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### Advantage 1 - Tech

#### The US fails to recognize the right to strike --- SCOTUS rulings caused severe infringements

Pope NO DATE [James Gray Pope is a professor of Law at Rutgers University. “The Right to Strike Under the United States Constitution: Theory, Practice, and Possible Implications for Canada.” NO DATE. UToronto Law. https://www.law.utoronto.ca/documents/conferences2/StrikeSymposium09\_Pope.pdf]

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

#### Strikes are integral to union strength --- historical examples prove protecting the right to strike is key to labor power, but more protections are key

Bahn 19 [Kate Bahn is the director of labor market policy and interim chief economist at the Washington Center for Equitable Growth. “The once and future role of strikes in ensuring U.S. worker power.” August 8, 2019. https://equitablegrowth.org/the-once-and-future-role-of-strikes-in-ensuring-u-s-worker-power/]

In the United States, Labor Day, which falls on the first Monday of September, is when we honor the history of the U.S. labor movement in striving for benefits and empowerment of workers across the economy. Strikes play an important role in empowering workers vis-à-vis their employers. By withdrawing their labor power, workers are able to balance the scales against the owners of capital, who rely on workers for production and providing services. Strikes have declined in frequency, popularity, and success over the past four decades, yet today, amid rising economic inequality, they are once again becoming an important tool in exercising worker power to ensure that the gains of profitability and economic growth can be broadly shared. The history of strikes in the United States Washington University in St. Louis sociologist Jake Rosenfeld examines the role of work stoppages in his recent book What Unions No Longer Do, and finds that strikes at large firms began declining in the mid-1970s, according to data from the U.S. Bureau of Labor Statistics’ Work Stoppages file. Rosenfeld then digs deeper to estimate the trends of strikes at firms both large and small by calculating a broader measure using data from the Federal Mediation and Conciliation Service from 1984 to 2002. He finds a peak in strikes in the late 1980s and then a stark decline after. The decline of strikes is a result of a variety of factors. One is the increased use of replacement hires, especially after the PATCO strike of 1981, when President Ronald Reagan summarily fired 11,000 air traffic controllers who were striking for higher pay and a reduced work week. President Reagan quickly replaced those striking workers with 4,000 air traffic control supervisors and Army members, sending a powerful message to U.S. workers about the use of strikes in labor disputes. But even before this historic turning point, the Taft-Hartley Act of 1947 limited the ability of workers to strike. This included restrictions on secondary boycotts and picketing, both of which make striking especially difficult in today’s increasingly fissured workplace, where you cannot strike against the corporation that is at least partly responsible for your workplace conditions but not technically your direct employer. For example, workers at the franchises of McDonald’s Corporation who attempt to unionize are not protected by the Fair Labor Standards Act when picketing against McDonald’s because they are, most commonly, the employees of a franchisor, rather than of the main corporation. These factors, along with a general increasing business hostility toward unions and lack of enforcement of labor protections, have ultimately made strikes less effective as a tool for collective bargaining in the United States. Increasing interest in unions among U.S. workers today At the same time, there is an increasing consensus today that unions are a positive force for increasing worker power and balancing against economic inequality. In polling of support for unions and specific aspects of collective bargaining, Equitable Growth grantee Alex Hertel-Fernandez of Columbia University, along with William Kimball and Thomas Kochan of the Massachusetts Institute of Technology, find that support for unions has grown overall, with nearly half of U.S. workers in 2018 saying they would vote for a union if given the opportunity. This is a significant increase from one-third of workers supporting unionization in 1995. According to their research, workers primarily value unions’ role in collective bargaining and ensuring access to benefits such as healthcare, retirement, and unemployment insurance. Strikes have historically been one of the strongest tools used by unions to ensure they have power to engage in collective bargaining. But striking was viewed as a negative attribute in the survey done by Hertel-Fernandez, Kimball, and Kochan. Yet, when they presented workers with the hypothetical choice of a union exercising strike power with other attributes of unions, such as collective bargaining, support increased. But strikes, of course, do not take place in a bubble. The wider climate of worker bargaining power and institutions that support labor organizing plays a role in making this historically crucial tool effective again. So, too, does the power of employers to resist these organizing efforts when the labor market lacks competition that would increase worker bargaining power. The role of monopsony power in the U.S. labor market Monopsony power is a situation in the labor market where individual employers exercise effective control over wage setting rather than wages being set by competitive forces (akin to monopoly power, where a limited number of firms exercise pricing power over their customers.) In a new Equitable Growth working paper by Mark Paul of New College of Florida and Mark Stelzner of Connecticut College, the role of collective action in offsetting employer monopsony power is examined in the context of institutional support for labor. Paul and Stelzner construct an abstract model with the assumption of monopsonistic markets and follow the originator of monopsony theory Joan Robinson’s insight that unions can serve as a countervailing power against employer power. Their model shows that institutional support for unions, such as legislation protecting the right to organize, is necessary for this dynamic process of balancing employers’ monopsony power. In an accompanying column, the two researchers write that they “find that a lack of institutional support will devastate unions’ ability to function as a balance to firms’ monopsony power, potentially with major consequences … In turn, labor market outcomes will be less socially efficient.” In short, policies and enforcement that support collective action such as strikes not only creates benefits for workers directly but also addresses a larger problem of concentrated market power. The return of strikes in the U.S. labor market Within the past few years, strikes have been revived as a bargaining tool. “Red for Ed” became the name referring to teachers strikes that took place across traditionally conservative right-to-work states. Beginning with the closure of all schools in West Virginia in 2018 following 20,000 teachers across the state walking out, this movement spread to Oklahoma, Kentucky, Arizona, and Colorado, among other places. These strikes were led by rank-and-file union members, rather than by union leadership, rendering them illegal under the Taft-Hartley Act, which prohibits so-called wildcat strikes. These strikes led to significant gains for these public-sector workers through organizing against policymakers rather than direct management. Before Red for Ed, the “Fight for Fifteen” movement starting in 2012 and “OUR Walmart” starting in 2010 exemplified labor organizing in new mediums by conducting worker-led actions against large corporations that directly employ or control the employment (as in the franchisor-franchisee model) of low-wage workers. The efforts of Fight for Fifteen directly impacted New York state’s minimum wage increase to $15 per hour and has paved the way for a national movement for a higher minimum wage. OUR Walmart led walkouts and Black Friday protests in the years leading up to Walmart’s decision to increase wages. Many structural changes, such as the fissuring of the workplace, have reduced the ability of private-sector unions to make gains against employers, yet these strikes and labor actions represent an opportunity for growth. With the U.S. labor market increasingly dominated by the services sector, these strikes were conducted by workers whose jobs cannot move elsewhere and whose work we interact with in our daily lives. Ruth Milkman of the City University of New York describes these labor actions as similar to those that existed before the Fair Labor Standards Act of 1938 protected the right strike (before these rights were subsequently chipped away by the Taft-Hartley Act 20 years later) in order to unionize. With popular and successful strikes in unexpected places, what will the role of strikes be in the future? Will workers continue recognize the strength of the strike and other labor actions, and will policymakers and enforcers make it a successful tool for increasing worker bargaining power? Research by Alex Hertel-Fernandez, Suresh Naidu, and Adam Reich of Columbia University looked at the response to strikes following the Red for Ed movement in conservative states and found that residents of areas affected by the teacher walkouts broadly supported the strikes, with 39 percent saying they strongly supported the walkouts and another 27 percent somewhat in support of the walkouts, including half of self-identified Republicans supporting the strikes. What’s more, the three researchers found that families that learned about them from their teachers or directly from the union had even stronger support for the strikes, compared to those who learned about them from other sources, such as talk radio. First-hand knowledge of strikes increases support for them. In addition to Hertel-Fernandez’s work showing broad support for unions generally and increasing support for bold labor actions, more policymakers and advocates are providing much-needed proposals on how to foster a robust U.S. labor market and strengthen institutions that would make collective action more successful. Emblematic of this is Harvard Law’s Labor and Worklife Program’s Clean Slate Project, led by Sharon Block and Ben Sachs of Harvard University, which gathers academic experts and labor organizers to develop strong proposals that would increase worker bargaining power. Multiple 2020 presidential campaigns have followed suit, with new proposals to boost unions.

