## 1

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

#### 1] Util is a lexical pre-requisite to any other framework: Threats to bodily security and life preclude the ability for moral actors to effectively utilize and act upon other moral theories since they are in a constant state of crisis that inhibit the ideal moral conditions which other theories presuppose – so, util comes first and my offense outweighs theirs under their own framework.

#### 2] existential threats outweigh-

#### A] extinction o/ws under any framework- moral uncertainty and future gens

Pummer 15 — (Theron Pummer, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford, “Moral Agreement on Saving the World“, Practical Ethics University of Oxford, 5-18-2015, Available Online at http://blog.practicalethics.ox.ac.uk/2015/05/moral-agreement-on-saving-the-world/, accessed 7-2-2018, HKR-AM) \*\*we do not endorse ableist language=

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

#### B] prereq to their offense- it forecloses all future value and causes massive structural violence

## 2

#### Tech can solve infrastructure concerns but needs to be integrated – operators are key.

Jacobs 5/31 [Lionel; Senior Security Architect in the Palo Alto Networks ICS and SCADA solutions team. Coming from the asset-owner side , Lionel has spent more than 20 years working in the IT/OT environment, with a focus on ICS systems design, controls, and implementation. He was a pioneer in bridging the IT-OT security gap and implementing next-generation security into performance and safety critical process control areas. During his tenure, he successfully deployed a large scale ICS/SCADA security architecture composed of over 100 next-generation firewalls, hundreds of advanced endpoint protection clients and SIEM, distributed over dozens of remote plants and a centralized core, all based on a "Zero Trust" philosophy. Lionel graduated from Houston Baptist University with a double degree in Physics and Mathematics and has held certifications as a MCSE, CCA, CCNP, CCIP, CCNA, CSSA, and GICSP; “Critical Infrastructure Protection: Physical and Cyber Security Both Matter,” eSecurity Planet; 5/31/21; <https://www.esecurityplanet.com/networks/critical-infrastructure-protection-physical-cybersecurity/>] Justin

Segmentation based on business criteria

Segmentation is not just breaking apart the network based on the IP-Address space. True segmentation requires identifying and grouping devices into Zones or Enclaves based on meaningful business criteria to protect better vulnerable devices found within the address space. Access to devices in the zone needs to be restricted by users, groups, protocols, networks, and devices. In some instances, you may even consider restricting access by time of day.

IoT/IIoT is beginning to take hold in the energy industry, which means there are going to be more devices attached to these networks gathering information and possibly running on a vendor’s proprietary software and hardware, which more than likely will not be managed or patchable by the operator of the system. So O&G needs to have a definite plan on how they will address this growing trend, and a zero trust-based strategy offers the best means of doing this integration in a safe, secure, and, most important, reversible manner.

Camera and sensor security

Segmentation will also include the zoning of radio frequency (RF) technologies like Wi-Fi, Microwave, satellite, and cellular. ICS and SCADA systems operators must remain mindful of the possibility of an upstream attack by threat actors who have managed to compromise their RF facilities. Remote facilities and devices often have cameras and sensors to alert when a door has been opened. Still, because they are remote, attackers have time to enter the facilities and plant a device that can go completely unnoticed.

Another option physical access affords them is the opportunity to compromise the runtime operating systems and/or OS of the devices they find. The only way you will find these would be to do a physical search of the facility or cabinet and run an audit of the OS to ensure nothing has been tainted.

Zoning limits damage

So the reason why the zone trust segmentation (zoning) is so important is if you don’t have the time to perform these acts to confirm that the site is not compromised. With proper zoning enforcement, you can limit and isolate the damage to a region or just that location.

Zones in a Zero Trust network also serve as an inspection point for traffic entering and exiting the enclave. The enabling of IPS, IDS, and virtual sandboxing technology can be applied on a per-zone basis, allowing for customized protection for the vulnerable devices contained within. Implementing these security measures is a best practice even on zones where devices can receive updates and have some form of endpoint protection.

With proper design and device consideration, zoning with the different inspection technologies enabled can also be a remediating factor for those devices in your network that cannot be patched, updated, and even those that are end-of-life. In short, zoning with inspection technology enabled helps to ensure IT and OT network systems’ safe operations. In even the most secure environments, it is never safe to assume that data traffic transversing the network is free of a potential threat.

#### Increased strikes send a clear signal to terrorists that critical US infrastructure is vulnerable by weakening organizations.

