#### FW:

#### 1. Value is only accessible through experience.

#### **Sam Harris 10, CEO Project Reason; PHD UCLA Neuroscience; BA Stanford Philosophy, “ The Moral Landscape: How Science Can Determine Human Values”) OS**

#### **Here is my (consequentialist) starting point: all questions of value(right and wrong, good and evil, etc.) depend upon the possibility of experiencing such value.Without potential consequences at the level of experience—happiness, suffering, joy, despair, etc.—all talk of value is empty. Therefore, to say that an act is morally necessary, or evil, or blameless, is to make (tacit) claims about its consequences in the lives of conscious creatures (whether actual or potential). I am unaware of any interesting exception to this rule. Needless to say, if one is worried about pleasing God or His angels, this assumes that such invisible entities are conscious (in some sense) and cognizant of human behavior. It also generally assumes and that it is possible to suffer their wrath or enjoy their approval, either in this world or the world to come. Even within religion, therefore, consequences and conscious states remain the foundation of all values.**

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2. **Actor specificity: States can’t interpret intentions. Every government action entails trade offs because every action benefits some and harms others.**

3. **Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital.**

#### **4. extinction o/w**

#### **MacAskill 14 [William, Oxford Philosopher and youngest tenured philosopher in the world, Normative Uncertainty, 2014]**

#### **The human race might go extinct from a number of causes: asteroids, supervolcanoes, runaway climate change, pandemics, nuclear war, and the development and use of dangerous new technologies such as synthetic biology, all pose risks (even if very small) to the continued survival of the human race.184 And different moral views give opposing answers to question of whether this would be a good or a bad thing. It might seem obvious that human extinction would be a very bad thing, both because of the loss of potential future lives, and because of the loss of the scientific and artistic progress that we would make in the future. But the issue is at least unclear. The continuation of the human race would be a mixed bag: inevitably, it would involve both upsides and downsides. And if one regards it as much more important to avoid bad things happening than to promote good things happening then one could plausibly regard human extinction as a good thing.For example, one might regard the prevention of bads as being in general more important that the promotion of goods, as defended historically by G. E. Moore,185 and more recently by Thomas Hurka.186 One could weight the prevention of suffering as being much more important that the promotion of happiness. Or one could weight the prevention of objective bads, such as war and genocide, as being much more important than the promotion of objective goods, such as scientific and artistic progress. If the human race continues its future will inevitably involve suffering as well as happiness, and objective bads as well as objective goods. So, if one weights the bads sufficiently heavily against the goods, or if one is sufficiently pessimistic about humanity’s ability to achieve good outcomes, then one will regard human extinction as a good thing.187 However, even if we believe in a moral view according to which human extinction would be a good thing, we still have strong reason to prevent near-term human extinction. To see this, we must note three points. First, we should note that the extinction of the human race is an extremely high stakes moral issue. Humanity could be around for a very long time: if humans survive as long as the median mammal species, we will last another two million years. On this estimate, the number of humans in existence in the The future, given that we don’t go extinct any time soon, would be 2×10^14. So if it is good to bring new people into existence, then it’s very good to prevent human extinction. Second, human extinction is by its nature an irreversible scenario. If we continue to exist, then we always have the option of letting ourselves go extinct in the future (or, perhaps more realistically, of considerably reducing population size). But if we go extinct, then we can’t magically bring ourselves back into existence at a later date. Third, we should expect ourselves to progress, morally, over the next few centuries, as we have progressed in the past. So we should expect that in a few centuries’ time we will have better evidence about how to evaluate human extinction than we currently have. Given these three factors, it would be better to prevent the near-term extinction of the human race, even if we thought that the extinction of the human race would actually be a very good thing. To make this concrete, I’ll give the following simple but illustrative model. Suppose that we have 0.8 credence that it is a bad thing to produce new people, and 0.2 certain that it’s a good thing to produce new people; and the degree to which it is good to produce new people, if it is good, is the same as the degree to which it is bad to produce new people, if it is bad. That is, I’m supposing, for simplicity, that we know that one new life has one unit of value; we just don’t know whether that unit is positive or negative. And let’s use our estimate of 2×10^14 people who would exist in the future, if we avoid near-term human extinction. Given our stipulated credences, the expected benefit of letting the human race go extinct now would be (.8-.2)×(2×10^14) = 1.2×(10^14). Suppose that, if we let the human race continue and did research for 300 years, we would know for certain whether or not additional people are of positive or negative value. If so, then with the credences above we should think it 80% likely that we will find out that it is a bad thing to produce new people, and 20% likely that we will find out that it’s a good thing to produce new people. So there’s an 80% chance of a loss of 3×(10^10) (because of the delay of letting the human race go extinct), the expected value of which is 2.4×(10^10). But there’s also a 20% chance of a gain of 2×(10^14), the expected value of which is 4×(10^13). That is, in expected value terms, the cost of waiting for a few hundred years is vanishingly small compared with the benefit of keeping one’s options open while one gains new information.**

2.

#### **Counterplan: a just government ought to recognize an unconditional right of workers to strike as an act of solidarity with marginalized peoples except for police officers.**

#### **Police Strikes are used to combat racial progress and attempts to limit police power. Making them legal and easier only make progress much harder.**

#### **Andrew Grim 2020 What is the ‘blue flu’ and how has it increased police power? https://www.washingtonpost.com/outlook/2020/07/01/what-is-blue-flu-how-has-it-increased-police-power/**

#### **But the result of such protests matter deeply as we consider police reform today. Historically, blue flu strikes have helped expand police power, ultimately limiting the ability of city governments to reform, constrain or conduct oversight over the police. They allow the police to leverage public fear of crime to extract concessions from municipalities. This became clear in Detroit more than 50 years ago. In June 1967, tensions arose between Detroit Mayor Jerome Cavanagh and the Detroit Police Officers Association (DPOA), which represented the city’s 3,300 patrol officers. The two were at odds primarily over police demands for a pay increase. Cavanagh showed no signs of caving to the DPOA’s demands and had, in fact, proposed to cut the police department’s budget. On June 15, the DPOA escalated the dispute with a walkout: 323 officers called in sick. The number grew over the next several days as the blue flu spread, reaching a height of 800 absences on June 17. In tandem with the walkout, the DPOA launched a fearmongering media campaign to win over the public. They took out ads in local newspapers warning Detroit residents, “How does it feel to be held up? Stick around and find out!” This campaign took place at a time of rising urban crime rates and uprisings, and only a month before the 1967 Detroit riot, making it especially potent. The DPOA understood this climate and used it to its advantage. With locals already afraid of crime and displeased at Cavanagh’s failure to rein it in, they would be more likely to demand the return of the police than to demand retribution against officers for an illegal strike. The DPOA’s strategy paid off. The walkout left Detroit Police Commissioner Ray Girardin feeling “practically helpless.” “I couldn’t force them to work,” he later told The Washington Post. Rather than risk public ire by allowing the blue flu to continue, Cavanagh relented. Ultimately, the DPOA got the raises it sought, making Detroit officers the highest paid in the nation. This was far from the end of the fight between Cavanagh and the DPOA. In the ensuing months and years, they continued to tussle over wages, pensions, the budget, the integration of squad cars and the hiring of black officers. The threat of another blue flu loomed over all these disputes, helping the union to win many of them. And Detroit was not an outlier. Throughout the 1960s, ’70s and ’80s, the blue flu was a** [**ubiquitous and highly effective**](https://www.akpress.org/our-enemies-in-blue.html) **tactic in Baltimore, Memphis, New Orleans, Chicago, Newark, New York and many other cities. In most cases, as author Kristian Williams writes, “When faced with a walkout or slowdown, the authorities usually decided that the pragmatic need to get the cops back to work trumped the city government’s long term interest in diminishing the rank and file’s power.” But each time a city relented to this pressure, they ceded more and more power to police unions, which would turn to the strategy repeatedly to defend officers’ interests — particularly when it came to efforts to address systemic racism in police policies and practices. In 1970, black residents of Pittsburgh’s North Side neighborhood raised an outcry over the “hostile sadistic treatment” they experienced at the hands of white police officers. They lobbied Mayor Peter F. Flaherty to assign more black officers to their neighborhood. The mayor agreed, transferring several white officers out of the North Side and replacing them with black officers. While residents cheered this decision, white officers and the Fraternal Order of Police (FOP), which represented them, were furious. They slammed the transfer as “discrimination” against whites. About 425 of the Pittsburgh Police Department’s 1,600 police officers called out sick in protest. Notably, black police officers broke with their white colleagues and refused to join the walkout. They praised the transfer as a “long overdue action” and viewed the walkout as a betrayal of officers’ oath to protect the public. Nonetheless, the tactic paid off. After several days, Flaherty caved to the “open revolt” of white officers, agreeing to halt the transfers and instead submit the dispute to binding arbitration between the city and the police union. Black officers, though, continued to speak out against their union’s support of racist practices, and many of them later resigned from the union in protest. Similar scenarios played out in Detroit, Chicago and other cities in the 1960s and ’70s, as white officers continually staged walkouts to preserve the segregated status quo in their departments. These blue flu strikes amounted to an authoritarian power grab by police officers bent on avoiding oversight, rejecting reforms and shoring up their own authority. In the aftermath of the 1967 Detroit walkout, a police commissioner’s aide strongly criticized the police union’s strong-arm tactics, saying “it smacks of a police state.” The clash left one newspaper editor wondering, “Who’s the Boss of the Detroit Police?” But in the “law and order” climate of the late 1960s, such criticism did not resonate enough to stir a groundswell of public opinion against the blue flu. And police unions dismissed critics by arguing that officers had “no alternative” but to engage in walkouts to get city officials to make concessions. Crucially, the very effectiveness of the blue flu may be premised on a myth. While police unions use public fear of crime skyrocketing without police on duty, in many cases, the absence of police did not lead to a rise in crime. In New York City in 1971,** [**for example**](https://untappedcities.com/2020/06/12/the-week-without-police-what-we-can-learn-from-the-1971-police-strike/)**, 20,000 officers called out sick for five days over a pay dispute without any apparent increase in crime. The most striking aspect of the walkout, as one observer noted, “might be just how unimportant it seemed.” Today, municipalities are under immense pressure from activists who have taken to the streets to protest the police killings of black men and women. Some have already responded by enacting new policies and cutting police budgets. As it continues, more blue flus are likely to follow as officers seek to wrest back control of the public debate on policing and reassert their independence.**