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

Shin et al ’19 [Ilhang Shin, College of Business & Economics, Gachon University; Sorah Park, Ewha School of Business, Ewha Womans University; Seong Pyo Cho, School of Business, Kyungpook National University; Seungho Choi, Ewha School of Business, Ewha Womans University; “The effect of labor unions on innovation and market valuation in business group affiliations: new evidence from South Korea”; 10/26/19; Asian Bus Manage 19, 239–270 (2020). <https://doi.org/10.1057/s41291-019-00089-9>; Accessed 7/7/20]

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

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

Augustine and Baker 10-22 [Norman R. Augustine is the retired chair and CEO of Lockheed Martin Corp. and former under secretary of the US Army. Neal Lane is a senior fellow in science and technology policy at the Baker Institute for Public Policy at Rice University. He is a former presidential science adviser and director of the National Science Foundation. “America on Edge: Settling for Second Place?” October 22, 2021. https://issues.org/america-on-edge-settling-second-place-augustine-lane/]

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

#### US tech dominance is critical to sustain nuclear deterrence – collapse ensures nuclear conflict.

Saalman ’20 [Dr. Lora; Associate Senior Fellow at the Stockholm International Peace Research Institute and a Senior Fellow at the EastWest Institute.; “THE IMPACT OF AI ON NUCLEAR DETERRENCE: CHINA, RUSSIA, AND THE UNITED STATES”; 4/14/20; East-West Center; <https://www.eastwestcenter.org/news-center/east-west-wire/the-impact-ai-nuclear-deterrence-china-russia-and-the-united-states>; Accessed 7/7/20]

HONOLULU (14 April 2020)—Artificial intelligence (AI) is an increasingly important component of weapons systems, with both positive and negative implications for nuclear deterrence. Integration of AI into military platforms has the potential to allow weaker nuclear-armed states to reset the imbalance of power, but at the same time it exacerbates fears that stronger states may further solidify their dominance and engage in more provocative actions. China, Russia, and the US are all engaged in developing and integrating AI applications into their military modernization programs. These applications include machine learning, neural networks, and autonomy that feature in Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (C4ISR) systems. They also include the deployment of unmanned weapons-delivery and defense platforms. AI has both defensive and offensive applications At the defensive level, AI has a strong allure for countries that have less capable early-warning systems and smaller and weaker nuclear and conventional arsenals. Machines have the capacity to make decisions based on objective criteria, avoiding the pitfalls of human error, and they can provide faster anticipation and response to an incoming attack. These capabilities are compelling for countries such as China and Russia that have concerns about deficiencies in their early-warning capabilities in the face of improving US capacity to mount high-precision, stealthy, and swift attacks. At the offensive level, Russia, China, and the US are all developing unmanned platforms with varying levels of AI integration and autonomy that can be used to deploy nuclear or conventional weapons. These unmanned platforms include underwater vehicles, combat aerial vehicles, and spaceplanes. One risk is that such platforms could potentially select and engage targets without meaningful human control. The three countries’ differing—and at times contradictory—definitions of what constitutes a lethal autonomous weapon system (LAWS) impede consensus on how to avoid such risks. Roles are shifting The US remains one of the largest drivers of AI and nuclear trends. In part this is because the US system is relatively transparent, thereby eliciting countermeasures and imitation. It also stems from the history of US military deployments in East Asia and elsewhere. US development of unmanned combat aerial and underwater vehicles, as well as spaceplanes, has raised the attention of Russia and China, given their longstanding concerns over US attempts to gain an absolute strategic advantage. Not surprisingly, both Russia and China have engaged in similar, and in some cases more expansive and unpredictable, AI-driven weapons developments and deployments of their own. The Chinese military has been leveraging AI research and development in private industry and universities under “military-civil fusion” (军民融合), with a focus on autonomous decision-making, early-warning, guidance, and targeting systems optimized by machine learning. China has also worked to integrate neural networks that can enhance the maneuverability of its hypersonic glide vehicles and unmanned underwater and aerial vehicles. These are currently thought to be platforms for conventional weapons, but they could serve as AI-enabled nuclear platforms in the future. While Russia was late in releasing its national AI strategy, it has made strides in developing and testing a suite of AI-enabled platforms and gearing them toward nuclear delivery. These include an AI-equipped missile-carrying bomber, hypersonic glide vehicles that can deliver both nuclear and conventional payloads, and a nuclear-powered unmanned underwater vehicle that will reportedly carry a nuclear weapon. Unlike China that has hedged on the ultimate payload of its platforms, Russia has been much more explicit about its intention to use these systems for nuclear weapons. Such Chinese and Russian advances have overturned the traditional view that these two countries are simply responding to the US. As revealed by the 2018 US Nuclear Posture Review and the growing interest in low-yield submarine-launched ballistic missiles (SLBMs) and cruise missiles (SLCMs), the US is increasingly reacting to China and Russia. China’s hedging on the ultimate payload and future aims of its hypersonic (DF-ZF) and unmanned systems, as well as Russia’s substantial tactical nuclear assets and projects to enhance survivability and nuclear delivery, such as the Poseidon (Status-6) unmanned underwater vehicle, are driving US strategic evolution. Arms control mechanisms need to be revitalized In light of these developments and threat perceptions, unmanned weapons platforms controlled by AI systems could increase the risk of nuclear escalation, in particular through the unintentional or intentional collision of unmanned vehicles. Despite these emerging challenges, current arms control mechanisms remain mired in decades of historical grievances. Both the multilateral Non-Proliferation of Nuclear Weapons (NPT) Review Conference and the largely stalled bilateral China-US and Russia-US strategic dialogues are plagued with ossified definitions of weapons platforms and nuclear deterrence.

#### Nuclear winter causes extinction.

Steven Starr 17. Director, University of Missouri’s Clinical Laboratory Science Program; senior scientist, Physicians for Social Responsibility. “Turning a Blind Eye Towards Armageddon — U.S. Leaders Reject Nuclear Winter Studies.” Federation of American Scientists. <https://fas.org/2017/01/turning-a-blind-eye-towards-armageddon-u-s-leaders-reject-nuclear-winter-studies/>.