Davies 6 [Ross; George Mason University - Antonin Scalia Law School, Faculty, The Green Bag; “Strike Season: Protecting Labor-Management Conflict in the Age of Terror,” SSRN; 4/12/06; <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=896185>] Justin

Strikes (and, to a lesser extent, lockouts) are painful but necessary parts of private-sector American labor-management relations. Even if they weren't - even if sound public policy called for their eradication - we couldn't stop them. They are an inevitable byproduct of the conflicting interests and limited resources of organized workers and their employers. History shows that this is true even in times of warfare overseas or crisis at home: labor-management strife lessens at the beginning of a conflict and then bounces back. Now, however, we are confronted with warfare at home, a phenomenon that the United States has not had to deal with since the Civil War - before the rise of today's unprecedentedly large, complex, and interdependent economy and government.

And history is repeating itself again. After a lull at the beginning of the war with terrorists, work stoppages have returned to their pre-war levels. The overall rate of strike activity is substantially lower than it was during previous wars (it has been slowly declining, along with overall union membership in the private sector, for decades). Today's war, however, is being fought in part on American soil, and against enemies who operate worldwide, but whose attacks tend to be small and local, seeking advantage from the unpredictability and brutality of the damage they inflict rather than from its scale. Thus, even small, localized, and occasional work stoppages - not just the large-scale strikes that arguably affected the military-industrial complex and thus the war efforts in the past - have the potential to increase risks to critical infrastructure and public safety during the war on terror. In other words, persistent strike activity at current levels poses risks of public harm, albeit risks that are difficult to anticipate with specificity in the absence of much experience or available data. This justifies taking some reasonable precautions, including the proposal made in this Article.

By its very nature, a labor strike increases the vulnerability of that employer's operations to a terrorist attack. A strike is an act specifically designed to disrupt and weaken an employer's operations, for the (usually) perfectly lawful purpose of pressing for resolution of a dispute with management. A weakened organization or other entity is, of course, less capable of resisting and surviving exogenous shocks, whether they be commercial competition or terrorist attacks. In the United States, with its fully extended and endlessly interconnected critical infrastructure that touches everything from food processing to energy distribution to water quality, a strike in the wrong place at the wrong time that disrupts and weakens some part of that infrastructure could be decisive in the success or failure of a terrorist attack of the small, local sort described above, on such a weakened link in some infrastructural chain. Of course, none of this is to suggest that any union or its members (or any employer or its managers) would knowingly expose their fellow citizens or their property to a terrorist attack. To the contrary, experience to date suggests that union members are at least as patriotic and conscientious as Americans in general. In fact, the effectiveness of the proposal made in this Article is predicated in part on the assumption that neither workers nor their employers will knowingly contribute to the incidence or effectiveness of terrorist attacks. The concern addressed here is, rather, that innocent instigators or perpetuators of a work stoppage might unwittingly facilitate a successful terrorist attack or aggravate its effects.

#### Attacks on critical infrastructure collapses the economy through multiple avenues.

FAS 6 [DCSINT Handbook No. 1.02; Info directly from US army and Deputy Chief of Staff for Intelligence; “Critical Infrastructure Threats and Terrorism,” DCSINT/FAS; 8/10/6; <https://fas.org/irp/threat/terrorism/sup2.pdf>] Justin

Agriculture

In 1984, a cult group poisoned salad bars at several Oregon restaurants with Salmonella bacteria as the first recorded event of bioterrorism in the United States. This resulted in 750 people becoming sick.24 A review of the agriculture infrastructure results in vulnerable areas such as the high concentration of the livestock industry and the centralized nature of the food processing industry. The farm-to table chain contains various points into which an attack could be launched. The threat of attack would seriously damage consumer confidence and undermine export markets. Understanding the goal of the threat points to the area most likely attacked. If the intent was economic disruption the target would be livestock and crops, but if the intent was mass casualties the point of attack would be contamination of finished food products. Damage to livestock could be very swift, the USDA calculated that foot-and mouth disease could spread to 25 states in 5 days.25 CDC is presently tracking and developing scenarios for the arrival of Avian Flu.

