medical countermeasures, **including vaccines**, antibiotics, and targeted treatments relying on virus-engineering and microbiome research. Applying deep learning to genomics data-sets could help geneticists learn how to use genome-editing (CRISPR) to efficiently engineer living systems, but also to treat and, even “optimize,” human health, **with potential applications in military enhancements**. A $15 million partnership between a U.S. company, Gingko Bioworks, and DARPA aims to genetically design new probiotics as a protection for soldiers against a variety of stomach bugs and illnesses. China could be using the same deep learning techniques on U.S. genomics data to better comprehend how to develop, patent and manufacture tailored cancer immunotherapies in high demand in the United States. Yet, what if Chinese efforts venture into understanding how to impact key genomics health determinants relevant to the U.S. population? **Gaining access to increasingly large U.S. genomic data-sets gives China a knowledge advantage into leading the next steps in bio-military research.** Could biomedical data be used to develop bioweapons? Explain. Personalized medicine advances mean that personalized bio-attacks are increasingly possible. The combination of AI with biomedical data and genome-editing technologies will help us predict genes most important to particular functions. Such insights will contribute to knowing how a particular disease occurs, how a newly-discovered virus has high transmissibility, but also why certain populations and individuals are more susceptible to it. Combining host susceptibility information with pathogenic targeted design, **malicious actors could engineer pathogens that are tailored to overcome the immune system or the microbiome of specific populations.**

#### Bio-attacks cause extinction – overcomes any conventional defense.

Walsh 19, Bryan. End Times: A Brief Guide to the End of the World. Hachette Books, 2019. (Future Correspondent for Axios, Editor of the Science and Technology Publication OneZero, Former Senior and International Editor at Time Magazine, BA from Princeton University)//Elmer

I’ve lived through disease outbreaks, and in the previous chapter I showed just how unprepared we are to face a widespread pandemic of flu or another new pathogen like SARS. But a deliberate outbreak caused by an engineered pathogen would be far worse. We would face the same agonizing decisions that must be made during a natural pandemic: whether to ban travel from affected regions, how to keep overburdened hospitals working as the rolls of the sick grew, how to accelerate the development and distribution of vaccines and drugs. To that dire list add the terror that would spread once it became clear that the death and disease in our midst was not the random work of nature, but a deliberate act of malice. We’re scared of disease outbreaks and we’re scared of terrorism—put them together and you have a formula for chaos. As deadly and as disruptive as a conventional bioterror incident would be, an attack that employed existing pathogens could only spread so far, limited by the same laws of evolution that circumscribe natural disease outbreaks. But a virus engineered in a lab to break those laws could spread faster and kill quicker than anything that would emerge out of nature. It can be designed to evade medical countermeasures, frustrating doctors’ attempts to diagnose cases and treat patients. If health officials manage to stamp out the outbreak, it could be reintroduced into the public again and again. It could, with the right mix of genetic traits, even wipe us off the planet, making engineered viruses a genuine existential threat. And such an attack may not even be that difficult to carry out. Thanks to advances in biotechnology that have rapidly reduced the skill level and funding needed to perform gene editing and engineering, what might have once required the work of an army of virologists employed by a nation-state could soon be done by a handful of talented and trained individuals. Or maybe just one. When Melinda Gates was asked at the South by Southwest conference in 2018 to identify what she saw as the biggest threat facing the world over the next decade, she didn’t hesitate: “A bioterrorism event. Definitely.”2 She’s far from alone. In 2016, President Obama’s director of national intelligence James Clapper identified CRISPR as a “weapon of mass destruction,” a category usually reserved for known nightmares like nuclear bombs and chemical weapons. A 2018 report from the National Academies of Sciences concluded that biotechnology had rewritten what was possible in creating new weapons, while also increasing the range of people capable of carrying out such attacks.3 That’s a fatal combination, one that plausibly threatens the future of humanity like nothing else. “The existential threat that would be most available for someone, if they felt like doing something, would be a bioweapon,” said Eric Klien, founder of the Lifeboat Foundation, a nonprofit dedicated to helping humanity survive existential risks. “It would not be hard for a small group of people, maybe even just two or three people, to kill a hundred million people using a bioweapon. There are probably a million people currently on the planet who would have the technical knowledge to pull this off. It’s actually surprising that it hasn’t happened yet.”