Now 10 years ago, several of the world’s leading climatologists and physicists chose to reinvestigate the long-term environmental impacts of nuclear war. The peer-reviewed studies they produced are considered to be the most authoritative type of scientific research, which is subjected to criticism by the international scientific community before final publication in scholarly journals. No serious errors were found in these studies and their findings remain unchallenged. Alan Robock et al., “Nuclear winter revisited with a modern climate model and current nuclear arsenals: Still catastrophic consequences,” Journal of Geophysical Research: Atmospheres 112 (2007). Owen Brian Toon et al., “Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism,” Atmospheric Chemistry and Physics 7 (2007). Michael Mills et al., “Massive global ozone loss predicted following regional nuclear conflict,” Proceedings of the National Academy of Sciences of the United States of America 105, no. 14 (2008). Michael Mills et al., “Multidecadal global cooling and unprecedented ozone loss following a regional nuclear conflict,” Earth’s Future 2. Alan Robock et al., “Climatic consequences of regional nuclear conflicts,” Atmospheric Chemistry and Physics 7 (2007). Working at the Laboratory for Atmospheric and Space Physics at the University of Colorado-Boulder, the Department of Environmental Sciences at Rutgers, and the Department of Atmospheric and Oceanic Sciences at UCLA, these scientists used state-of-the-art computer modeling to evaluate the consequences of a range of possible nuclear conflicts. They began with a hypothetical war in Southeast Asia, in which a total of 100 Hiroshima-size atomic bombs were detonated in the cities of India and Pakistan. Please consider the following images of Hiroshima, before and after the detonation of the atomic bomb, which had an explosive power of 15,000 tons of TNT. The detonation of an atomic bomb with this explosive power will instantly ignite fires over a surface area of three to five square miles. In the recent studies, the scientists calculated that the blast, fire, and radiation from a war fought with 100 atomic bombs could produce direct fatalities comparable to all of those worldwide in World War II, or to those once estimated for a “counterforce” nuclear war between the superpowers. However, the long-term environmental effects of the war could significantly disrupt the global weather for at least a decade, which would likely result in a vast global famine. The scientists predicted that nuclear firestorms in the burning cities would cause at least five million tons of black carbon smoke to quickly rise above cloud level into the stratosphere, where it could not be rained out. The smoke would circle the Earth in less than two weeks and would form a global stratospheric smoke layer that would remain for more than a decade. The smoke would absorb warming sunlight, which would heat the smoke to temperatures near the boiling point of water, producing ozone losses of 20 to 50 percent over populated areas. This would almost double the amount of UV-B reaching the most populated regions of the mid-latitudes, and it would create UV-B indices unprecedented in human history. In North America and Central Europe, the time required to get a painful sunburn at mid-day in June could decrease to as little as six minutes for fair-skinned individuals. As the smoke layer blocked warming sunlight from reaching the Earth’s surface, it would produce the coldest average surface temperatures in the last 1,000 years. The scientists calculated that global food production would decrease by 20 to 40 percent during a five-year period following such a war. Medical experts have predicted that the shortening of growing seasons and corresponding decreases in agricultural production could cause up to two billion people to perish from famine. The climatologists also investigated the effects of a nuclear war fought with the vastly more powerful modern thermonuclear weapons possessed by the United States, Russia, China, France, and England. Some of the thermonuclear weapons constructed during the 1950s and 1960s were 1,000 times more powerful than an atomic bomb. During the last 30 years, the average size of thermonuclear or “strategic” nuclear weapons has decreased. Yet today, each of the approximately 3,540 strategic weapons deployed by the United States and Russia is seven to 80 times more powerful than the atomic bombs modeled in the India-Pakistan study. The smallest strategic nuclear weapon has an explosive power of 100,000 tons of TNT, compared to an atomic bomb with an average explosive power of 15,000 tons of TNT. Strategic nuclear weapons produce much larger nuclear firestorms than do atomic bombs. For example, a standard Russian 800-kiloton warhead, on an average day, will ignite fires covering a surface area of 90 to 152 square miles. A war fought with hundreds or thousands of U.S. and Russian strategic nuclear weapons would ignite immense nuclear firestorms covering land surface areas of many thousands or tens of thousands of square miles. The scientists calculated that these fires would produce up to 180 million tons of black carbon soot and smoke, which would form a dense, global stratospheric smoke layer. The smoke would remain in the stratosphere for 10 to 20 years, and it would block as much as 70 percent of sunlight from reaching the surface of the Northern Hemisphere and 35 percent from the Southern Hemisphere. So much sunlight would be blocked by the smoke that the noonday sun would resemble a full moon at midnight. Under such conditions, it would only require a matter of days or weeks for daily minimum temperatures to fall below freezing in the largest agricultural areas of the Northern Hemisphere, where freezing temperatures would occur every day for a period of between one to more than two years. Average surface temperatures would become colder than those experienced 18,000 years ago at the height of the last Ice Age, and the prolonged cold would cause average rainfall to decrease by up to 90%. Growing seasons would be completely eliminated for more than a decade; it would be too cold and dark to grow food crops, which would doom the majority of the human population.

#### Unipolarity is sustainable and creates a structural disincentive for great power war --- power vacuums cause cascading prolif AND extinction.

Brands 15—Associate Professor in the Sanford School of Public Policy at Duke, PhD in History from Yale, Special Assistant to the Secretary of Defense [Hal, The Washington Quarterly, Summer 2015 38:2 pp. 7–28]

The fundamental reason is that both U.S. influence and international stability are thoroughly interwoven with a robust U.S. forward presence. Regarding influence, the protection that Washington has afforded its allies has equally afforded the United States great sway over those allies’ policies.43 During the Cold War and after, for instance, the United States has used the influence provided by its security posture to veto allies’ pursuit of nuclear weapons, to obtain more advantageous terms in financial and trade agreements, and even to affect the composition of allied nations’ governments.44 More broadly, it has used its alliances as vehicles for shaping political, security, and economic agendas in key regions and bilateral relationships, thus giving the United States an outsized voice on a range of important issues. To be clear, this influence has never been as pervasive as U.S. officials might like, or as some observers might imagine. But by any reasonable standard of comparison, it has nonetheless been remarkable. One can tell a similar story about the relative stability of the post-war order. As even some leading offshore balancers have acknowledged, the lack of conflict in regions like Europe in recent decades is not something that has occurred naturally. It has occurred because the “American pacifier” has suppressed precisely the dynamics that previously fostered geopolitical turmoil. That pacifier has limited arms races and security competitions by providing the protection that allows other countries to under-build their militaries. It has soothed historical rivalries by affording a climate of security in which powerful countries like Germany and Japan could be revived economically and reintegrated into thriving and fairly cooperative regional orders. It has induced caution in the behavior of allies and adversaries alike, deterring aggression and dissuading other destabilizing behavior. As John Mearsheimer has noted, the United States “effectively acts as a night watchman,” lending order to an otherwise disorderly and anarchical environment.45 What would happen if Washington backed away from this role? The most logical answer is that both U.S. influence and global stability would suffer. With respect to influence, the United States would effectively be surrendering the most powerful bargaining chip it has traditionally wielded in dealing with friends and allies, and jeopardizing the position of leadership it has used to shape bilateral and regional agendas for decades. The consequences would seem no less damaging where stability is concerned. As offshore balancers have argued, it may be that U.S. retrenchment would force local powers to spend more on defense, while perhaps assuaging certain points of friction with countries that feel threatened or encircled by U.S. presence. But it equally stands to reason that removing the American pacifier would liberate the more destabilizing influences that U.S. policy had previously stifled. Long-dormant security competitions might reawaken as countries armed themselves more vigorously; historical antagonisms between old rivals might reemerge in the absence of a robust U.S. presence and the reassurance it provides. Moreover, countries that seek to revise existing regional orders in their favor—think Russia in Europe, or China in Asia—might indeed applaud U.S. retrenchment, but they might just as plausibly feel empowered to more assertively press their interests. If the United States has been a kind of Leviathan in key regions, Mearsheimer acknowledges, then “take away that Leviathan and there is likely to be big trouble.”46 Scanning the global horizon today, one can easily see where such trouble might arise. In Europe, a revisionist Russia is already destabilizing its neighbors and contesting the post-Cold War settlement in the region. In the Gulf and broader Middle East, the threat of Iranian ascendancy has stoked region-wide tensions manifesting in proxy wars and hints of an incipient arms race, even as that region also contends with a severe threat to its stability in the form of the Islamic State. In East Asia, a rising China is challenging the regional status quo in numerous ways, sounding alarms among its neighbors—many of whom also have historical grievances against each other. In these circumstances, removing the American pacifier would likely yield not low-cost stability, but increased conflict and upheaval. That conflict and upheaval, in turn, would be quite damaging to U.S. interests even if it did not result in the nightmare scenario of a hostile power dominating a key region. It is hard to imagine, for instance, that increased instability and acrimony would produce the robust multilateral cooperation necessary to deal with transnational threats from pandemics to piracy. More problematic still might be the economic consequences. As scholars like Michael Mandelbaum have argued, the enormous progress toward global prosperity and integration that has occurred since World War II (and now the Cold War) has come in the climate of relative stability and security provided largely by the United States.47 One simply cannot confidently predict that this progress would endure amid escalating geopolitical competition in regions of enormous importance to the world economy. Perhaps the greatest risk that a strategy of offshore balancing would run, of course, is that a key region might not be able to maintain its own balance following U.S. retrenchment. That prospect might have seemed far-fetched in the early post-Cold War era, and it remains unlikely in the immediate future. But in East Asia particularly, the rise and growing assertiveness of China has highlighted the medium- to long-term danger that a hostile power could in fact gain regional primacy. If China’s economy continues to grow rapidly, and if Beijing continues to increase military spending by 10 percent or more each year, then its neighbors will ultimately face grave challenges in containing Chinese power even if they join forces in that endeavor. This possibility, ironically, is one to which leading advocates of retrenchment have been attuned. “The United States will have to play a key role in countering China,” Mearshimer writes, “because its Asian neighbors are not strong enough to do it by themselves.”48 If this is true, however, then offshore balancing becomes a dangerous and potentially self-defeating strategy. As mentioned above, it could lead countries like Japan and South Korea to seek nuclear weapons, thereby stoking arms races and elevating regional tensions. Alternatively, and perhaps more worryingly, it might encourage the scenario that offshore balancers seek to avoid, by easing China’s ascent to regional hegemony. As Robert Gilpin has written, “Retrenchment by its very nature is an indication of relative weakness and declining power, and thus retrenchment can have a deteriorating effect on relations with allies and rivals.”49 In East Asia today, U.S. allies rely on U.S. reassurance to navigate increasingly fraught relationships with a more assertive China precisely because they understand that they will have great trouble balancing Beijing on their own. A significant U.S. retrenchment might therefore tempt these countries to acquiesce to, or bandwagon with, a rising China if they felt that prospects for successful resistance were diminishing as the United States retreated.50 In the same vein, retrenchment would compromise alliance relationships, basing agreements, and other assets that might help Washington check Chinese power in the first place—and that would allow the United States to surge additional forces into theater in a crisis. In sum, if one expects that Asian countries will be unable to counter China themselves, then reducing U.S. influence and leverage in the region is a curious policy. Offshore balancing might promise to preserve a stable and advantageous environment while reducing U.S. burdens. But upon closer analysis, the probable outcomes of the strategy seem more perilous and destabilizing than its proponents acknowledge.