Banking

Prior to the destruction of the Twin Towers, physical attacks against the banking industry, such as the destruction of facilities, were rare. Unfortunately, evidence indicates that may change, in March 2005 three British al-Qa’ida operatives were indicted by a U.S. federal court on charges of conducting detailed reconnaissance of financial targets in lower Manhattan, Newark, New Jersey, and Washington, D.C. In addition to video taping the Citigroup Center and the New York Stock Exchange in New York City, the Prudential Financial building in Newark, and the headquarters of the International Monetary Fund and the World Bank in Washington D.C., the men amassed more than 500 photographs of the sites.26 The Banking infrastructures primary weakness is along its cyber axis of attack. Through phishing and banking Trojan targeting specific financial institutions, attackers reduce confidence among consumers. Recently American Express posted an alert online, including a screenshot of a pop-up that appeared when users log in to its secure site.27

The attack not only attempts to obtain personal information that can be used for various operations, but also launches a virus into the user’s computer. CitiBank, and Chase Manhattan Bank have both been victim during 2005 and 2006 to phishing schemes misrepresenting their services to their clients.

Energy

Recently the oil industry occupied the headlines, and the criticality of this infrastructure is not lost on terrorists. In mid-December 2004, Arab television aired an alleged audiotape message by Usama bin Laden in which he called upon his followers to wreak havoc on the U.S. and world economy by disrupting oil supplies from the Persian Gulf to the United States.28 The U.S. uses over 20.7 million barrels a day of crude oil and products and imports 58.4% of that requirement.29 On 19 January 2006 al-Qaeda leader Osama bin Laden announced in a video release that, “The war against America and its allies will not be confined to Iraq…..”, and since June of 2003 there have been 298 recorded attacks against Iraqi oil facilities.30 Terrorists conduct research as to the easiest point to damage the flow of oil or to the point where the most damage can be done. Scenarios involving the oil fields themselves, a jetliner crashing into the Ras Tanura facility in Saudi Arabia could remove 10 percent of the world’s energy imports in one act.31 Maritime attacks are also option for terrorists; on October 6, 2002 a French tanker carrying 397,000 barrels of crude oil from Iran to Malaysia was rammed by an explosive laden boat off of the port of Ash Shihr, 353 miles east of Aden. The double-hulled tanker was breached, and maritime insurers tripled the rates.32 Energy most travel often long distances from the site where it is obtained to the point where it is converted into energy for use, a catastrophic event at any of the sites or along its route can adversely impact the energy infrastructure and cause ripples in other infrastructures. The security of the pipeline in Alaska increases in importance as efforts are made to make America more independent on energy use.

Economy

The U.S. economy is the end-state target of several terrorist groups as identified in the introduction quote. The means by which terrorists and other threats attempt to impact the economic infrastructure is through it’s linkage to the other infrastructures. Attacks are launched at other infrastructures, such as energy or the Defense Industrial Base in an effort to achieve a “cascading” result that impacts the economy. Cyber attacks on Banking and Finance are another effort to indirectly impact the economy. The short term impacts of the 9/11 attacks on Lower Manhattan resulted in the loss of 30% of office space and a number of businesses simply ceased to exist. Close to 200,000 jobs were destroyed or relocated out of New York City. The destruction of physical assets was estimated in the national accounts to amount to $14 billion for private businesses, $1.5 billion for state and local government enterprises and $0.7 billion for federal enterprises. Rescue, cleanup and related costs are estimated to at least $11 billion for a total direct cost of $27.2 billion.33 The medium and long term effects cannot be accurately estimated but demonstrate the idea of cascading effects. The five main areas affected over a longer period were Insurance, Airlines, Tourism and other Service Industries, Shipping and Security and military spending. At various times terrorist rhetoric has mentioned attacks against Wall Street proper, but the more realistic damage to the economy will come through the indirect approach of cascading effects.

Transportation

The attack on commuter trains in Madrid in March of 2004 and the London bombings in July of 2005, which together killed 243 people, clearly indicated the threat to the transportation infrastructure. Statistics provided by the Brookings Institute in Washington DC show that between 1991 and 2001 42% of worldwide terrorist attacks were directed against mass transit. Transportation is viewed by terrorists as a “soft target” and one that will impact the people of a country. Mass Service Transportation (MST) is the likely target of a terrorist attack.