#### **Those strikes cement a police culture which leads to endless amounts of racist violence and the bolstering of the prison industrial complex.**

#### **Chaney and Ray 13, Cassandra (Has a PhD and is a professor at LSU. Also has a strong focus in the structure of Black families) , and Ray V. Robertson (Also has a PhD and is a criminal justice professor at LSU). "Racism and police brutality in America." *Journal of African American Studies* 17.4 (2013): 480-505. Bracketed for inclusion**

#### **Racism and Discrimination According to Marger (2012), “racism is an ideology, or belief system, designed to justify and rationalize racial and ethnic inequality” (p. 25) and “discrimination, most basically, is behavior aimed at denying members of particular ethnic groups’ equal access to societal rewards” (p. 57). Defining both of these concepts from the onset is important for they provide the lens through which our focus on the racist and discriminatory practices of law enforcement can occur. Since the time that Africans [African Americans] were forcibly brought to America, they have been the victims of racist and discriminatory practices that have been spurred and/or substantiated by those who create and enforce the law. For example, The Watts Riots of 1965, the widespread assaults against Blacks in Harlem during the 1920s (King 2011), law enforcement violence against Black ~~women~~ [womin] (i.e., Malaika Brooks, Jaisha Akins, Frankie Perkins, Dr. Mae Jemison, Linda Billups, Clementine Applewhite) and other ethnic ~~women~~[womin] of color (Ritchie 2006), the beating of Rodney King, and the deaths of Amadou Diallo in the 1990s and Trayvon Martin more recently are just a few public examples of the historical and contemporaneous ways in which Blacks in America have been assaulted by members of the police system (King 2011; Loyd 2012; Murch 2012; Rafail et al. 2012). In Punishing Race (2011), law professor Michael Tonry’s research findings point to the fact that Whites tend to excuse police brutality against Blacks because of the racial animus that they hold against Blacks. Thus, to Whites, Blacks are viewed as deserving of harsh treatment in the criminal justice system (Peffley and Hurwitz 2013). At first glance, such an assertion may seem to be unfathomable, buy that there is an extensive body of literature which suggests that Black males are viewed as the “prototypical criminal,” and this notion is buttressed in the media, by the general public, and via disparate sentencing outcomes (Blair et al. 2004; Eberhardt et al. 2006; Gabiddon 2010; Maddox and Gray 2004; Oliver and Fonash 2002; Staples 2011). For instance, Blair et al. (2004) revealed that Black males with more Afrocentric features (e.g., dark skin, broad noses, full lips) may receive longer sentences than Blacks with less Afrocentric features, i.e., lighter skin and straighter hair (Eberhardt et al. 2006). Shaun Gabiddon in Criminological Theories on Race and Crime (2010) discussed the concept of “Negrophobia” which was more extensively examined by Armour (1997). Negrophobia can be surmised as an irrational of Blacks, which includes a fear of being victimized by Black, that can result in Whites shooting or harming an AfricanAmerican based on criminal/racial stereotypes (Armour 1997). The aforementioned racialized stereotypical assumptions can be deleterious because they can be used by Whites to justify shooting a Black person on the slightest of pretense (Gabiddon 2010). Finally, African-American males represent a group that has been much maligned in the larger society (Tonry 2011). Further, as victims of the burgeoning prison industrial complex, mass incarceration, and enduring racism, the barriers to truly independent Black male agency are ubiquitous and firmly entrenched (Alexander 2010; Chaney 2009; Baker 1996; Blackmon 2008; Dottolo and Stewart 2008; Karenga 2010; Martin et al. 2001; Smith and Hattery 2009). Thus, racism and discrimination heightens the psychological distress experienced by Blacks (Robertson 2011; Pieterse et al. 2012), as well as their decreased mortality in the USA (Muennig and Murphy 2011). Police Brutality Against Black Males According to Walker (2011), police brutality is defined as “the use of excessive physical force or verbal assault and psychological intimidation” (p. 579). Although one recent study suggests that the NYPD has become better behaved due to greater race and gender diversity (Kane and White 2009), Blacks are more likely to be the victims of police brutality. A growing body of scholarly research related to police brutality has revealed that Blacks are more likely than Whites to make complaints regarding police brutality (Smith and Holmes 2003), to be accosted while operating [driving] a motorized vehicle (“Driving While Black”), and to underreport how often they are stopped due to higher social desirability factors (TomaskovicDevey et al. 2006). Interestingly, data obtained from the General Social Survey (GSS), a representative sample conducted biennially by the National Opinion Research Center at the University of Chicago for the years 1994 through 2004, provide further proof regarding the acceptance of force against Blacks. In particular, the GSS found Whites to be significantly (29.5 %) more accepting of police use of force when a citizen was attempting to escape custody than Blacks when analyzed using the chi-squared statistical test (p The average Southern policeman is a promoted poor White with a legal sanction to use a weapon. His social heritage has taught him to despise the Negroes, and he has had little education which could have changed him….The result is that probably no group of Whites in America have a lower opinion of the Negro people and are more fixed in their views than Southern policeman. (Myrdal 1944, pp. 540–541) Myrdal (1944) was writing on results from a massive study that he undertook in the late 1930s. He was writing at a time that even the most conservative among us would have to admit was not a colorblind society (if one even believes in such things). But current research does corroborate his observations that less educated police officers tend to be the most aggressive and have the most formal complaints filed against them when compared to their more educated counterparts (Hassell and Archbold 2010; Jefferis et al. 2011). Tonry (2011) delineates some interesting findings from the 2001 Race, Crime, and Public Opinion Survey that can be applied to understanding why the larger society tolerates police misconduct when it comes to Black males. The survey, which involved approximately 978 non-Hispanic Whites and 1,010 Blacks, revealed a divergence in attitudes between Blacks and Whites concerning the criminal justice system (Tonry 2011). For instance, 38 % of Whites and 89 % of Blacks viewed the criminal justice system as biased against Blacks (Tonry 2011). Additionally, 8 % of Blacks and 56 % of Whites saw the criminal justice system as treating Blacks fairly (Tonry 2011). Perhaps most revealing when it comes to facilitating an environment ripe for police brutality against Black males, 68 % of Whites and only 18 % of Whites expressed confidence in law enforcement (Tonry 2011). Is a society wherein the dominant group overwhelming approves of police performance willing to do anything substantive to curtail police brutality against Black males? Police brutality is not a new phenomenon. The Department of Justice (DOJ) office of Civil Rights (OCR) has investigated more than a dozen police departments in major cities across the USA on allegations of either racial discrimination or police brutality (Gabbidon and Greene 2013). To make the aforementioned even more clear, according to Gabbidon and Greene (2013), “In 2010, the OCR was investigating 17 police departments across the country and monitoring five settlements regarding four police agencies” (pp. 119–120). Plant and Peruche (2005) provide some useful information into why police officers view Black males as potential perpetrators and could lead to acts of brutality. In their research, the authors suggest that since Black people in general, and Black males in particular, are caricatured as aggressive and criminal, police are more likely to view Black men as a threat which justifies the disproportionate use of deadly force. Therefore, it is not beyond the realm of possibility that police officers’ decisions to act aggressively may, to some extent, be influenced by race (Jefferis et al. 2011). The media’s portrayals of Black men are often less than sanguine. Bryson’s (1998) work in this area provides empirical evidence that the mass media that has been instrumental in portraying Black men as studs, super detectives, or imitation White men and has a general negative effect on how these men are regarded by others. Such characterizations can be so visceral in nature that “prototypes” of criminal suspects are more likely to be African-American (Oliver et al. 2004). Not surprisingly, the more Afrocentric the African-American’s facial features, the more prone he or she is expected to be deviant (Eberhardt et al. 2006). Interestingly, it is probable that less than flattering depictions of Black males on television and in news stories are activating pre-existing stereotypes possessed by Whites as opposed to facilitating their creation. According to Oliver et al. (2004), “it is important to keep in mind that media consumption is an active process, with viewers’ existing attitudes and beliefs playing a larger role in how images are attended to, interpreted, and remembered” (p. 89). Moreover, it is reductionist to presuppose that individual is powerless in constructing a palatable version of reality and is solely under the control of the media and exercises no agency. Lastly, Peffley and Hurwitz (2013) describe what can be perceived as one of the more deleterious results of negative media caricatures of Black males. More specifically, the authors posit that most Whites believe that Blacks are disproportionately inclined to engage in criminal behavior and are the deserving on harsh treatment by the criminal justice system. On the other hand, such an observation is curious because most urban areas are moderate to highly segregated residentially which would preclude the frequent and significant interaction needed to make such scathing indictments (Bonilla-Silva 2009). Consequently, the aforementioned racial animus has the effect of increased White support for capital punishment if questions regarding its legitimacy around if capital punishment is too frequently applied to Blacks (Peffley and Hurwitz 2013; Tonry 2011). Ultimately, erroneous (negative) portrayals of crime and community, community race and class identities, and concerns over neighborhood change all contribute to place-specific framing of “the crime problem.” These frames, in turn, shape both intergroup dynamics and support for criminal justice policy (Leverentz 2012).**

3.