#### The world is more peaceful than ever --- hegemonic collapse guarantees nuclear annihilation.

Barnett 11 (Thomas P.M. Barnett, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat., worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, “The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,” March 7, http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads)

It is worth first examining the larger picture: We live in a time of arguably **the greatest structural change in the global order yet endured**, with this historical moment's most amazing feature being its relative and absolute lack of mass violence. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: As the **guardian of globalization**, the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the **mass murder never would have ended**. Indeed, it's entirely conceivable **there would now be** no identifiable human civilization left**, once** nuclear weapons **entered the killing equation.**  But the world did not keep sliding down that **path of perpetual war**. Instead, America stepped up and changed everything by **ushering in our now-**perpetual great-power peace. We introduced the **international liberal trade order known as** globalization and played loyal Leviathan over its spread. What resulted was the collapse of empires, an explosion of democracy, the persistent spread of human rights, the liberation of women, the doubling of life expectancy, a roughly 10-fold increase in adjusted global GDP and a **profound and persistent reduction in** battle deaths from state-based conflicts. That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw **a death toll of about 100 million across two world wars**. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come.

### Advantage 2 - Innovation

#### Unions key to innovation, reform, and knowledge sharing

Bivens et al, 17 (Josh, director of research at the Economic Policy Institute (EPI), “How today’s unions help working people,” 8/24/17, Economic Policy Institute, https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/)

Because they are on the front lines, working people often have some of the best information on how to improve their workplaces and make their workplaces safer and more productive. Unions provide the means for workers to share their knowledge about what works and what doesn’t—without fear of retaliation. Unionized workplaces also provide their workers with more transparency about company finances and processes that can help shape responses to problems. Here are a few examples of specific ways unions have sought to improve their workplaces: Shifting from teacher punishment to professional development. The Peer Assistance and Review (PAR) system created by the Toledo Federation of Teachers (TFT) in the early 1980s transformed teacher evaluation and professional development in Toledo and subsequently spread to other cities and counties in Ohio and throughout the country, including Boston; Rochester, New York; St. Paul, Minnesota; and Montgomery County, Maryland. Under the PAR program, new teachers—and experienced teachers who have been struggling—work with “consulting teachers” who provide mentoring and evaluation. Only after that process do principals get involved in evaluation. Veteran teachers may be referred to the program or seek it out on their own. Districts that have adopted PAR say that it strengthens instruction, increases teacher leadership, and helps strengthen the relationship between the district and the teachers union.[63](https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/#_note63) Training manufacturing workers in new technology skills. Labor unions and the AFL-CIO Working for America Institute have been key partners in implementing a program that trains workers to operate more technical and highly specialized manufacturing processes. The Industrial Manufacturing Technicians (IMT) apprenticeship program began in Milwaukee and is expanding across eight states. The program, operated by the Wisconsin Regional Training Partnership (WRTP)/BIG STEP, provides workers with 2,700 hours of on-the-job training and 260 hours with technical college instructors. Labor union partners include the International Association of Machinists and Aerospace Workers (IAMAW), the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART), the International Brotherhood of Electrical Workers (IBEW), the United Automobile Workers (UAW), and the United Steelworkers (USW). “Union support ensures that the firm-specific design of the program is responsive to worker feedback as well as to lessons learned from IMT programs at other employers that the union covers.”[64](https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/#_note64) Ending quotas that force bank workers to sell exploitive loans. More than 15,000 U.S. bank workers for Spain-based Santander Bank are trying to create the first bank workers’ union in the United States (bank unions are widespread in other developed countries). Among Santander workers’ goals is to end quotas that force workers to hawk subprime auto loans and other exploitative loans to customers—often people of color and neighbors in their communities—without being able to properly explain the terms of those loans.[65](https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/#_note65) While there has been no election petition filed for Santander Bank yet, Santander workers have brought attention to what has been a problem for American consumers. By forming unions and gaining a seat at the table, financial services employees could help end predatory practices like those engaged in by Wells Fargo Bank in recent years.[66](https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/#_note66)

#### Innovation, reform, and knowledge sharing is key to sustained economic growth and job development in a new technological landscape.