MST caters to large volumes of people, crammed into narrow confined spaces

MST is designed to move large numbers of people quickly and efficiently, which is often counter to protective measure

MST assets are enclosed, serving to amplify explosions

MST attacks can result in “cascading effects” because communications and power conduits are usually collocated in proximity to their routes

The Department of Homeland Security sent a “public sector notice” in May of 2006 based on two incidents of “suspicious videotaping” of European mass-transit systems.34 The individual had several tapes besides the one in his camera, none of which showed any tourist sites. The tapes focused on the insides of subway cars, the inside and outside of several stations and exit routes from the stations. In June of 2003 the FBI arrested Iyman Faris, a 34 year old naturalized American citizen who had been in contact with Al Qaeda conducting research and reconnaissance in an effort to destroy the Brooklyn Bridge.35 Mr. Faris had traveled to Afghanistan and Pakistan in 2000, meeting with Osama bin Laden, he returned to the U.S. and began gathering information concerning the Brooklyn Bridge and communicating via coded messages with Al Qaeda leaders. An attack on the bridge would have not only damaged the transportation infrastructure, but also a known American landmark. On 24 May 2006, a Pakistani immigrant was convicted on charges of plotting to blow up one of Manhattan’s busiest subway stations in retaliation for the U.S. actions at the Abu Ghraib prison.36

Terrorist threats to the transportation infrastructure extend beyond land to the sea. Vice Admiral Jonathan Greenert, commander of the U.S. Seventh Fleet, said “one of my nightmares would be a maritime terrorism attack in the Strait of Malacca”.37 “There is a strain of al-Qaida in Southeast Asia, called Jemaah Islamiya. They are actively pursuing a maritime terrorism capability that includes diving and mining training.”38 As how this might impact on the economy, $220 billion in trade comes through the Seventh Fleet area of responsibility and 98% of the commerce is moved by sea. Just as ports can be viewed a SPOF within the maritime transport system, there are certain waterway chokepoints or heavily trafficked areas that can be viewed as a high payoff target to a terrorist or result in catastrophic damage from a natural disaster.

#### Extinction.

Liu '18 [Qian; 11/13/18; Managing Director of Greater China for The Economist Group, previously director of the global economics unit and director of Access China for the Economist Intelligence Unit, PhD in economics from Uppsala University; "The next economic crisis could cause a global conflict. Here's why," <https://www.weforum.org/agenda/2018/11/the-next-economic-crisis-could-cause-a-global-conflict-heres-why/>] // Re-Cut Justin

The next economic crisis is closer than you think. But what you should really worry about is what comes after: in the current social, political, and technological landscape, a prolonged economic crisis, combined with rising income inequality, could well escalate into a major global military conflict. The 2008-09 global financial crisis almost bankrupted governments and caused systemic collapse. Policymakers managed to pull the global economy back from the brink, using massive monetary stimulus, including quantitative easing and near-zero (or even negative) interest rates. But monetary stimulus is like an adrenaline shot to jump-start an arrested heart; it can revive the patient, but it does nothing to cure the disease. Treating a sick economy requires structural reforms, which can cover everything from financial and labor markets to tax systems, fertility patterns, and education policies. Policymakers have utterly failed to pursue such reforms, despite promising to do so. Instead, they have remained preoccupied with politics. From Italy to Germany, forming and sustaining governments now seems to take more time than actual governing. And Greece, for example, has relied on money from international creditors to keep its head (barely) above water, rather than genuinely reforming its pension system or improving its business environment. The lack of structural reform has meant that the unprecedented excess liquidity that central banks injected into their economies was not allocated to its most efficient uses. Instead, it raised global asset prices to levels even higher than those prevailing before 2008. In the United States, housing prices are now 8% higher than they were at the peak of the property bubble in 2006, according to the property website Zillow. The price-to-earnings (CAPE) ratio, which measures whether stock-market prices are within a reasonable range, is now higher than it was both in 2008 and at the start of the Great Depression in 1929. As monetary tightening reveals the vulnerabilities in the real economy, the collapse of asset-price bubbles will trigger another economic crisis – one that could be even more severe than the last, because we have built up a tolerance to our strongest macroeconomic medications. A decade of regular adrenaline shots, in the form of ultra-low interest rates and unconventional monetary policies, has severely depleted their power to stabilize and stimulate the economy. If history is any guide, the consequences of this mistake could extend far beyond the economy. According to Harvard’s Benjamin Friedman, prolonged periods of economic distress have been characterized also by public antipathy toward minority groups or foreign countries – attitudes that can help to fuel unrest, terrorism, or even war. For example, during the Great Depression, US President Herbert Hoover signed the 1930 Smoot-Hawley Tariff Act, intended to protect American workers and farmers from foreign competition. In the subsequent five years, global trade shrank by two-thirds. Within a decade, World War II had begun. To be sure, WWII, like World War I, was caused by a multitude of factors; there is no standard path to war. But there is reason to believe that high levels of inequality can play a significant role in stoking conflict. According to research by the economist Thomas Piketty, a spike in income inequality is often followed by a great crisis. Income inequality then declines for a while, before rising again, until a new peak – and a new disaster. Though causality has yet to be proven, given the limited number of data points, this correlation should not be taken lightly, especially with wealth and income inequality at historically high levels. This is all the more worrying in view of the numerous other factors stoking social unrest and diplomatic tension, including technological disruption, a record-breaking migration crisis, anxiety over globalization, political polarization, and rising nationalism. All are symptoms of failed policies that could turn out to be trigger points for a future crisis. Voters have good reason to be frustrated, but the emotionally appealing populists to whom they are increasingly giving their support are offering ill-advised solutions that will only make matters worse. For example, despite the world’s unprecedented interconnectedness, multilateralism is increasingly being eschewed, as countries – most notably, Donald Trump’s US – pursue unilateral, isolationist policies. Meanwhile, proxy wars are raging in Syria and Yemen. Against this background, we must take seriously the possibility that the next economic crisis could lead to a large-scale military confrontation. By the logic of the political scientist Samuel Huntington , considering such a scenario could help us avoid it, because it would force us to take action. In this case, the key will be for policymakers to pursue the structural reforms that they have long promised, while replacing finger-pointing and antagonism with a sensible and respectful global dialogue. The alternative may well be global conflagration.