#### **Consumer Confidence soars, while the economy thrives. There are 5 Warrants.**

**Ziemer 21** Ziemer Colin, 5-7-2021, "What Is Going On? (Published 2020)," No Publication, https://www.nytimes.com/2020/08/19/business/dealbook/stock-market-record-high.html//SA

The S&P 500 is **0.1 percent higher** than it was six months ago, setting a **record** at the close of trading yesterday. That doesn’t seem so momentous — until you consider what happened in between: The blue-chip index shed a third of its value in the early stages of the pandemic and then roared back, soaring more than 50 percent from its low in late March.

What gives? A new market record may seem **strange** when set against the **human** and **economic** **devastation** of the **pandemic**. (Or as one analyst put it: “This market is nuts.”). As Andrew explains in a guest appearance in The Morning, our sister newsletter, there are **five** **major** **considerations** that investors are **making** to justify the rally:

1️⃣ Looking **past** bad news today and anticipating **better conditions 12 to 18 months from now**

2️⃣ The **continued good fortunes of a few big tech companies**

3️⃣ An **almighty** **market** **pop** that would arise from **news** of a **vaccine** **breakthrough**

4️⃣ An accommodating **Fed printing money and keeping rates low**

5️⃣ The hope that Congress overcomes its divisions and **pumps the economy with more stimulus**

Can it last? “Markets often operate as something of an experiment in mass psychology,” The Times’s Matt Phillips writes. So what could dampen the mood? • The market is very top-heavy, with just five companies — Alphabet, Amazon, Apple, Facebook and Microsoft — accounting for more than a fifth of the S&P 500’s market value. Those tech giants have gained around 40 percent so far this year, while the 495 other stocks in the index have collectively lost a few percentage points. • Another potentially ominous sign comes from company insiders, who have been selling their holdings in greater numbers. The data platform AlphaSense sifted through regulatory filings for DealBook and found that disclosures of executive stock sales so far this month have already surpassed last month’s total, and are on track to beat the record set in February, when the market set its previous high. Here’s what is happening In case there was any doubt, Joe Biden has been confirmed as the Democratic presidential nominee. He was formally nominated by the party last night at the party’s national convention. Also onscreen: Former President Bill Clinton and Jill Biden rejected President Trump’s handling of the pandemic, Representative Alexandria Ocasio-Cortez highlighted progressive priorities in her cameo appearance, and other Democrats focused on improving health care. Tonight’s agenda includes Senator Elizabeth Warren (more on her below), former President Barack Obama and Senator Kamala Harris, Mr. Biden’s running mate. Cost-cutting measures at the Postal Service were put on hold. Postmaster General Louis DeJoy announced that operational changes, which drew criticism for causing mail delays and for potentially affecting voting by mail, would now take place after the November elections. A Senate panel found extensive links between the 2016 Trump campaign and Russia. The Republican-led Senate Intelligence Committee released a nearly 1,000-page report concluding that some Trump advisers maintained extensive contacts with Russian intelligence officials who sought to disrupt the 2016 election.

#### **Strikes destroy consumer confidence in business**

**Tenza 20** Mlungisi Tenza, Obiter vol.41 n.3 Port Elizabeth 2020, LLB LLM LLD Senior Lecturer, University of KwaZulu-Natal, "The effects of violent strikes on the economy of a developing country: a case of South Africa," No Publication, http://www.scielo.org.za/scielo.php?script=sci\_arttext&pid=S1682-58532020000300004

The relationship between the business of the employer and its customers is based on loyalty and confidence. The employer is expected to keep this relationship going by supplying goods or deliver services to clients when needed. It is expected that this would take place without disturbance. However, during strikes or conduct in furtherance of a strike, this relationship gets affected since the level of production or service delivery is reduced or does **not** take place. It is well known that the continued existence of a business relies on customers' satisfaction with services or goods provided. A business that does not have customers can hardly survive as they are the backbone of the business. If a strike is violent and takes long to resolve, this may chase away customers or clients as the possibility of not getting what they want is high if less or no production takes place. The possibility that customers could shift loyalty to other businesses doing the same business as the employer is high. The end result is that a prolonged strike has the potential of chasing away customers or clients as they may not want to associate themselves with a business environment that poses a risk to their lives. In addition, customers may want to share solidarity with employees and refuse to associate with a business whose employees are on strike. To stop this from taking place, the employer and the union need to speed up the process of resolving their dispute through a non-violent mechanism such as a collective bargaining process.

#### **Business confidence is key to ensuring continued growth**

**Macquarie** Financial Group, 5-25-20**16**, "5 factors that impact business and consumer confidence," No Publication,<https://www.macquarie.com.au/advisers/business-consumer-confidence-australia.html>//SA

In 1933, US President Franklin D. Roosevelt pointedly noted that "**confidence... thrives on** honesty, on honour, **on the sacredness of obligations**, on faithful protection and on unselfish performance. **Without them it cannot live**". And over 80 years later these words still resonate with political, policy and business leaders as they grapple with increasingly fickle cycles of consumer and business confidence. To be fair, global policymakers are currently confronting a perplexing set of factors in the aftermath of the financial crisis and major central banks' deployment of unconventional monetary policy via unprecedented asset purchase programs and negative interest rates. Arguably, the crisis of 2008-09 and its legacy continue to cast some doubt on the effectiveness and accountability of policymaking institutions in the major developed economies. Confidence levels in the major developed economies have also been influenced by concerns about the socioeconomic consequences of the unrelenting pressure for ‘structural change’ in an increasingly competitive global economic system. At the household/consumer level, a key concern has been persistently high levels of unemployment faced in some regions and subdued income growth in developed economies, while for businesses, sluggish demand and highly competitive operating conditions continue to influence perceptions of resilience and confidence. Consequently, as the global economy moves into the second half of 2016 it is important to understand the causes and consequences of shifts in consumer and business confidence and the possible implications for the business cycle and macroeconomic policy settings. Confidence may be a case of shifting sands With policymakers in the major economies working **hard to restore** and maintain **confidence** levels and shifts in sentiment indicators playing a **key role** in risk assessments of investors, it is worthwhile to consider the various influences on this qualitative economic measure. Our analysis of the various indicators of consumer and business confidence that are regularly published highlight several common factors that have the potential to cause **marked shifts** in sentiment; including: Changes in interest rates and/or exchange rates, particularly if they are **rapid**, large **and unexpected** Swings in the business cycle and associated movements in employment/unemployment levels and business investment intentions Shifts in the relative prices of nondiscretionary goods and services, notably petrol, healthcare, education and utilities prices Large external economic and/or financial shocks, such as the financial crisis of 2008/09 and the Eurozone sovereign debt crisis of 2010/11 **Announced policy shifts** in the stance of government fiscal policy, including large structural spending cuts or increases/decreases in taxation rates. Interestingly, it is widely accepted by economists that the financial economy operating via interest rates and exchange rates acts as a buffer for the real economy in terms of external shocks, but this effect can often be magnified due to the out-sized impact on consumer and business confidence. For example, Australia was not directly affected by either the financial crisis or the subsequent Eurozone debt crisis, but on both occasions a considerable upsurge in general anxiety and slumping confidence were recorded. Australian households and businesses reported concerns about the economy's vulnerability in the face of unprecedented upheaval in global financial markets. Not surprisingly, in some quarters concerns continue to be expressed that small open economies such as Australia and New Zealand often experience **disproportionate reactions** to economic and financial disturbances that **emanate from** much larger and more complex economies, including **the US**, the Eurozone, Japan, and China. To be sure, we are not suggesting that economic policymakers should maintain inappropriate macro policy settings in order to buoy consumer and business confidence. Rather, the **announcement and implementation of shifts in** key macro **policy** needs to be sensitive to the psychological impact on households and firms in the real economy. It is the need to manage psychology that has led the major central banks to bolster their policy 'forward guidance' activities, as they fine-tune strategies to eventually end a period of extraordinary monetary policy accommodation. It's not all in the mind as sentiment shapes activity Although it is often said that **'confidence can turn on a dime'**, this should not be taken as diminishing the role of sentiment in **shaping economic activity** and in turn the **path of business cycles**. The power of confidence was **patently demonstrated in** late 20**08** with the collapse of Lehman Brothers and the subsequent slump in global consumer and business sentiment. This was accompanied by an **unprecedented collapse** in global trade volumes, industrial production, investment and importantly risk-taking. It is estimated that in the major developed economies, including Australia and New Zealand, consumer spending contributes up to two thirds of aggregate demand, based on income levels or changes, buying and spending trends, and underlying economic conditions. If we consider credit and liquidity to be the **life-blood of the economic system**, then it is reasonable to regard confidence as the **oxygen that sustains the system.** So heightened economic anxiety and languishing confidence will have manifest impacts on the health and wellbeing of the economy, often determining whether or not it can reach and sustain its long term potential rates of growth. Recent experience indicates that there are several important consequences of low and declining levels of confidence, including: unusually high household and business savings rates, including the hoarding of capital by financial and nonfinancial firms subdued nominal income growth and tepid private sector credit growth widespread household deleveraging declining business investment spending and weak employment growth dominance of short-term thinking and absence of longer-term strategic activity risk of a decline in the economy’s structural growth rate and associated deterioration in productivity growth. Therefore, economies facing 'crises of confidence' may find if this prevails it will undermine productive capacity and prove to be 'growth limiting'. In this event, it could **lead to deterioration in living standards** as the base of economic activity gradually contracts and the willingness and capacity to engage in risk-taking is curtailed. Looking forward, the continuing desynchronised global business cycle and the likelihood that macroeconomic policy shifts will also vary over the next 12 months suggest that global consumer and business confidence will remain fickle. For policymakers this suggests that communication and announcement effects will continue to be crucial in managing confidence effects in economies. In contrast, investors and firms need to remain vigilant for unexpected shifts in confidence and/or the development of unsettling negative feedback loops.