Raymond 13 , Kailey Raymond, 06/23/16, "What is the innovation economy and why should you want to be a part of it," Startup Institute, https://www.startupinstitute.com/blog/what-is-the-innovation-economy-and-why-should-you-want

First, let’s start with what is the innovation economy. It sounds an awful lot like a buzzword. Well, maybe, but as buzzy as it may sound, innovation economics is a real thing. Scouts honor. This relatively new theory of economics is based upon the idea that knowledge, entrepreneurship, innovation, technology and collaboration fuel economic growth. Look no further than theWe are Made in New Yorkcampaign, which seeks to connect the city’s tech startups with its jobs seekers. Government is now supporting the idea that technology and innovation spurs economic growth. Mayor Bloomberg statedin Mashable, “The growth of the tech industry in New York City has been a critical part of weathering the nation’s economic downturn, far better than the rest of the country.” The Innovation Economy in New York A quick glance at the Made in New York map shows over a thousand tech companies in NYC that are hiring. Who knew there were even a thousand tech companies in NYC, let alone that they were all growing their teams!? What about all this talk about unemployment and underemployment, you may ask? The numbers are pretty scary, it’s true. Almost 54% of bachelor’s degree holders under the age of 25 last year were either jobless or underemployed. That’s 1.5 million people. So, what’s the number one reason why you should want to be a part of the innovation economy? That’s where many of the jobs are hiding! But, is this just a bubble? Will the innovation economy slow down soon? To that fear, I borrow from an old adage - the only thing that is constant is change. That means there will always be innovation. Because what is innovation, if not change? There has always been an innovation economy, we just haven’t put a name on it before. From factories and industry, economies of scale, to computer software and cloud-based technologies, every generation has had one. And it is here, in the innovation economy, that there will always be jobs. These are the jobs on the cutting edge that, often, there aren’t yet names for. I look around me and see growth hackers, technovangelists, wizards and ninjas- the list goes on of titles that didn’t exist just a few years ago. The growth hackers and wizards of the world are the job makers of the innovation economy. These job descriptions evolve everyday, reflecting the fast-paced tech environment.

#### Empirics go conclusively AFF --- best, most recent studies prove that unions increase innovation

Berton, Dughera, and Ricci 21 [Fabio Berton University of Torino, LABORatorio R. Revelli, IZA and CIRET Stefano Dughera University of Torino and LABORatorio R. Revelli, Andrea Ricci INAPP. “Are Unions Detrimental to Innovation? Theory and Evidence.” February 2021. https://ftp.iza.org/dp14102.pdf]

In this article, we study the relationship between unions and innovation, from both a theoretical and an empirical point of view. From the theoretical standpoint, we propose a model capable of providing a rationale for the possibly ambiguous effect – confirmed by the international empirical literature – of unions on innovation. The intuition is that the traditional rent sharing/hold-up view can be more than compensated by the cooperative state of industrial relations and by the incentive to commit that unions may provide to the workers through their voice capacity. More specifically, our model predicts that a cooperative wage bargaining system – i.e. one in which a single union maximizes the industry wage bill by adjusting firm-level wages to the firm’s relative competitiveness – is more inducive of product innovations than a system in which wages are set at their competitive level, the larger is the voice capacity of workers’ representative bodies. The same effect on process innovation appears instead inverse Ushaped, with intermediate levels of voice capacity that maximize the probability of cooperative wage bargaining systems to outperform the pure market. To test the model’s main predictions, we use a large representative sample of Italian firms and take advantage of the existence of establishment-level workers’ representative bodies to 25 capture the variability of workers’ voice capacity across firms and over time. Consistently with the theory, we find that the presence of a workers’ representation within the firm enhances the propensity to innovate the products by up to 23 percentage points when we use an IV approach. This suggests that workers’ voice instruments are on average very effective, what in turn – as suggested by the theory – depresses the propensity to process innovation. Heterogeneity analysis suggests that – beyond formal representation – the actual voice power of workers varies across firms, and that tends to vanish beyond a certain firm size. Our analysis has strong policy implications. Deregulation has been a hallmark of labor market policies since the early nineties, thereby including industrial relations (IMF, 1999; OECD, 1994). The general advice was that collective bargaining should be moved from the national/sectoral level to the local/firm one, to better match productivity. In other words, industrial relations should mimic the market more closely. With this article, we suggest that this is not necessarily beneficial to innovation. Indeed, we show that a system where bargaining occurs at the sectoral level and an intermediate voice capacity of unions is preserved outperforms the market with respect to both product and process innovation. Local or firm agreements should therefore combine rather than substitute a more overarching bargaining system.

#### Slow growth deteriorates the international order and prevents cooperation on existential threats

Haass 17 [Richard Haass, President of the Council on Foreign Relations, previously served as Director of Policy Planning for the US State Department (2001-2003), and was President George W. Bush's special envoy to Northern Ireland and Coordinator for the Future of Afghanistan.] “A World in Disarray: American Foreign Policy and the Crisis of the Old Order” published January 10, 2017]

A large portion of the burden of creating and maintaining order at the regional or global level will fall on the United States. This is inevitable for several reasons, only one of which is that the United States is and will likely remain the most powerful country in the world for decades to come. The corollary to this point is that no other country or group of countries has either the capacity or the mind-set to build a global order. Nor can order ever be expected to emerge automatically; there is no invisible hand in the geopolitical marketplace. Again, a large part of the burden (or, more positively, opportunity) falls on the principal power of the day. There is more than a little self-interest at stake. The United States cannot remain aloof, much less unaffected by a world in disarray. Globalization is more reality than choice. At the regional level, the United States actually faces the opposite problem, namely, that certain actors do have the mind-set and means to shape an order. The problem is that their views of order are in part or in whole incompatible with U.S. interests. Examples would include Iran and ISIS in the Middle East, China in Asia, and Russia in Europe. It will not be an easy time for the United States. The sheer number and range of challenges is daunting. There are a large number of actors and forces to contend with. Alliances, normally created in opposition to some country or countries, may not be as useful a vehicle in a world in which not all foes are always foes and not all friends are always friendly. Diplomacy will count for a great deal; there will be a premium on dexterity. Consultations that aim to affect the actions of other governments and their leaders are likely to matter more than negotiations that aim to solve problems. Another reality is that the United States for all its power cannot impose order. Partially this reflects what might be called structural realities, namely, that no country can contend with global challenges on its own given the very nature of these challenges. The United States could reduce its carbon footprint dramatically, but the effect on global climate would be modest if India and China failed to follow suit. Similarly, on its own the United States cannot maintain a world trading system or successfully combat terrorism or disease. Adding to these realities are resource limits. The United States cannot provide all the troops or dollars to maintain order in the Middle East and Europe and Asia and South Asia. There is simply too much capability in too many hands. Unilateralism is rarely a serious foreign policy option. Partners are essential. That is one of the reasons why sovereign obligation is a desirable compass for U.S. foreign policy. Earlier I made the case that it represents realism for an era of globalization. It also is a natural successor to containment, the doctrine that guided the United States for the four decades of the Cold War. There are basic differences, however. Containment was about holding back more than bringing in and was designed for an era when rivals were almost always adversaries and in which the challenges were mostly related to classical geopolitical competition.1 Sovereign obligation, by contrast, is designed for a world in which sometime rivals are sometime partners and in which collective efforts are required to meet common challenges. Up to this point, we have focused on what the United States needs to do in the world to promote order. That is what one would expect from a book about international relations and American foreign policy. But a focus on foreign policy is not enough. National security is a coin with two sides, and what the United States does at home, what is normally thought of as belonging to the domestic realm, is every bit as much a part of national security as foreign policy. It is best to understand the issue as guns and butter rather than guns versus butter. When it comes to the domestic side, the argument is straightforward. In order to lead and compete and act effectively in the world, the United States needs to put its house in order. I have written on what this entails in a book titled Foreign Policy Begins at Home.2 This was sometimes interpreted as suggesting a turn away from foreign policy. It was nothing of the sort. Foreign policy begins at home, but it ends there only at the country’s peril.3 Earlier I mentioned that the United States has few unilateral options, that there are few if any things it can do better alone than with others. The counterpart to this claim is that the world cannot come up with the elements of a working order absent the United States. The United States is not sufficient, but it is necessary. It is also true that the United States cannot lead or act effectively in the world if it does not have a strong domestic foundation. National security inevitably requires significant amounts of human, physical, and financial resources to draw on. The better the United States is doing economically, the more it will have available in the way of resources to devote to what it wants and needs to do abroad without igniting a divisive and distracting domestic debate as to priorities. An additional benefit is that respect for the United States and for the American political, social, and economic model (along with a desire to emulate it) will increase only if it is seen as successful. The most basic test of the success of the model will be economic growth. U.S. growth levels may appear all right when compared with what a good many other countries are experiencing, but they are below what is needed and fall short of what is possible. There is no reason why the United States is not growing in the range of 3 percent or even higher other than what it is doing and, more important, not doing.4