## 3

#### Counter-Plan Text: “A just government” ought to recognize a right of workers to strike with a condition that strikes not relate to inter-union disputes.

Waas 13 Bernd Waas (Goethe University Frankfurt, Germany). “Strike as a Fundamental Right of the Workers and its Risks of Conflicting with other Fundamental Rights of the Citizens,” XX World Congress, Santiago de Chile, September 2012, General Report III. <https://www.islssl.org/wp-content/uploads/2013/01/Strike-Waas.pdf> SJMS

In Australia, the law explicitly states that industrial action must not “relate to a significant extent to a demarcation dispute”17. In Ireland, strikes arising from inter-union disputes would not fall within the scope of statutory immunities, because the definition of “trade dispute” is restricted to disputes between employers and workers, and, accordingly, does not apply to disputes between workers. The same is true for Colombia, where it is acknowledged that strikes may not be aimed at settling disputes between unions. In Turkey, strikes over such issues are not permissible because they cannot be dealt with by collective bargaining. In the United States, strikes occasionally arise over disputes between labour unions over the right to perform specific work which both entities believe should be assigned to members of their own bargaining unit. If employees of a unit strike once an employer assigns given work to the members of another unit, such a jurisdictional dispute constitutes a violation of the National Labour Relations Act18.

#### Empirical evidence proves – inter-union rivalries hurt the labor movement.

Ncube 16 Farai Ncube (Faculty of Management & Law, School of Economic and Management, University of Limpopo, Polokwane, South Africa), “Inter- Union Rivalry, Legitimacy and Union Influence on Shop-Floor Industrial Relations in Zimbabwe’s Urban Councils,” International Journal of Economics, Finance and Management Sciences. Vol. 4, No. 6, 2016, pp. 362-368. doi: 10.11648/j.ijefm.20160406.18 <http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html> SJMS