#### Plan: The United States federal government ought to recognize the unconditional right of workers to strike.

#### 1 - Solves ILO.

Brudney 21 [James; Joseph Crowley Chair in Labor and Employment Law, Fordham Law School; “The Right to Strike as Customary International Law,” THE YALE JOURNAL OF INTERNATIONAL LAW; January 2021; <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1710&context=yjil>] \*\*\*CIL = customary international law

3. Federal Courts’ Position on CIL as National Law What about the position of the federal courts toward CIL and its acceptance as national law in the US? The leading Supreme Court decision, Sosa v. AlvarezMachain, 219 involved a claim by Alvarez-Machain for violation of CIL under the Alien Tort Statute (ATS).220 A cause of action under the ATS may be distinguished from the right to strike setting in two respects. As a jurisdictional matter, the ATS typically involves lawsuits alleging violations of CIL committed in foreign countries and brought by citizens of foreign countries. By contrast, as developed in parts III and IV, the right to strike as CIL would be asserted by U.S. workers against U.S. employers within the U.S. Further, as explained in Part III, the CIL right to strike is to be asserted directly as a form of federal common law, rather than being applied through a particular statute that may impose its own historically grounded limits.221At the same time, the substantive standard set forth in Sosa is relevant in allowing for suitably delineated CIL to be directly applied in domestic federal and state court contexts.222 While urging lower courts to exercise a “restrained conception” when considering new causes of action based on CIL, the Court in Sosa added that such claims can be recognized if “rest[ing] on a norm of international character accepted by the civilized world and defined with a specificity comparable to the features of the 18th-century paradigms we have recognized.”223 The Court’s formulation in the ATS setting is slightly different from the two elements—general practice and opinio juris—that have been discussed at length in defining and applying modern CIL.224 But Sosa’s emphasis on international law norms that are precisely defined and reflect the importance of general practice is compatible with contemporary conceptions of CIL.225Lower courts have understood that Sosa sets a “‘high bar to new private causes of action’ alleging violations of CIL”226 based on whether the sources of such law are “sufficiently specific, universal, and obligatory.”227 But they have proceeded to recognize such causes of action when “multiple international agreements (including one that is binding on more than 160 signatory states), as well as the domestic laws of over 80 states, adopt a particular definition of that norm.”228 As has been amply demonstrated in sections B and C of this Part, the universality of the claims based on the right to strike as part of FOA can qualify under this approach. The right is recognized under multiple international agreements (**including ILO conventions** ratified by over 150 states and other international agreements ratified by over 170 states); regional human rights agreements around the world; domestic constitutions and laws in over 90 countries; and major court decisions at both a regional and national level. Further, this CIL norm includes a sufficient level of specificity regarding the two key areas that are the focus of analysis for purposes of U.S. law: the right of public employees to engage in strike activities with limited exceptions and the right of all strikers to be protected against permanent replacement.229All of the above suggests that U.S. failure to ratify Convention 87 is likely to be compatible with its recognizing FOA and the right to strike as CIL.230 At the same time, there is no independent or tripartite analysis comparing Convention 87 to U.S. labor law, identifying what changes in national and state law would be needed to comply with the Convention in general and the right to strike in particular. 231 U.S. employer representatives have expressed concern that ratification would alter national and state labor law in a number of important respects including the right to strike.232 Given the U.S. historical position of nonobjection alongside non-ratification, the Article next addresses whether—even if the right to strike under FOA is accepted as CIL in traditional international law terms and is recognized under the Sosa standard—the right can be asserted in U.S. courts as CIL. This question implicates several distinct problems, which are discussed in Parts III and IV.

#### 2 - The plan restores electoral legitimacy and ensures democracy in the workplace.

**Luce 20**, Stephanie. (Stephanie Luce is a professor at the School of Labor and Urban Studies/CUNY. She is the author of 'Labor Movements: Global Perspectives and Fighting for a Living Wage' and is an Editor of Organizing Upgrade. Her writing can be found at stephanieluce.net.) "Strike for Democracy! » Organizing Upgrade." Organizing Upgrade, 26 Oct. 2020, www.organizingupgrade.com/strike-for-democracy/.