#### **Crashes lead to a great depression.**

**Rusoff 21** Jane Rusoff, ThinkAdvisor Contributing Editor specializing in interviews with thought leaders. She has written for The New York Times, The Washington Post, USA Today and Esquire, among numerous other publications. Author/co-author of five books, Jane was a staff editor at London Express Features and Billboard’s Merchandising Magazine; “Harry Dent: ‘Biggest Crash Ever’ Likely by End of June,” ThinkAdvisor; 3/10/21;<https://www.thinkadvisor.com/2021/03/10/harry-dent-biggest-crash-ever-likely-by-end-of-june/>

Why will the downturn that you see be so harsh?

The only reason the 2008 downturn didn’t turn into a depression was that they turned on the **monetary spigots so hard** and blew us out of it, which kept the bubble going. They kept printing money and put it off. Now we’ve got a **bigger bubble**. This downturn is going to be the **Great Depression** that the deep recession of 2008 was.

How long do you think the depression will last?

If the economy finally falls apart after this much stimulus, economists will flip from being endlessly bullish to endlessly bearish. They’ll say, “Now we’re in a **decade-long-plus depression**, like the 1930s.” But I’ll say, “Nope, this thing will be hell: It’s going to do its work very fast. By 2024, it will be over.” By 2023 or 2024, we’re going to be coming out of it into what I call the next Spring Boom.

Right now, you favor investing in Treasury bonds. What’s your strategy?

Man, what’s better than sleeping with 30-year Treasury bonds — the safest investment in the reserve currency of a country that’s in big trouble — but not as much as Europe and Japan are in and nowhere near as much as China is in. We’re in the best house in a bad neighborhood.

What will happen to the 30-year Treasury bond during the **massive** **crash** you foresee?

It’s going to fall to **half a percent and maybe zero**. It will expand your money 30%, 40%, 50%, while stocks are **crashing** 70%, 80%, 90%. Real estate will go down 30%, 40%, 50%. Commodities are **already down** 50% and are going down another 30% or 40%. Everything is going to **default**. Cash will preserve your money. The 30-year Treasury will magnify your money.

So, do you think 50% of an investment portfolio should be in Treasurys?

If you’re willing to take more risk, you’ll have one bucket in long-term U.S. Treasury bonds and maybe in a few other good governments, like Sweden or Australia. Triple-A corporates could go in there too. Then you’ll have another bucket — of short stocks, not leveraged.

Stocks are very volatile on the way down. You can also be in REITs that are in very solid areas, like multi-family housing in affordable cities and medical facilities because those will hold up the best.

There’s a discernable euphoria now among investors. But John Templeton, the renowned investor and fund manager, famously said that “bull markets die on euphoria.” Do you agree with that?

Yes. And Jeremy Grantham [GMO co-founder] said [on Jan. 5] this level of euphoria means you’re within months — not years — of a major bubble peak. You’re at the end.

Wil cryptocurrency be part of that huge crash?

Yes. I think Bitcoin is the big thing long term and that crypto and blockchain is a big trend. It’s like the internet of finance — money and assets — instead of information. So it’s a big deal — but in its early stages.

Bitcoin is going to go to 58 [thousand], 60, 80 — and then end up back at 3,000 to 4,000. I would buy it long term, a couple of years from now. I wouldn’t touch it between now and then.

What are your expectations for the economy once the pandemic substantially fades?

Some industries are **never going to come back**. We’re not back to where we were before COVID — by GDP or any other major indicator. Everybody is acting like “When we get over COVID, we’ll be back better than ever.” The stock market is already anticipating that. But it’s wrong.

The only reason people are spending is because the **government handed businesses and consumers tons of money.** But it will get to a point where **it’s not going to matter how much money is printed** — and then you’ll have an avalanche. A huge collapse is **coming**.

What specifically will cause it?

There’s is no way you can [keep] having fake earnings, fake GDP, fake interest rates and super-high valuations. Financial assets have to come down to reality.

What are the implications?

Loans will **fail** by the boatload. Then money **disappears**. That causes **bank** and **business** **failures**. We have to get all the **financial** **leverage**, **financial** **assets** and **debt** out of our economy.

#### **Economic Depression cascades – Extinction**

Mathew **Maavak**, **4-16**-2021, "Horizon 2030: Will Emerging Risks Unravel Our Global Systems? – Analysis," Dr. Mathew Maavak is a regular commentator on geostrategic issues, an external researcher (PLATBIDAFO) at the Kazimieras Simonavicius University in Vilnius, Lithuania, PHD in Risk Foresight from Universiti Teknologi Malaysia, Eurasia Review,<https://www.eurasiareview.com/16042021-horizon-2030-will-emerging-risks-unravel-our-global-systems-analysis/> bracketed for inclusion

According to Professor Stanislaw Drozdz (2018) of the Polish Academy of Sciences, “a global financial crash of a previously unprecedented scale is highly probable” by the mid-2020s. This will lead to a trickle-down meltdown, impacting all areas of human activity.

[graph omitted]

The economist John Mauldin (2018) similarly warns that the “2020s might be the worst decade in US history” and may lead to a Second Great Depression. Other forecasts are equally alarming. According to the International Institute of Finance, global debt may have surpassed $255 trillion by 2020 (IIF, 2019). Yet another study revealed that global debts and liabilities amounted to a staggering $2.5 quadrillion (Ausman, 2018). The reader should note that these figures were tabulated before the COVID-19 outbreak. The IMF singles out widening income inequality as the trigger for the next Great Depression (Georgieva, 2020). The wealthiest 1% now own more than twice as much wealth as 6.9 billion people (Coffey et al, 2020) and this chasm is widening with each passing month. COVID-19 had, in fact, boosted global billionaire wealth to an unprecedented $10.2 trillion by July 2020 (UBS-PWC, 2020). Global GDP, worth $88 trillion in 2019, may have contracted by 5.2% in 2020 (World Bank, 2020). As the Greek historian Plutarch warned in the 1st century AD: “An imbalance between rich and poor is the oldest and most fatal ailment of all republics” (Mauldin, 2014). The stability of a society, as Aristotle argued even earlier, depends on a robust middle element or middle class. At the rate the global middle class is facing catastrophic debt and unemployment levels, widespread social disaffection may morph into outright anarchy (Maavak, 2012; DCDC, 2007). Economic stressors, in transcendent VUCA fashion, may also induce radical geopolitical realignments. Bullions now carry more weight than NATO’s security guarantees in Eastern Europe. After Poland repatriated 100 tons of gold from the Bank of England in 2019, Slovakia, Serbia and Hungary quickly followed suit. According to former Slovak Premier Robert Fico, this erosion in regional trust was based on historical precedents – in particular the 1938 Munich Agreement which ceded Czechoslovakia’s Sudetenland to Nazi Germany. As Fico reiterated (Dudik & Tomek, 2019): “You can hardly trust even the closest allies after the Munich Agreement… I guarantee that if something happens, we won’t see a single gram of this (offshore-held) gold. Let’s do it (repatriation) as quickly as possible.” (Parenthesis added by author). President Aleksandar Vucic of Serbia (a non-NATO nation) justified his central bank’s gold-repatriation program by hinting at economic headwinds ahead: “We see in which direction the crisis in the world is moving” (Dudik & Tomek, 2019). Indeed, with two global Titanics – the United States and China – set on a collision course with a quadrillions-denominated iceberg in the middle, and a viral outbreak on its tip, the seismic ripples will be felt far, wide and for a considerable period. A reality check is nonetheless needed here: Can additional bullions realistically circumvallate the economies of 80 million plus peoples in these Eastern European nations, worth a collective $1.8 trillion by purchasing power parity? Gold however is a potent psychological symbol as it represents national sovereignty and economic reassurance in a potentially hyperinflationary world. The portents are clear: The current global economic system will be weakened by rising nationalism and autarkic demands. Much uncertainty remains ahead. Mauldin (2018) proposes the introduction of Old Testament-style debt jubilees to facilitate gradual national recoveries. The World Economic Forum, on the other hand, has long proposed a “Great Reset” by 2030; a socialist utopia where “you’ll own nothing and you’ll be happy” (WEF, 2016).In the final analysis, COVID-19 is not the root cause of the current global economic turmoil; it is merely an accelerant to a burning house of cards that was left smouldering since the 2008 Great Recession (Maavak, 2020a). We also see how the four main pillars of systems thinking (diversity, interconnectivity, interactivity and “adaptivity”) form the mise en scene in a VUCA decade.