From the discussion above it is clear that union rivalry affects workers who suffer because of union officials in power struggles. While it is clear that unions may be politically affiliated, in our view there is nothing wrong with this but when they lose focus, they then fail to justify their existence. Unions through shop stewards exist at the grass root to promote, protect and improve the economic, the social and the political interests of their members both in the workplaces and in society [[11](http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html#reference_11)]. These should be the interest of workers and not unions per-se. The performance of trade unions is closely bound up with questions of identity, but the identity showed reveal benefits to union members. If it fails to do so then there is no basis for unionisation [[4](http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html#reference_4)]. There is little doubt that politics matters to unions; the strength of a union is a product of membership, and actual `clout at the bargaining table and in politics [[10](http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html#reference_10)]. But while this is key unions should not lose focus of pursing their member’s interest which then results in the maintenance of harmonious industrial relations. Employers can easily ignore a weak union as it hardly represents the workers [[13](http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html#reference_13)]. They went on to explain that the agreement with such a union will hardly be honoured by management a situation that was revealed equally by respondents from both unions. The free riders concept which typified the council may prove failure by unions to maintain effective shop-floor industrial relations by effectively representing worker interest. Management given such a window of opportunity end up making decisions that are go uncontested. The paper concludes that the absence of a workers committee to represent workers in the works council is affecting workers grossly hence defying logic of the union existence. This may explain why the unions are failing to garner membership so as to gain 50% majority. Trade unions, worldwide, are experiencing difficulties on many counts in general and retention of quality membership in particular. There has been substantial erosion both in membership as well as bargaining power of unions [[13](http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html#reference_13)]. The paper maintains that the identified trend by the author above is heralded through the experience of the 3 trade unions who have lost tremendously legitimacy as evidenced by free managerial will and prerogatives. For many industrial relations theories, the founding principle of trade unionism resides in the existence of objective interests shared by members of the workforce [[12](http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html#reference_12)]. The emergence and longevity of collective organizations flows from the strength and significance of these interests [[12](http://article.sciencepublishinggroup.com/html/10.11648.j.ijefm.20160406.18.html#reference_12)]. Union rivalry in this regard tempers against such interest and management take advantage of this situation which therefore create disharmony and discord thus grossly affecting unionism. The task of union organizations therefore is first to identify and interpret these collective interests and then to organize, in accordance with the circumstances, the appropriate forms of mediation in the relation to the common interest, a situation that is lacking hence challenging union legimacy and adversely affecting shop-floor industrial relations. The paper concludes by identifying that union rivalry is mainly exacerbated by the political alliance of trade unions and political protagonists. This makes the unions to lose vision and focus towards achieving the sole purpose of their existence. At the end unions spend a lot of time fighting each other, painting each other in the darkest colour. This equally affects union density where potential members see no value addition in joining unions. Union rivalry creates an avenue for union fragmentation which management capitalise on to maintain a divide and rule tactic. Workers are therefore left exposed as unions will be focusing on power games and not bread and butter issues. Given the intensity of competition for legitimacy, acceptance and recognition clear battle lines between unions are created and at the end of the day workers wail and lament while management always have the last laugh.

#### Methodology in doc

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Primary and secondary sources of data were utilised for data collection. The study was conducted through the use of both questionnaires and interviews with key informants from the two dominant unions, the Zimbabwe Urban Council Worker’s Union (ZUCWU) and the Zimbabwe Rural Council Worker’s Union (ZRCWU). Given the nature of the study union officials were targeted and selected through the use judgemental sampling technique by focusing on those appropriate to the study. In total 51 union officials, paralegals and shop stewards participated in the study. Of the 51 participants 30 belonged to ZUCWU obviously because it had more members hence possessing a bigger committee and 21 respondents were ZRUWU members. Of the 51 combined together 18(35.3%) were female and 33(64.7%) male.

#### Using strikes in inter-union disputes hurt recruitment and divert resources from labor initiatives. This creates a negative feedback loop because lower recruitment leads to more inter-union tension. This also diminishes foreign investment in small countries like Ireland. Inter-union disputes uniquely harm infrastructure – proves the DA.

Frawley 01 Martin Frawley (assistant editor of Industrial Relations News), “Inter-union rivalry shooting trade union movement in foot,” The Irish Times, May 12, 2001, <https://www.irishtimes.com/culture/inter-union-rivalry-shooting-trade-union-movement-in-foot-1.307449>