#### Independently, innovation is key to fighting climate change

Fayolle 19 [Ambroise Fayolle is the vice president of the European Investment Bank. “How Techonological Innovation Can Disrupt Climate Change.” November, 2019. https://www.weforum.org/agenda/2019/11/how-technological-innovation-can-disrupt-climate-change]

The only way to get ahead of a crisis as large as climate change is through groundbreaking technological innovation in clean energy and low-carbon technologies. And that, in turn, will require efforts to mitigate investment risks for private-sector actors, who cannot be expected to ignore their own bottom lines. Because it poses an existential threat to humanity, climate change represents the bad kind of disruption. But it can – and must – be fought with the good kind of disruption: innovation. Since the Industrial Revolution, disruptive innovation has generated growth, created jobs, and opened new avenues for investment. And in the case of climate change, it could save humanity, by accelerating global efforts to reduce greenhouse-gas (GHG) emissions. In fact, innovation will be absolutely necessary for a successful transition to a green economy that leaves no one behind. Without it, we have less chance of achieving genuine sustainability. The alternative, of course, is unthinkable. To understand the extent of the threat posed by climate change in the event that we do nothing, consider where we are today. Average global temperatures have [already risen](https://visibleearth.nasa.gov/images/47628/global-warming-mapped) by almost 1°C above pre-industrial levels, owing to the accumulation of GHGs in the atmosphere; and two-thirds of that increase has occurred since 1975. If the trend continues, global average temperatures could rise by 4°C by the end of this century. If that doesn’t sound like much, remember that our climate is fragile. Small changes in surface temperatures will cause big problems. When average temperatures were 4°C below pre-industrial levels, much of Europe was buried beneath several kilometers of ice. Just imagine what a world that is 3°C warmer than today might look like. Nonetheless, I am confident that effective, disruptive ideas are out there. Floating windfarms, for example, can unlock clean wind power for the dozens of countries whose coastal waters are too deep for traditional offshore facilities. And advances in technologies based on waste-eating bioluminescent bacteria promise to illuminate our streets and factories. To bring these solutions to scale, we need to put more financing into the right hands. We also need to encourage industries to be more creative, and to pursue more breakthrough technologies. For example, the European Investment Bank (EIB), the European Commission, and Breakthrough Energy Ventures [established](https://www.eib.org/en/press/all/2019-141-the-european-commission-european-investment-bank-and-breakthrough-energy-ventures-establish-a-new-eur-100-million-fund-to-support-clean-energy-investments) a €100 million ($110 million) fund in 2019 to support disruptive investments in clean energy. Innovative disruption needs to happen fast. According to the International Energy Agency, only seven of the 45 energy technologies and sectors assessed in its most recent [Tracking Clean Energy Progress](https://www.iea.org/tcep/) report are on target to meet its Sustainable Development Scenario, which is aligned with the global commitments enshrined in the 2015 Paris climate agreement. Hence, for the policymakers, technologists, executives, and entrepreneurs, the question is: Where do we go from here?

#### Extinction -- contrary models are wrong.

Ng 19 [Yew-Kwang; May 2019; Professor of Economics at Nanyang Technology University, Fellow of the Academy of Social Sciences in Australia and Member of the Advisory Board at the Global Priorities Institute at Oxford University, Ph.D. in Economics from Sydney University; Global Policy, “Keynote: Global Extinction and Animal Welfare: Two Priorities for Effective Altruism,” vol. 10, no. 2, p. 258-266; RP]

Catastrophic climate change

Though by no means certain, CCC causing global extinction is possible due to interrelated factors of non‐linearity, cascading effects, positive feedbacks, multiplicative factors, critical thresholds and tipping points (e.g. Barnosky and Hadly, [2016](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0005); Belaia et al., [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0008); Buldyrev et al., [2010](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0016); Grainger, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0027); Hansen and Sato, [2012](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0029); IPCC [2014](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0031); Kareiva and Carranza, [2018](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0033); Osmond and Klausmeier, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0056); Rothman, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0066); Schuur et al., [2015](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0069); Sims and Finnoff, [2016](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0072); Van Aalst, [2006](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0079)).[7](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-note-1009_67)

A possibly imminent tipping point could be in the form of ‘an abrupt ice sheet collapse [that] could cause a rapid sea level rise’ (Baum et al., [2011](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0006), p. 399). There are many avenues for positive feedback in global warming, including:

* the replacement of an ice sea by a liquid ocean surface from melting reduces the reflection and increases the absorption of sunlight, leading to faster warming;
* the drying of forests from warming increases forest fires and the release of more carbon; and
* higher ocean temperatures may lead to the release of methane trapped under the ocean floor, producing runaway global warming.

Though there are also avenues for negative feedback, the scientific consensus is for an overall net positive feedback (Roe and Baker, [2007](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0065)). Thus, the Global Challenges Foundation ([2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0026), p. 25) concludes, ‘The world is currently completely unprepared to envisage, and even less deal with, the consequences of CCC’.

The threat of sea‐level rising from global warming is well known, but there are also other likely and more imminent threats to the survivability of mankind and other living things. For example, Sherwood and Huber ([2010](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0071)) emphasize the adaptability limit to climate change due to heat stress from high environmental wet‐bulb temperature. They show that ‘even modest global warming could … expose large fractions of the [world] population to unprecedented heat stress’ p. 9552 and that with substantial global warming, ‘the area of land rendered uninhabitable by heat stress would dwarf that affected by rising sea level’ p. 9555, making extinction much more likely and the relatively moderate damages estimated by most integrated assessment models unreliably low.

While imminent extinction is very unlikely and may not come for a long time even under business as usual, the main point is that we cannot rule it out. Annan and Hargreaves ([2011](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0004), pp. 434–435) may be right that there is ‘an upper 95 per cent probability limit for S [temperature increase] … to lie close to 4°C, and certainly well below 6°C’. However, probabilities of 5 per cent, 0.5 per cent, 0.05 per cent or even 0.005 per cent of excessive warming and the resulting extinction probabilities cannot be ruled out and are unacceptable. Even if there is only a 1 per cent probability that there is a time bomb in the airplane, you probably want to change your flight. Extinction of the whole world is more important to avoid by literally a trillion times.