Trump and the Republican Party have launched a full-fledged assault on the electoral process, from voter suppression to misleading ballot boxes. We may see violence aimed at keeping people from the polls or just meant to create general fear and chaos. Trump has dropped repeated suggestions that he may try to shut down the election, stop votes from being counted, or refuse to step down even if he loses. A range of groups have mobilized to fight for a fair election and plan around worst case scenarios. Some unions have been active in a few of these groups, such as Protect the Vote. According to experts who study coups, the best way to stop an electoral coup is by getting a large turnout and strong victory. The larger a vote for Biden, the smaller the space Trump will have to claim the vote is illegitimate. Unions are doing their part to make this happen. This is a major part of union activity every election cycle. But according to Bob Master, Assistant to the Vice President of District 1 of the Communications Workers, it was tough to get union members to volunteer for Hilary Clinton four years ago. This year, there are hundreds of members signed up to phone bank, some doing it three or four nights a week. It isn’t that they are necessarily Biden fans, he says, but they understand what is at stake. UNITE HERE is running an intensive “Take Back 2020” get-out-the-vote effort, phone banking and even knocking on doors in Arizona, Florida, Nevada and Pennsylvania. In Philadelphia, for example, over 100 hospitality workers plan to visit 100,000 homes before the election. In Arizona they are partnering with Seed the Vote. Unions such as the Communications Workers of America, SEIU, AFT and the UAW are looking to connect some of their core activists with local “protect the vote” groupings in key states and cities to show up to polls and fight to make sure every vote is counted. Unions are increasingly turning attention to possible election scenarios. “There’s some sense in the leadership that in fascist countries, unions are at the top of the list of targets,” Master says. “And it is the role of unions, which are the guarantors of some measure of democracy in the workplace, to ensure that democracy survives in the society.” A handful of activists have started to organize in their workplace for labor to be ready to respond. Postal workers in Detroit are handing out flyers that ask coworkers to sign a pledge from Choose Democracy, committing to vote then take action if needed to protect the vote. ARE UNIONS READY? Will unions be ready to strike if Trump won’t step down? The sizable share of union members backing Trump makes it tough for some unions to frame the fight as anti-Trump, or pro-Biden. But if unions commit to the integrity of the democratic process, they have more ground to stand on. The Rochester Central Labor Council in New York passed a resolution calling for a general strike in the event that Trump loses and does not step down. The resolution calls on the national AFL-CIO and all other labor organizations to “prepare for and enact a general strike, if necessary, to ensure a Constitutionally mandated peaceful transition of power as a result of the 2020 Presidential Elections.” A handful of other labor bodies have followed suit. Sara Nelson, International President of the Association of Flight Attendants-CWA, AFL-CIO, is also taking a bold stand, stating that in the event of a contested election, labor “has to be ready to mobilize in a series of strikes or leading to a general strike.” Despite high unemployment, workers still have power, she says. She points to how the federal government ended its shutdown last year, after Nelson spoke publicly about the idea of a general strike and a handful of air traffic controllers did not show up for their shifts. “Where can we actually flex that muscle in a series of strikes . . . in a way that is going to be very effective?” she asks. “And frankly, if the planes all stop that is something that will grab everyone’s attention and suddenly there has to be action to fix that.”

#### 3 - The right to strike is key to preserve democracy – flips concentration of power.

**IER 17**. (The IER exists to inform the debate around trade union rights and labour law by providing information, critical analysis, and policy ideas through our network of academics, researchers and lawyers. We were established in February 1989 as an independent organisation to act as a focal point for the spread of new ideas in the field of labour law. In 1994 the Institute became a registered charity.) "UN Rights Expert: Right to Strike is Essential to Democracy." IER, 10 Mar. 2017, www.ier.org.uk/news/un-rights-expert-right-strike-essential-democracy/.

The United Nations’ Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, has reminded member states of the International Labour Organization (ILO) – including the UK – that they have a positive obligation to uphold the right to strike. Speaking at an ILO meeting on Monday 06 March 2017 in Geneva, Kiai argued that the right to strike is fundamental to the preservation of democracy. “The concentration of power in one sector – whether in the hands of government or business – inevitably leads to the erosion of democracy, and an increase in inequalities and marginalization with all their attendant consequences. The right to strike is a check on this concentration of power,” he explained. The right to strike has been established in international law as a corollary to the right of freedom of association for decades, and is enshrined in the European Convention on Human Rights as Article 11. As a member state of the ILO and of the EU, the UK is legally obliged to uphold the right to strike, although through the Trades Union Act 2016 and the anti-trade union laws that preceded it, the government is making it harder and harder for trade unions to take industrial action. Kiai criticised such actions, saying government’s have a duty not to impede workers’ ability to take industrial action. “I deplore the various attempts made to erode the right to strike at national and multilateral levels,” the expert said, reminding delegates: “Protest action in relation to government social and economic policy, and against negative corporate practices, forms part of the basic civil liberties whose respect is essential for the meaningful exercise of trade union rights. This right enables them to engage with companies and governments on a more equal footing, and Member States have a positive obligation to protect this right, and a negative obligation not to interfere with its exercise.”

### 1AC - UV

#### Interpretation: The negative must concede the affirmative framing mechanism.

#### Violation: premptive

#### Standard:

#### 1. Time skew - Winning the negative framework moots 6 minutes of 1AC offense and forces a 1AR restart against a 7 min 1NC – that outweighs on quantifiability and reversibility – I can’t get back time lost and it’s the only way to measure abuse.

#### 2. Topic Ed- Every debate would just be a framework debate which crowds out our ability to have core debates about the topic – that outweighs –

#### a. Time Frame- We only have 2 months to debate the topic

#### b. Inclusion - Phil and K literature is incredibly dense and requires a vast amount of prior knowledge and experience which excludes novices while topic literature is less esoteric

#### Paradigm:

#### Fairness – Debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate.

#### DTD – Time spent on theory cant be compensated for, the 1nc was already skewed, and its key to deterring abuse.

#### Prefer Competing interps -

#### 1. reasonability is arbitrary and invites judge intervention.

#### 2. it Causes a race to the bottom where debaters push the limit as to how reasonably abusive, they can be.

#### No RVI’s -

#### 1. Chills some debaters from reading theory against abusive postions.

#### 2. incentivizes theory baiting where you can just bait theory to win.