Weary rail travellers were no doubt hard pressed to understand how a little more than 100 train drivers could shut down the railways this week in a dispute, not over pay and conditions, but because of inter-union rivalry. They are members of the Independent Locomotive Drivers Association (ILDA) branch of the Amalgamated Transport and General Workers Union (ATGWU). If the commuters are baffled, the Irish Congress of Trade Unions (ICTU) is becoming increasingly concerned that yet another row between its constituent members has shut down a public utility with all the attendant bad press for the trade union movement. Moreover, what is perceived as petty squabbling between unions over 100 already organised workers, completely undermines any efforts to recruit the 850,000 unorganised workers, the success of which is becoming critical to the long-term survival of trade unions. A very public row between SIPTU and IMPACT about the right to represent cabin crew was a major factor in grounding Aer Lingus aircraft on several occasions last year. Inter-union rivalry again almost sparked a strike in the ESB earlier this year. Though the ATGWU says this particular dispute hinges on its right to represent seven members on disciplinary hearings, it is really yet another power struggle between the 200,000-strong SIPTU, which supports partnership and the PPF, and the much smaller British-based ATGWU, which has consistently opposed national agreements. Stuck in the middle with the by now strike-hardened commuters, the company points out there are almost 40 negotiating groups in Iarnrod Eireann. Any further splintering could lead to what Iarnrod Eireann management described as industrial meltdown. None of the parties, however, is blameless. The Government as owner is a reluctant investor. Unlike the other semiStates, which are being polished up for privatisation, there are no consortiums lining up to invest in Iarnrod Eireann or woo the employees to support their bid. Government inertia is then replaced by overzealous interference during times of crisis, which undermines senior management, creating a three-corner fight among the Government, management and the unions. This creates an industrial relations vacuum in the company, which the unions have been allowed to exploit. It is the wider trade union movement which has most to lose from this dispute. It comes at a time when the unions are battling to retain the high standing they have built up painfully over the years through the partnership agreements. What worries the unions is that, while they have gained certain kudos for their contribution to the economic recovery that partnership has helped to establish, this is not reflected in increasing membership at factory or shop-floor level. OVERALL membership has increased, but it has not kept pace with the significant rise in employment and, accordingly, union strength has declined. Unions have maintained their strong base in the public sector with over 90 per cent representation. However, in the private sector it has dropped to below one in four, and unions are in danger of becoming irrelevant in a sector that has seen such dramatic jobs growth. Union efforts at recruitment have been, at best, patchy with no concerted effort to go after the 55 per cent of the workforce which remains unorganised. The disputes in Iarnrod Eireann and Aer Lingus are about two unions squabbling over workers already highly organised. The relative decline in union membership has increased the number of interunion rows, as they battle with each other to grab an increasing share of a shrinking market, often at the expense of "colleague' unions. While trade unions are at heart a political and social movement, from a business perspective they need new members to boost finances and negotiating strength. The strategy at the moment, however, appears to be that rather than combine and chase new members, unions are battling each other for dominance in the existing market. Also, those inter-union battles are mostly taking place in the public sector, where the unions have no recruitment problems. Not only does this leave the trade unions with little energy to confront the tougher task of recruitment in a predominantly anti-union private sector, but infighting which can close a rail network sends out all the wrong signals to potential recruits. Many of the rail passengers left stranded this week are the types of people the trade union movement should be targeting. Younger workers in the new service-based industries would simply be bemused by the explanations offered by the unions as to why they are being left on the platform. Mention of the ICTU Disputes Between Unions Committee and rule 47(d) would only convince such people that they really are dealing with an alien culture that is best left to its own devices. Employers, suspicious of trade unions from the start, will have their worst fears confirmed by the situation that was allowed to develop in such a key public service as Iarnrod Eireann. Already the employers' body IBEC has called for a ban on strikes in essential services. While the employers usually respond to an essential service strike in this manner, if there are further inter-union squabbles such calls may find more than a sympathetic ear among the legislators. Even worse for the unions is the picture this paints of Ireland abroad. State agencies in countries that compete with Ireland for mainly US investment lose no time in directly informing such companies of the latest industrial strife to hit Ireland. In a small open economy, inward investment is critical. A key plank of the partnership agreements has been that, in return for modest pay rises boosted by tax breaks from the Government, the trade unions are to deliver stability. By and large, the unions have delivered such stability, which has formed the backbone of our current economic success. However, in the last year or so the partnership structure has come under intense pressure, largely as a result of the economic success it has nurtured. The Taoiseach, one of the original architects of partnership and a firm believer in it, has been on his feet in the Dail more frequently of late defending the national agreement. Mick O'Reilly, general secretary of the ATGWU, who has been at the centre of the rail dispute, is a vociferous opponent of national agreements. The trade union movement is still about two to one in favour of national agreements. This was the dark cloud which hovered over this week's rail dispute, as the opposing forces within the trade union movement squared up to each other yet again. In the context of the pending settlement last Thursday, Mr O'Reilly said unions should not be fighting over existing members but should combine to tackle the issue of the 85,000 workers who are still unorganised. If that is a genuine peace offering, a united trade union recruitment campaign should yield the membership and influence at shop-floor level that the unions believe their contribution to the economy deserves. However, in the same interview, Mr O'Reilly did not say he would give up on his efforts to secure negotiating rights for his train drivers. A few hours later, Noel Dowling, national industrial secretary of SIPTU, was similarly reluctant to say that SIPTU would make any room for the ATGWU at the negotiating table.