### Plan

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

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

\*\*\*CIL = customary international law

3. Federal Courts’ Position on CIL as National Law

What about the position of the federal courts toward CIL and its acceptance as national law in the US? The leading Supreme Court decision, Sosa v. AlvarezMachain, 219 involved a claim by Alvarez-Machain for violation of CIL under the Alien Tort Statute (ATS).220 A cause of action under the ATS may be distinguished from the right to strike setting in two respects. As a jurisdictional matter, the ATS typically involves lawsuits alleging violations of CIL committed in foreign countries and brought by citizens of foreign countries. By contrast, as developed in parts III and IV, the right to strike as CIL would be asserted by U.S. workers against U.S. employers within the U.S. Further, as explained in Part III, the CIL right to strike is to be asserted directly as a form of federal common law, rather than being applied through a particular statute that may impose its own historically grounded limits.221

At the same time, the substantive standard set forth in Sosa is relevant in allowing for suitably delineated CIL to be directly applied in domestic federal and state court contexts.222 While urging lower courts to exercise a “restrained conception” when considering new causes of action based on CIL, the Court in Sosa added that such claims can be recognized if “rest[ing] on a norm of international character accepted by the civilized world and defined with a specificity comparable to the features of the 18th-century paradigms we have recognized.”223 The Court’s formulation in the ATS setting is slightly different from the two elements—general practice and opinio juris—that have been discussed at length in defining and applying modern CIL.224 But Sosa’s emphasis on international law norms that are precisely defined and reflect the importance of general practice is compatible with contemporary conceptions of CIL.225

Lower courts have understood that Sosa sets a “‘high bar to new private causes of action’ alleging violations of CIL”226 based on whether the sources of such law are “sufficiently specific, universal, and obligatory.”227 But they have proceeded to recognize such causes of action when “multiple international agreements (including one that is binding on more than 160 signatory states), as well as the domestic laws of over 80 states, adopt a particular definition of that norm.”228 As has been amply demonstrated in sections B and C of this Part, the universality of the claims based on the right to strike as part of FOA can qualify under this approach. The right is recognized under multiple international agreements (including ILO conventions ratified by over 150 states and other international agreements ratified by over 170 states); regional human rights agreements around the world; domestic constitutions and laws in over 90 countries; and major court decisions at both a regional and national level. Further, this CIL norm includes a sufficient level of specificity regarding the two key areas that are the focus of analysis for purposes of U.S. law: the right of public employees to engage in strike activities with limited exceptions and the right of all strikers to be protected against permanent replacement.229

All of the above suggests that U.S. failure to ratify Convention 87 is likely to be compatible with its recognizing FOA and the right to strike as CIL.230 At the same time, there is no independent or tripartite analysis comparing Convention 87 to U.S. labor law, identifying what changes in national and state law would be needed to comply with the Convention in general and the right to strike in particular. 231 U.S. employer representatives have expressed concern that ratification would alter national and state labor law in a number of important respects including the right to strike.232 Given the U.S. historical position of nonobjection alongside non-ratification, the Article next addresses whether—even if the right to strike under FOA is accepted as CIL in traditional international law terms and is recognized under the Sosa standard—the right can be asserted in U.S. courts as CIL. This question implicates several distinct problems, which are discussed in Parts III and IV.

#### Courts are normal means and can enforce the right to strike as Customary International Law.

Brudney 21 [James; 2/8/21; Joseph Crowley Chair in Labor and Employment Law, Fordham Law School; “The Right to Strike as Customary International Law,” THE YALE JOURNAL OF INTERNATIONAL LAW, Vol 46, <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1710&context=yjil>]

\*\* Brackets in original

In order for the international right to strike to receive protection in a U.S. domestic law setting, this CIL right must be cognizable in federal court. Workers asserting such a right would be seeking direct application of CIL, stemming from legal principles set forth in The Paquete Habana233 and subsequent cases. The Paquete Habana involved U.S. seizure of two Spanish fishing vessels during the Spanish American War. The Court relied on customary international law to hold that the vessels and their cargoes were exempt from capture as prizes of war.234 Justice Gray’s oft-quoted language, recognizing that CIL is part of the law of the United States, is as follows: International law is part of our law and must be ascertained and administered by the courts of justice of appropriate jurisdiction as often as questions of right depending upon it are duly presented for their determination. For this purpose, where there is no treaty and no controlling executive or legislative act or judicial decision, resort must be had to the customs and usages of civilized nations . . . . 235 In a number of decisions beginning in the 1960s, the Court has applied CIL rules when determining the legal status of submerged offshore areas, helping guide its application of federal statutes and treaties implicating the law of the seas. 236 The Court has also invoked CIL in determining when an instrumentality of a sovereign state becomes the “alter ego” of that state, a question not controlled by the relevant foreign sovereign immunity statute.237 Relatedly, the Court in Banco Nacional de Cuba v. Sabbatino238 relied on a judge-made principle of U.S. foreign relations law—the Act of State doctrine—to decline to examine the validity of the taking of property by a foreign sovereign government within its own territory.239 Turning to lower federal courts, the courts of appeals have regularly applied the Vienna Convention on the Law of Treaties “as an articulation of the customary international law of treaty interpretation, even though the United States is not a party to the treaty itself.”240 And at least one district court has recognized FOA and the right to organize as CIL when denying a motion to dismiss.241 Finally, the executive branch also has applied CIL in certain circumstances. Although the U.S. voted against adoption of the 1982 UN Convention on the Law of the Seas, the U.S. government accepts its key provisions regarding the maximum breadth of territorial sea and the extent of exclusive economic zones as CIL.242 In short, U.S. courts and executive branch officials have directly applied CIL and been guided by its teachings in a range of doctrinal settings. 243 As noted earlier, CIL on human rights has been deemed applicable in U.S. courts for suitably defined misconduct occurring in other countries. 244 These doctrinal precedents do not involve direct application of CIL in a domestic law setting akin to the labor and human rights claims being proposed here. That said, lower courts have invoked CIL when applying federal rules of decision in a range of domestic law contexts. Indeed, the use of CIL when applying and construing various federal statutes has increased markedly in recent decades.245 Examples include its use when applying an armed conflict statute to establish limits on detention of a U.S. citizen within the U.S.;246 when construing the same statute to help establish requirements for release and repatriation of a foreign national held on U.S. soil;247 and when limiting the scope of an immigration statute’s authorization of detention.248 In addition, CIL has been applied to help courts apply the choice between indefinite detention and exclusion under a different immigration statute,249 and to assist judicial construction of a statute regulating recovery of sunken warships in U.S. waters. 250 It is not obvious why CIL should be deemed inapplicable when construing federal statutes that implicate appropriately qualified labor/human rights misconduct occurring within our borders.251 Moreover, as previously noted, a number of other countries have accepted the right to strike as a principle of international law when applying their own domestic law despite their conscious decision not to ratify Convention 87.252 Once one accepts that recognized CIL has substantive traction in a domestic law setting, the focus should be on whether this CIL can be situated in relation to certain procedural or jurisdictional limitations that characterize the U.S. judicial context. Accordingly, application of CIL to sustain claims based on FOA and the right to strike requires consideration of how this CIL relates to other aspects of U.S. law. B. CIL as Federal Common Law A threshold question is whether U.S. courts should determine matters of CIL as federal common law or as state law in light of the Erie doctrine.253 The question has been extensively debated by able international law scholars,254 and I will not attempt to add new value in this setting. I am persuaded that CIL should be understood and litigated as federal common law, for reasons presented at length in a range of sources. 255 Indeed, as one international law scholar has recently and thoroughly explained, “[t]he law of nations was the original federal common law.”256 The basic contours of this position were set forth by the Supreme Court in Sabbatino, when it held that the Act of State doctrine is federal law, binding on the states and not within the scope of Erie. 257 In the words of Justice Harlan for an eight-member majority, “an issue concerned with a basic choice regarding the competence and function of the Judiciary and National Executive in ordering our relationships with other members of the international community must be treated exclusively as an aspect of federal law.”258 Subsequently, leading commentators have joined the Court in concluding that Erie was never meant to apply to CIL;259 that federal courts’ incorporation of the CIL of labor and human rights follows post-Erie precedent recognizing and helping to create a federal common law for labor relations and for other uniquely federal interests;260 that CIL may reflect developments in the international arena of labor and human rights in addition to filling gaps with respect to jurisdictional statutes such as the ATS and the Torture Victim Prevention Act (TVPA); 261 and that CIL remains subject to the democratic checks of supervision, endorsement, or revision by the federal political branches.262 Relying on the weight of these arguments in Boyle v. United Technologies Corp., Justice Scalia for the Court recognized that a few areas involving “uniquely federal interests” are committed to federal control, including the development of federal common law, and he cited Court precedent on CIL as one such area.263 C. The Presence or Absence of Controlling Law As indicated in The Paquete Habana excerpt above, an important additional consideration is whether there is a treaty or any “controlling executive or legislative act or judicial decision” that would preclude federal courts from recognizing a right to strike as CIL. Lower court decisions invoking the “controlling law” principle from Paquete Habana have applied a fairly rigorous standard, relying on a comprehensive scheme of statutes and regulations addressing the precise issue,264 or on a treaty ratified by the U.S. directed to the same problem.265 These lower courts also have invoked Supreme Court statements that focus on the central role of legislative expression when concluding that certain controlling congressional acts were taken with a purpose to preclude the application of CIL to a particular situation.266 Under this standard, controlling U.S. domestic law does not preclude federal courts’ authority to recognize a right to strike as CIL; on the contrary, it arguably supports such authority. As an ILO member, the U.S. is a party to the 1944 Declaration of Philadelphia, the 1998 Declaration on Fundamental Principles and Rights at Work, and the 2008 Declaration on Social Justice for a Fair Globalization.267 Each of these core ILO commitments specifies the fundamental importance of FOA. Congress in two separate trade statutes has incorporated FOA as an “internationally recognized worker right.”268 In addition, the U.S. has ratified the ICCPR, which has incorporated the right to strike as part of FOA, and has signed the ICESCR, which expressly recognizes that right within its text. 269 And both the Administration’s 2015 statement at ILO Governing Body proceedings and its most recent trade agreement, drafted and executed by the Trump Administration, have specified that the right to strike is an integral part of FOA.270