Environmental

What happens to the environment when our economies implode? Think of a debt-laden workforce at sensitive **nuclear** and chemical **plants**, along with a concomitant surge in industrial accidents? Economic stressors, workforce demoralization and rampant profiteering – rather than manmade climate change – arguably pose the biggest threats to the environment. In a WEF report, Buehler et al (2017) made the following pre-COVID-19 observation: The ILO estimates that the annual cost to the global economy from accidents and work-related diseases alone is a staggering $3 trillion. Moreover, a recent report suggests the world’s 3.2 billion workers are increasingly unwell, with the vast majority facing significant economic insecurity: 77% work in part-time, temporary, “vulnerable” or unpaid jobs. Shouldn’t this phenomenon be better categorized as a societal or economic risk rather than an environmental one? In line with the systems thinking approach, however, global risks can no longer be boxed into a taxonomical silo. Frazzled workforces may precipitate another Bhopal (1984), Chernobyl (1986), Deepwater Horizon (2010) or Flint water crisis (2014). These disasters were notably not the result of manmade climate change. Neither was the Fukushima nuclear disaster (2011) nor the Indian Ocean tsunami (2004). Indeed, the combustion of a long-overlooked cargo of 2,750 tonnes of ammonium nitrate had nearly levelled the city of Beirut, Lebanon, on Aug 4 2020. The explosion left 204 dead; 7,500 injured; US$15 billion in property damages; and an estimated 300,000 people homeless (Urbina, 2020). The environmental costs have yet to be adequately tabulated. Environmental disasters are more attributable to Black Swan events, systems breakdowns and corporate greed rather than to mundane human activity. Our JIT world aggravates the cascading potential of risks (Korowicz, 2012). Production and delivery delays, caused by the COVID-19 outbreak, will eventually require industrial overcompensation. This will further stress senior executives, workers, machines and a variety of computerized systems. The trickle-down effects will likely include substandard products, contaminated food and a general lowering in health and safety standards (Maavak, 2019a). Unpaid or demoralized sanitation workers may also resort to indiscriminate waste dumping. Many cities across the United States (and elsewhere in the world) are no longer recycling wastes due to prohibitive costs in the global corona-economy (Liacko, 2021). Even in good times, strict protocols on waste disposals were routinely ignored. While Sweden championed the global climate change narrative, its clothing flagship H&M was busy covering up toxic effluences disgorged by vendors along the Citarum River in Java, Indonesia. As a result, countless children among 14 million Indonesians straddling the “world’s most polluted river” began to suffer from dermatitis, intestinal problems, developmental disorders, renal failure, chronic bronchitis and cancer (DW, 2020). It is also in cauldrons like the Citarum River where pathogens may mutate with emergent ramifications. On an equally alarming note, depressed economic conditions have traditionally provided a waste disposal boon for organized crime elements. Throughout 1980s, the Calabria-based ‘Ndrangheta mafia – in collusion with governments in Europe and North America – began to dump radioactive wastes along the coast of Somalia. Reeling from pollution and revenue loss, Somali fisherman eventually resorted to mass piracy (Knaup, 2008). The coast of Somalia is now a maritime hotspot, and exemplifies an entwined form of economic-environmental-geopolitical-societal emergence. In a VUCA world, indiscriminate waste dumping can unexpectedly morph into a Black Hawk Down incident. The laws of unintended consequences are governed by actors, interconnections, interactions and adaptations in a system under study – as outlined in the methodology section. Environmentally-devastating industrial sabotages – whether by disgruntled workers, industrial competitors, ideological maniacs or terrorist groups – cannot be discounted in a VUCA world. Immiserated societies, in stark defiance of climate change diktats, may resort to dirty coal plants and wood stoves for survival. Interlinked ecosystems, particularly water resources, may be hijacked by nationalist sentiments. The environmental fallouts of critical infrastructure (CI) breakdowns loom like a Sword of Damocles over this decade.

Geopolitical

The primary catalyst behind WWII was the Great Depression. Since history often repeats itself, expect familiar bogeymen to reappear in societies roiling with impoverishment and ideological clefts. Anti-Semitism – a societal risk on its own – may reach alarming proportions in the West (Reuters, 2019), possibly forcing Israel to undertake reprisal operations inside allied nations. If that happens, how will affected nations react? Will security resources be reallocated to protect certain minorities (or the Top 1%) while larger segments of society are exposed to restive forces? Balloon effects like these present a classic VUCA problematic. Contemporary geopolitical risks include a possible Iran-Israel war; US-China military confrontation over Taiwan or the South China Sea; North **Korean** proliferation of nuclear and missile technologies; an India-Pakistan nuclear war; an Iranian closure of the Straits of Hormuz; fundamentalist-driven implosion in the Islamic world; or a nuclear confrontation between NATO and Russia. Fears that the Jan 3 2020 assassination of Iranian Maj. Gen. Qasem Soleimani might lead to WWIII were grossly overblown. From a systems perspective, the killing of Soleimani did not fundamentally change the actor-interconnection-interaction- adaptivity equation in the Middle East. Soleimani was simply a cog who got replaced. Geopolitics will still be dictated by major powers. However, how will the vast majority of nations fare during this VUCA decade? Many “emerging nations” have produced neither the intelligentsia nor industries required to be future-resilient. Raw materials and cheap labour cannot sustain anaemic societies in a volatile world. Advances in material sciences and robotic automation as well as technological “ephemeralization” (Fuller, 1938; Heylighen, 2002) may shift manufacturing back to the Developed World. In an attempt to mask the looming redundancy of these nations, untold billions have been wasted on vanity studies, conferences and technological initiatives drawn up by an army of neoliberal experts and native proxies. Risks were rarely part of the planning calculus. National and regional blueprints ranging from Malaysia’s Vision 2020, Saudi Vision 2030, ASEAN 2025 to Africa 2030, amongst others, will fail just as their innumerable precursors did. The author defines a redundant nation as one which persistently lacks a comprehensive brain bank and an adaptive governance structure in order to be future-resilient. Redundant nations are preludes to failed states. They will lack native ideations and coherent policies that are critically needed in a VUCA decade. While policies intended to “promote growth in developing countries” had traditionally acted “as agents for conflict prevention” (Humphreys, 2003), the trade-off was often bureaucratic overgrowth, corruption, ethnoreligious discrimination and resource wastages. Attempts to re-use these nations as geopolitical proxies a la the Cold War may prove too costly for potential sponsors. The Fat Leonard scandal (Whitlock, 2016) in Southeast Asia – which entrapped senior US naval officers in a web of sleaze – may be a harbinger of similar breaches on friendly territory, particularly as China’s Belt and Road Initiative (BRI) challenges US geopolitical hegemony worldwide. The BRI however snakes through many potentially- redundant nations and may expose China to a “death by a thousand cuts” via geo-economic extortion. Beijing’s recent attempts to portray itself as a humanitarian superpower has somewhat backfired after numerous defects were discovered in its “medical aid” exports (Kern, 2020). Ultimately, one should not underestimate the possibility, however remote, of national boundaries being redrawn before the Great Reset period is over. The global map was different only 100 years back. The once-mighty Soviet Union no longer exists while its former nemesis, the United States, faces social clefts of ominous proportions. Alarming parallels are now being drawn between the inauguration of President Abraham Lincoln on March 4, 1861 – which led to the US civil war – and the swearing in of Joe Biden as 46th President of United States on January 20, 2021 (Waxman, 2021). How will a weakened United States affect NATO and the larger Western-led global alliance?

Societal

The WEF (2017) had pencilled “global social instability” as the biggest threat facing our collective future. A similar outcome was gamed out in a 2007 study by the Development, Concepts and Doctrine Centre at the United Kingdom Ministry of Defence (DCDC, 2007). According to Peter Turchin (2016), a professor of Evolutionary Biology at the University of Connecticut, the United States may experience “a period of heightened social and political instability during the 2020s” – marked by governmental dysfunction, societal gridlock and rampant political polarization. To blame this phenomenon on the presidency of Donald J. Trump is to wilfully ignore the gradual build-up of various fissiparous forces over decades. The social media plays a force multiplier role here. While risks metastasize at the bedrock levels of society, policymakers are constantly distracted from the task of governance by a daily barrage of recriminations, fake news and social media agitprops. As a result, long- term policy imperatives are routinely sacrificed for immediate political gains. The importunate presidential impeachment sagas and electoral fraud accusations in the United States are reflective of wider social fissures, state fragilities and policy paralyses worldwide. There is nothing new in this panem et circenses (bread and circuses) phenomenon. Juvenal had noted a similar trend during Rome’s imperial decline circa 100 A.D. Recently, despite clear signals that the world was facing an economic catastrophe, the United Nations seemed more focused on the discovery of gender bias in virtual assistant software like Siri and Alexa (UNESCO, 2019). How will this revelation benefit the bottom 99% of humanity in dire economic conditions; one where the victims will be preponderantly ~~women~~ [womin] and children? Just like in Imperial Rome, bread and circuses are symptomatic of an economic system that relentlessly benefits the elite. The mountain is ignored and the molehill is prioritized through controlled public narratives. The issue of “stolen childhoods”, for example, is now couched in terms of climate change rather than on sexual exploitation. Few take note that nearly “100,000 children – girls and boys – are bought and sold for sex in the U.S. every year, with as many as 300,000 children in danger of being trafficked each year.” Child rape, as John Whitehead (2020) further notes, has become “Big Business in America.” Not surprisingly, human trafficking has emerged as a $150 billion global industry (Niethammer, 2020). Such shocking human rights failures do not figure prominently in the calculus of various “social justice” movements. The Top 1% needs their “useful idiots” – a phrase misattributed to Lenin – to generate a constant supply of distractions. Activist-billionaire George Soros, for example, is pumping $1 billion into a global university network to “fight climate change” and “dictators” which curiously include elected leaders such as former US President Donald J. Trump and India’s Prime Minister Narendra Modi. These “academically excellent but politically endangered scholars” (Open Society, 2020), as Soros calls them, may turn out to be the very disruptors who will “undermine scientific progress” in the West – just as Turchin (2016) predicted in his seminal study. Soros’ pledge was coincidentally made when COVID- 19 began to decimate the global economy and healthcare systems. Elite philanthropy is now an avenue for global subversion. An assortment of scholars, government officials and NGOs are already channelling the agendas of their well-pocketed patrons, backed by Big Tech’s control of the mainstream and social media (Maavak, 2020c). Their narratives are reminiscent of giddy sophistries which fuelled a variety of communist and anarchist movements during the build-up to WWII.Under these circumstances, some nations may eventually seal their borders and initiate authoritarian measures in order to maintain internal stability. This is no longer an unthinkable proposition as dissatisfaction with democracy has peaked worldwide (Foa et al, 2020). Measures perfected by COVID-19 lockdowns may have inadvertently served as a test run in this regard.

4.

#### **Infrastructure passes soon and solves climate**

#### **Collinson 10/25 [Stephen Collinson is a reporter for CNN Politics covering the White House, and politics across the United States and around the world. October 25, 2021. “A week that could transform Joe Biden's presidency”** [**https://www.cnn.com/2021/10/25/politics/joe-biden-presidency-this-week-social-spending-and-infrastructure/index.html Accessed 10/25**](https://www.cnn.com/2021/10/25/politics/joe-biden-presidency-this-week-social-spending-and-infrastructure/index.html%20Accessed%2010/25) **//gord0]**

#### [**Joe Biden**](https://www.cnn.com/specials/politics/joe-biden-news) **is tantalizingly close to fulfilling what supporters see as the historic promise of his presidency in the coming days, at a critical moment for his** [**social policy transformation**](https://www.cnn.com/2021/09/12/politics/house-reconciliation-package-explainer/index.html) **at home and his hopes of reclaiming US leadership overseas.**

#### **After weeks of feuding between moderate and progressive Democrats and his agenda's several brushes with extinction, the President's double play of** [**social spending**](http://www.cnn.com/2021/10/24/politics/spending-bill-benefits-what-matters/index.html) **and** [**a bipartisan infrastructure program**](https://www.cnn.com/2021/07/28/politics/infrastructure-bill-explained/index.html) **may finally come to fruition this week. Democrats hope to agree on a framework on a trimmed down package of social, health care and education programs in order to lift a House progressive blockade on a vote on the bipartisan bill fixing roads, bridges and railroads.**

#### **"I think we're pretty much there now,"** [**House Speaker Nancy Pelosi**](https://www.cnn.com/2021/10/24/politics/nancy-pelosi-spending-bill-cnntv/index.html) **told CNN's Jake Tapper on "State of the Union" on Sunday. A Democratic source told CNN's Manu Raju the goal is now for the House to have a vote on the infrastructure package on Wednesday or Thursday and send it to Biden's desk. The exact content of the final social spending bill is not yet known, since negotiations on** [**paring back**](https://www.cnn.com/2021/10/24/politics/pell-grant-free-community-college-biden/index.html) **a more ambitious program to win moderate votes have been taking place behind closed doors. But Democrats still appear to be determined to provide free pre-kindergarten education, an extension of Medicare, home care for seniors and more affordable child care. Another uncertainty is the way the final package will play with the most progressive members of the House who had wanted a much larger spending blueprint and had held up the infrastructure bill as a result in prolonged standoffs within the Democratic Party.**

#### **If Democrats finally agree on the makeup of the bills, and Biden manages to include billions of dollars in funding to slow global warming, he will get a huge boost on a foreign trip beginning Thursday that includes the G20 summit in Rome and the United Nations climate summit in Scotland. A strong environmental component of the bill is crucial to Biden's credibility as he seeks to put the US back at the front of the global campaign to save the planet -- one of his top foreign policy goals -- and would put pressure on other top polluting nations to follow suit.**

#### **Strengthening unions requires Biden’s political capital – PRO act proves**

#### **Birenbaum 21 [Charles S. Birenbaum serves as the firm’s Chair of Northern California and Co-Chair of the firm’s Labor & Employment Practice’s Labor-Management Relations group. Chuck is an experienced labor and employment attorney who focuses his practice on traditional labor and employment law matters, and has wide-ranging experience litigating in state and federal courts as well as various administrative agencies. March 12, 2021. “The New New Deal? U.S. House Of Representatives Passes Sweeping Labor Reform With Significant but Uncertain Future”** [**https://www.natlawreview.com/article/new-new-deal-us-house-representatives-passes-sweeping-labor-reform-significant Accessed 10/27**](https://www.natlawreview.com/article/new-new-deal-us-house-representatives-passes-sweeping-labor-reform-significant%20Accessed%2010/27) **//gord0]**

#### **Unions are back in the news. On March 9, 2021, the U.S. House of Representatives successfully passed the Protect the Right to Organize Act (the PRO Act), legislation designed to overhaul the current labor relations framework—touching on issues including independent contractors, joint employers, employee arbitration agreements, and new union organizing rules. While Senate passage may not happen, President Biden’s insistence on being the “most pro-union president” could make the PRO Act a legislative priority later in his term.**

#### **I. Expanding the Class of Covered Employees**

#### **The PRO Act contains a host of laws and definitional revisions that significantly expand the class of employees covered by the National Labor Relations Act (NLRA).**

| **a.** |  | **Independent Contractor Classifications** |
| --- | --- | --- |

#### **The PRO Act redefines “employees” under the NLRA, by codifying the “ABC Test” for independent contractors used by certain states (such as California and Massachusetts). In practice, this new definition will significantly expand the class of eligible “employees” entitled to unionization and collective bargaining rights by making it more difficult for employers to categorize workers as independent contractors.**

| **b.** |  | **Joint-Employer Classifications** |
| --- | --- | --- |

#### **The PRO Act redefines “employers” under the NLRA, by codifying the liberal joint-employer standard announced in Browning-Ferris Industries, (2015) 362 NLRB No. 186. The new standard looks to the “right-to-control” any terms and conditions of employment of a workforce, even if indirectly and even if never exercised in fact. This test will create labor liability for businesses that traditionally have not had that liability.**

| **c.** |  | **State Right-To-Work Laws** |
| --- | --- | --- |

#### **The PRO Act overturns all state “right-to-work” laws. States would no longer be able to prohibit union security and dues check-off clauses if placed in collective bargaining agreements. Mandatory union dues deduction for virtually all employees covered by a collective bargaining agreement could provide unions with financial incentives to bolster their efforts in the 27 states currently with right-to-work laws.**

| **d.** |  | **Employee Arbitration Agreements** |
| --- | --- | --- |

#### **The PRO Act outlaws class, collective, and joint-action employment arbitration agreements—rending them illegal. The change would circumvent the recent U.S. Supreme Court decision, Epic Systems Corp v. Lewis (2018) 138 S. Ct. 1612, upholding the use of these types of agreements under the Federal Arbitration Act.**

#### **II. Employer and Union Economic Pressure Tactics**

#### **Hard bargaining is often an inescapable reality of unions relations, and one that has been finely tuned through legislation, litigation, and judicial precedent over the last 90 years. The PRO Act disrupts that balance by changing the rules of engagement for unions and employers alike—with preferential treatment of union rights. For unions, the PRO Act lifts the ban on previously prohibited tactics like recurrent and intermittent strikes, as well as secondary boycotts and related pressure tactics against neutral third parties, like the protest or picketing of an employer’s clients, customers, or vendors. For employers, the PRO Act goes the other direction by imposing new bans on previously common and currently lawful tactics, such as pre-strike lockouts and the hiring of permanent replacement workers for striking employees—a significant blow to employers’ bargaining leverage and ability to operate during a strike.**

#### **III. Employer, Union, and Employee Communication Rights**

#### **Communication during election campaigns and collective bargaining is integral for all sides—providing a platform to air grievances and novel perspectives on the relative pros and cons of unionization or contracted terms. The PRO Act alters these rights in several ways. For employers, the PRO Act prohibits the holding of mandatory employment meetings where they can educate employees on the employer’s historic experiences and perspectives. In contrast, the bill forces employers to allow employees to use company devices and email systems for any union organizing or concerted, protected activity—even though not work-related. And in advance of the elections themselves, employers are obligated to turn over employees’ personal contact information to unions.**

#### **IV. Union Election and Collective Bargaining Practices**

#### **Elections and collective bargaining lie at the heart of modern labor law. The PRO Act disrupts longstanding practices in these critical areas. On the elections side, the Act gives unions substantial control of the appropriate bargaining unit, as well as the method and location of elections, while depriving employers of standing to intervene in the decision-making process regarding those issues. When determining the results of an election, the Act imposes harsh penalties for the commission of unfair labor practices by the employer, including bargaining orders irrespective of employee votes against unionization. And once bargaining begins, in certain cases the parties are required to reach agreement within 90 days or become subject to mandatory mediation and interest arbitration—all of which stands as an overhaul to current practices.**

#### **V. Increase in Employer Exposure**

#### **Employer exposure for NLRA violations is also increased under the PRO Act. Liability would include: (a) backpay; (b) front pay; (c) consequential damages; (d) liquidated damages; (e) civil penalties; and (f) punitive damages. Depending on the violation and circumstances, civil penalties can range as high as $100,000 per violation and be imposed against employers, officers, and directors. The Act also gives employees a private right of action to pursue certain remedies in federal court—a break from the National Labor Relations Board (NLRB) prior jurisdictional exclusivity.**

#### **VI. Moving Forward**

#### **The PRO Act’s passage in the Senate appears a challenge. Despite sweeping approval by the House and even modest bipartisan support, Senate passage remains a significant hurdle. Under current Senate rules, to avoid filibuster, the Act would require all 50 Democratic votes and 10 Republican votes—neither of which appears likely based on recent history. And legislative alternatives to gridlock, such as budget reconciliation or abolishing the filibuster, may also encounter significant resistance. Given President Biden’s public and oft-repeated support for labor unions, it remains to be seen whether the PRO Act, and political capital necessary for its passage, ultimately become a larger priority for President Biden further into his term.**

#### **Bidens PC is what got infrastructure through the senate, and its key now.**

#### **Smith and Gambino 10/1 [David Smith is the Guardian's Washington DC bureau chief. Lauren Gambino is political correspondent for Guardian US, based in Washington DC. October 1, 2021. “Biden upbeat on rare Capitol Hill visit but domestic agenda hangs in jeopardy”** [**https://www.theguardian.com/us-news/2021/oct/01/democrats-congress-biden-infrastructure-talks Accessed 10/25**](https://www.theguardian.com/us-news/2021/oct/01/democrats-congress-biden-infrastructure-talks%20Accessed%2010/25) **//gord0]**

#### **Democrats returned to the Capitol on Friday deeply divided but determined to make progress on Joe Biden’s ambitious economic vision, after an embarrassing setback delayed a planned vote on a related $1tn measure to improve the nation’s infrastructure.**

#### **Biden on Friday made a rare visit to Capitol Hill to meet privately with House Democrats amid a stalemate that has put his sprawling domestic agenda in jeopardy. The visit comes after after the House speaker, Nancy Pelosi,** [**delayed a vote on part of his economic agenda,**](https://www.theguardian.com/us-news/2021/sep/30/biden-nancy-pelosi-infrastructure-bill) **a bipartisan $1tn public works measure, on Thursday night after a frantic day of negotiations failed to produce a deal.**

#### **“We’re going to get this thing done,” Biden said, as he exited the caucus room. “It doesn’t matter when – it doesn’t matter whether it’s in six minutes, six days, or six weeks – we’re going to get it done.”**

#### **Earlier in the day, Pelosi promised that there would be a “vote today” on the measure, an ambitious timeline that would require Democrats first reaching a compromise on the broader piece of Biden’s agenda that virtually every member of the party in both the House and Senate could support. But a resolution before the weekend appeared unlikely as Democrats remained deeply at odds over the scale and structure of a more expansive package containing containing a host of progressive priorities, provisions to expand health care access, establish paid leave, combat climate change and reduce poverty – all underwritten by tax increases on wealthy Americans and corporations.**

#### **Democrats are trying to score a major legislative victory with razor-thin majorities in both chambers. Failure would deny Biden much of his domestic agenda, leaving the party with little to show for their time controlling the White House, the Senate and House – a governing trifecta they last enjoyed in 2010.**

#### **Senator Joe Manchin of West Virginia has proposed a spending package of about $1.5tn – less than half the size of the proposal put forward by the president and Democratic leaders. Another Democratic centrist, Senator Kyrsten Sinema, declined to say whether she agreed with Manchin’s proposal.**

#### **The wrangling resumed in the House on Friday morning, which, due to a quirk of process,** [**remained**](https://twitter.com/HouseDailyPress/status/1443770307903475712) **in the legislative day of 30 September even as the calendar turned to October.**

#### **Huddled together in an hours-long caucus meeting, Pelosi tried to steer the feuding factions within her party toward common ground after Thursday’s marathon negotiating session generated deepening acrimony and no deal.**

#### **Congresswoman Pramila Jayapal, chair of the Congressional Progressive Caucus, emerged from the morning gathering optimistic that Democrats would eventually pass both bills. But she remained firm in her position – and confident in her members – that there the infrastructure bill would not move forward without assurances that the Senate would pass Biden’s larger bill.**

#### **“We’ve seen more progress in the last 48 hours than we’ve seen in a long time on reconciliation,” she said, crediting progressives’ infrastructure revolt for forcing Manchin and Sinema to the negotiating table.**

#### **The decision to postpone the infrastructure vote was seen as a victory for progressives who were unwavering in their resolve to “hold the line” and vote against the bill unless they received “ironclad” commitments that Biden’s proposed $3.5tn social and environmental package would also pass.**

#### **Many progressives also say they will withhold support for the infrastructure bill until the Senate passes the second piece of Biden’s economic agenda, legislation that has yet to be written. Jayapal made clear this was her preference, but later left the door open to the possibility that the party could reach an agreement without a vote.**

#### **“If there’s something else that’s short of a vote … that gives me those same assurances, I want to listen to that,” she told reporters.**

#### **The stalemate also laid bare deep ideological fractures within the party. Unlike the debate over Barack Obama’s healthcare legislation a decade ago, progressives appear to be more closely aligned with the president and able to flex their political muscles. On Thursday they were united in making the case that centrists are now in the minority.**

#### **Varshini Prakash, executive director of Sunrise Movement, a youth group fighting the climate crisis,** [**said:**](https://mailchi.mp/sunrisemovement/sunrise-movement-responds-to-delay-of-bif-sinema-and-manchin-are-to-blame?e=18cba0fd52) **“Tonight, we are so proud of progressives for holding the line. But let’s be clear, progressives are not the ones delaying the vote – Joe Manchin and Kyrsten Sinema are.”**

#### **Thursday’s delay could anger moderates and cause further infighting that puts Biden’s agenda at risk. Earlier this week Stephanie Murphy, a congresswoman from Florida, warned: “If the vote were to fail or be delayed, there would be a significant breach of trust.”**

#### **Republicans who had supported the infrastructure bill in the Senate also acknowledged the setback. Senators Rob Portman, Bill Cassidy, Susan Collins, Lisa Murkowski and Mitt Romney said in a joint statement: “While we are disappointed the** [**House of Representatives**](https://www.theguardian.com/us-news/house-of-representatives) **did not meet its deadline to vote on the bipartisan infrastructure bill, we remain hopeful the House will come together in a spirit of bipartisanship just as the Senate did and pass this important piece of legislation.**

#### **“This bill is critically important to modernizing and upgrading everything from our roads and bridges to broadband and increasing the resiliency of the nation’s electrical grid.”**

#### **Both pieces of legislation are critical to Biden’s economic vision. While he has staked his domestic agenda – and his legacy – on a $3.5tn social policy package, he invested precious political capital in courting Republicans to support the infrastructure bill, part of a campaign promise to usher in a new era of bipartisanship in Congress. The bill passed the Senate in August, with 19 Republican votes and great fanfare.**

#### **Infrastructure reform solves Climate Change, extinction!**

#### **USA Today 7-20 7-20-2021 "Climate change is at 'code red' status for the planet, and inaction is no longer an option"** [**https://www.usatoday.com/story/opinion/todaysdebate/2021/07/20/climate-change-biden-infrastructure-bill-good-start/7877118002/**](https://www.usatoday.com/story/opinion/todaysdebate/2021/07/20/climate-change-biden-infrastructure-bill-good-start/7877118002/) **//Elmer**

#### **Not long ago, climate change for many Americans was like a distant bell. News of starving polar bears or melting glaciers was tragic and disturbing, but other worldly. Not any more. Top climate scientists from around the world warned of a "code red for humanity" in a report issued Monday that says severe, human-caused global warming is become unassailable. Proof of the findings by the United Nations' Intergovernmental Panel on Climate Change is a now a factor of daily life. Due to intense heat waves and drought, 107 wildfires – including the largest ever in California – are now raging across the West, consuming 2.3 million acres. Earlier this summer, hundreds of people died in unprecedented triple-digit heat in Oregon, Washington and western Canada, when a "heat dome" of enormous proportions settled over the region for days. Some victims brought by stretcher into crowded hospital wards had body temperatures so high, their nervous systems had shut down. People collapsed trying to make their way to cooling shelters. Heat-trapping greenhouse gases Scientists say the event was almost certainly made worse and more intransigent by human-caused climate change. They attribute it to a combination of warming Arctic temperatures and a growing accumulation of heat-trapping greenhouse gases caused by the burning of fossil fuels. The consequences of what mankind has done to the atmosphere are now inescapable. Periods of extreme heat are projected to double in the lower 48 states by 2100. Heat deaths are far outpacing every other form of weather killer in a 30-year average. A persistent megadrought in America's West continues to create tinder-dry conditions that augur another devastating wildfire season. And scientists say warming oceans are fueling ever more powerful storms, evidenced by Elsa and the early arrival of hurricane season this year. Increasingly severe weather is causing an estimated $100 billion in damage to the United States every year. "It is honestly surreal to see your projections manifesting themselves in real time, with all the suffering that accompanies them. It is heartbreaking," said climate scientist Katharine Hayhoe. Rising seas from global warming Investigators are still trying to determine what led to the collapse of a Miami-area condominium that left more than 100 dead or missing. But one concerning factor is the corrosive effect on reinforced steel structures of encroaching saltwater, made worse in Florida by a foot of rising seas from global warming since the 1900s. The clock is ticking for planet Earth. While the U.N. report concludes some level of severe climate change is now unavoidable, there is still a window of time when far more catastrophic events can be mitigated. But mankind must act soon to curb the release of heat-trapping gases. Global temperature has risen nearly 2 degrees Fahrenheit since the pre-industrial era of the late 19th century. Scientists warn that in a decade, it could surpass a 2.7-degree increase. That's enough warming to cause catastrophic climate changes. After a brief decline in global greenhouse gas emissions during the pandemic, pollution is on the rise. Years that could have been devoted to addressing the crisis were wasted during a feckless period of inaction by the Trump administration. Congress must act Joe Biden won the presidency promising broad new policies to cut America's greenhouse gas emissions. But Congress needs to act on those ideas this year. Democrats cannot risk losing narrow control of one or both chambers of Congress in the 2022 elections to a Republican Party too long resistant to meaningful action on the climate. So what's at issue? A trillion dollar infrastructure bill negotiated between Biden and a group of centrist senators (including 10 Republicans) is a start. In addition to repairing bridges, roads and rails, it would improve access by the nation's power infrastructure to renewable energy sources, cap millions of abandoned oil and gas wells spewing greenhouse gases, and harden structures against climate change. It also offers tax credits for the purchase of electric vehicles and funds the construction of charging stations. (The nation's largest source of climate pollution are gas-powered vehicles.) Senate approval could come very soon. Much more is needed if the nation is going to reach Biden's necessary goal of cutting U.S. climate pollution in half from 2005 levels by 2030. His ideas worth considering include a federal clean electricity standard for utilities, federal investments and tax credits to promote renewable energy, and tens of billions of dollars in clean energy research and development, including into ways of extracting greenhouse gases from the skies. Another idea worth considering is a fully refundable carbon tax. The vehicle for these additional proposals would be a second infrastructure bill. And if Republicans balk at the cost of such vital investment, Biden is rightly proposing to pass this package through a process known as budget reconciliation, which allows bills to clear the Senate with a simple majority vote. These are drastic legislative steps. But drastic times call for them. And when Biden attends a U.N. climate conference in November, he can use American progress on climate change as a mean of persuading others to follow our lead. Further delay is not an option.**

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Solvency

#### **Top Level- there is no 1AC evidence on how a right to strike creates more strikes- missing a key internal link that takes out all of their offense because its predicated on the actions of strikes being good**

#### **STRIKES ARE HIGH NOW AND MORE ARE COMING- PROVES NO UNIQUENESS OR REASON WHY THE AFF IS KEY**

#### **Romero 10-21 Dani Romero (REPORTER, yahoo finance) 10/21/21, ‘Strikes are contagious’: Wave of labor unrest signals crisis in tight job market,** [**https://news.yahoo.com/strikes-are-contagious-wave-of-labor-unrest-signals-crisis-in-tight-jobs-market-135052770.html**](https://news.yahoo.com/strikes-are-contagious-wave-of-labor-unrest-signals-crisis-in-tight-jobs-market-135052770.html)

#### **As employers of all sizes grapple with an acute worker shortage amid what’s being called the pandemic era’s Great Resignation, it’s become increasingly clear that people with jobs aren’t all that happy, either. At an ever-lengthening list of workplaces around the country, workers this year have been getting loud about the state of wages, working hours and conditions. From healthcare to entertainment, nearly 100,000 U.S. workers are either striking or preparing to strike in a bid to improve working conditions. New data signals that worker unrest is growing: a Cornell Labor Action Tracker shows that more than 180 strikes have been recorded this year, and over 24,000 workers have walked off the job this month. This all plays out against a backdrop of an economy bouncing back from an economic shutdown during the pandemic. More than 10,000 John Deere workers went on strike Thursday, the first major walkout at the agricultural machinery giant in more than three decades. “We have noticed a bit of an uptick in late September into early October, for example, we've already documented 39 strikes on the month of October,” Johnnie Kallas, a Ph.D. student at Cornell University’s School of Industrial and Labor Relations, or ILR, who tracks labor actions across the country, said in an interview. “Those numbers are already the largest of any month in 2021,” he added. The Bureau of Labor Statistics, which records only large work stoppages, has documented 12 strikes involving 1,000 or more workers. That represents a big jump from when the pandemic started over 19 months ago. “What will happen is you'll see more workers going on strike,” Kate Bronfenbrenner, director of labor education research and senior lecturer at Cornell school of industrial and labor relations, told Yahoo Finance. “Each time there's a ripple effect with each one of those, if the John Deere strike isn’t settled, you're going to see another big group go out,” she said. “If companies don't move, you're going to see this spread from one group to another. Strikes are contagious,” Bronfenbrenner added.**

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#### **Illegal strikes solve better and aff strikes become water downed and negotiated out by the state- TURNS CASE**

**Reddy 21** Reddy, Diana (Doctoral Researcher in the Jurisprudence and Social Policy Program at UC Berkeley) “" There Is No Such Thing as an Illegal Strike": Reconceptualizing the Strike in Law and Political Economy." Yale LJF 130 (2021): 421. <https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy>

In recent years, consistent with this vision, there has been a shift in the kinds of strikes workers and their organizations engage in—increasingly public-facing, engaged with the community, and capacious in their concerns.[178](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref178) They have transcended the ostensible apoliticism of their forebearers in two ways, less voluntaristic and less economistic. They are less voluntaristic in that they seek to engage and mobilize the broader community in support of labor’s goals, and those goals often include community, if not state, action. They are less economistic in that they draw through lines between workplace-based economic issues and other forms of exploitation and subjugation that have been constructed as “political.” These strikes do not necessarily look like what strikes looked like fifty years ago, and they often skirt—or at times, flatly defy—legal rules. Yet, they have often been successful. **Since 2012, tens of thousands of workers in the Fight for $15 movement have engaged in discourse-changing, public law-building strikes. They do not shut down production, and their primary targets are not direct employers. For these reasons, they push the boundaries of exiting labor law**.[179](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref179) Still, the risks appear to have been worth it. A 2018 report by the National Employment Law Center found that th**ese strikes had helped twenty-two million low-wage workers win $68 billion in raises,** a redistribution of wealth fourteen times greater than the value of the last federal minimum wage increase in 2007.[180](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref180) They have demonstrated the power of strikes to do more than challenge employer behavior. As Kate Andrias has argued**: [T]he Fight for $15 . . . reject[s] the notion that unions’ primary role is to negotiate traditional private collective bargaining agreements, with the state playing a neutral mediating and enforcing role.** Instead, the movements are seeking to bargain in the public arena: they are engaging in social bargaining with the state on behalf of all workers.”[181](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref181) **In the so-called “red state” teacher strikes of 2018, more than a hundred thousand educators** in West Virginia, Oklahoma, Arizona, and other states **struck** to challenge post-Great Recession austerity measures, which they argued hurt teachers and students, alike.[182](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref182) **These strikes were illegal; yet, no penalties were imposed.**[**183**](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref183) **Rather, the strikes grew workers’ unions, won meaningful concessions from state governments, and built public support.** As noted above, public-sector work stoppages are easier to conceive of as political, even under existing jurisprudential categories.[184](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref184) But these **strikes were political in the broader sense as well**. Educators worked with parents and students to cultivate support, and they explained how their struggles were connected to the needs of those communities.[185](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref185) Their power was not only in depriving schools of their labor power, but in making normative claims about the value of that labor to the community. Most recently, **2020 saw a flurry of work stoppages in support of the Black Lives Matter movement.**[186](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref186) These ranged from Minneapolis bus drivers’ refusal to transport protesters to jail, to Service Employees International Union’s Strike for Black Lives, to the NBA players’ wildcat strike.[187](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref187) Some of these **protests violated legal restrictions**. The NBA players’ strike for instance, was **inconsistent with a “no-strike” clause in their collective-bargaining agreement with the NBA**.[188](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref188) And it remains an open question in each case whether workers sought goals that were sufficiently job-related as to constitute protected activity.[189](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref189) Whatever the conclusion under current law, however, **striking workers demonstrated in fact the relationship between their workplaces and broader political concerns.** The NBA players’ strike was resolved in part through an agreement that NBA arenas would be used as polling places and sites of civic engagement.[190](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref190) Workers withheld their labor in order to insist that private capital be used for public, democratic purposes. And in refusing to transport arrested protestors to jail, Minneapolis bus drivers made claims about their vision for public transport. Collectively, all of these strikes have prompted debates within the labor movement about what a strike is, and what its role should be. **These strikes are so outside the bounds of institutionalized categories that public data sources do not always reflect them**.[191](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref191) And there is, reportedly, a concern by some union leaders that these strikes do not look like the strikes of the mid-twentieth century. There has been a tendency to dismiss them.[192](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref192) In response, Bill Fletcher Jr., the AFL-CIO’s first Black Education Director, has argued, “**People, who wouldn’t call them strikes, aren’t looking at history.**”[193](https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy#_ftnref193) Fletcher, Jr. analogizes these strikes to the tactics of the civil-rights movement.