### Util

**The standard is maximizing expected wellbeing:**

#### Pleasure and pain are intrinsically valuable. people consistently regard pleasure and pain as good reasons for action, despite the fact that pleasure doesn’t seem to be instrumentally valuable for anything.

Moen 16 [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281]

Let us start by observing, empirically, that a widely shared judgment about intrinsic value and disvalue is that pleasure is intrinsically valuable and pain is intrinsically disvaluable. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative.2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store, I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good.3 As Aristotle observes: “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that pleasure and pain are both places where we reach the end of the line in matters of value.

#### 3. existential threats outweigh-

#### a. Adopt a Parliamentary model to account for moral uncertainty. This entails minimizing existential risk.

Bostrom 09 [Bostrom, Nick (*Existential*ist of a different sort). “Moral uncertainty – toward a solution?” 1 January 2009. <http://www.overcomingbias.com/2009/01/moral-uncertainty-towards-a-solution.html>]

It seems people are overconfident about their moral beliefs. But **how should one** reason and **act if one** acknowledges that one **is uncertain about morality** – not just applied ethics but fundamental moral issues? if you don’t know which moral theory is correct? It doesn’t seem **you can[’t] simply plug your uncertainty into expected utility** decision theory and crank the wheel; **because many** moral **theories** state that you **should not** always **maximize** expected **utility.** Even if we limit consideration to consequentialist theories, it still is hard to see how to combine them in the standard decision theoretic framework. For example, suppose you give X% probability to total utilitarianism and (100-X)% to average utilitarianism. Now an action might add 5 utils to total happiness and decrease average happiness by 2 utils. (This could happen, e.g. if you create a new happy person that is less happy than the people who already existed.) Now what do you do, for different values of X? The problem gets even more complicated if we consider not only consequentialist theories but also deontological theories, contractarian theories, virtue ethics, etc. We might even throw various meta-ethical theories into the stew: error theory, relativism, etc. I’m working on a paper on this together with my colleague Toby Ord. We have some arguments against a few possible “solutions” that we think don’t work. On the positive side we have some tricks that work for a few special cases. But beyond that, the best **we have managed** so far is **a** kind of **metaphor, which** we don’t think is literally and exactly correct, and it is a bit under-determined, but it **seems to get things roughly right** and it might point in the right direction: **The Parliamentary Model.** Suppose that you have a set of mutually exclusive moral theories, and that you assign each of these some probability. Now imagine that **each** of these **theorie**s **gets to send** some number of **delegates to The Parliament**. The number of delegates each theory gets to send is **proportional to the probability of the theory.** Then the delegates bargain with one another for support on various issues; and the Parliament reaches a decision by the delegates voting. What you should do is act according to the decisions of this imaginary Parliament. (Actually, we use an extra trick here: we imagine that the delegates act as if the Parliament’s decision were a stochastic variable such that the probability of the Parliament taking action A is proportional to the fraction of votes for A. This has the effect of eliminating the artificial 50% threshold that otherwise gives a majority bloc absolute power. Yet – unbeknownst to the delegates – the Parliament always takes whatever action got the most votes: this way we avoid paying the cost of the randomization!) The idea here is that moral theories get more influence the more probable they are; yet **even a** relatively **weak theory can still get its way on some issues** that the theory think are extremely important **by sacrificing** its influence **on other** i**s**sues that other theories deem more important. For example, **suppose you assign 10% probability to** total **util**itarianism and 90% to moral egoism (just to illustrate the principle). Then **the Parliament** would mostly take actions that maximize egoistic satisfaction; however it **would make some concessions to util**itarianism **on** issues that utilitarianism thinks is especially important. In this example, the person might donate some portion of their income to **existential risks** research and otherwise live completely selfishly. I think there might be wisdom in **this model**. It **avoids the** dangerous and **unstable extremism** that would result **from letting one’s current favorite moral theory completely dictate action**, while still allowing the aggressive pursuit of some non-commonsensical high-leverage strategies so long as they don’t infringe too much on what other major moral theories deem centrally important

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

#### 4. only it can explain degrees of wrongness- it is worse to kill thousands than to lie to a friend- either ethical theories cannot explain comparative badness, or it collapses

#### 5. Revisionary intuitionism is true and proves util

Yudkowsky 08 [Eliezer Yudkowsky (research fellow of the Machine Intelligence Research Institute; he also writes Harry Potter fan fiction). “The ‘Intuitions’ Behind ‘Utilitarianism.’” 28 January 2008. LessWrong. http://lesswrong.com/lw/n9/the\_intuitions\_behind\_utilitarianism/]

I haven’t said much about metaethics – the nature of morality – because that has a forward dependency on a discussion of the Mind Projection Fallacy that I haven’t gotten to yet. I used to be very confused about metaethics. After my confusion finally cleared up, I did a postmortem on my previous thoughts. I found that my object-level moral reasoning had been valuable and my **meta-level moral reasoning had been** worse than **useless**. And this appears to be a general syndrome – **people do much better when discussing whether torture is** good or **bad than**when they discuss **the meaning of “good” and “bad”. Thus, I deem it prudent to keep moral discussions on the object level** wherever I possibly can. Occasionally people object to any discussion of morality on the grounds that morality doesn’t exist, and in lieu of jumping over the forward dependency to explain that “exist” is not the right term to use here, I generally say, “But what do you do anyway?” and take the discussion back down to the object level. Paul Gowder, though, has pointed out that both the idea of choosing a googolplex dust specks in a googolplex eyes over 50 years of torture for one person, and the idea of “utilitarianism”, depend on “intuition”. He says I’ve argued that the two are not compatible, but charges me with failing to argue for the utilitarian intuitions that I appeal to. Now “intuition” is not how I would describe the computations that underlie human morality and distinguish us, as moralists, from an ideal philosopher of perfect emptiness and/or a rock. But I am okay with using the word “intuition” as a term of art, bearing in mind that “intuition” in this sense is not to be contrasted to reason, but is, rather, the cognitive building block out of which both long verbal arguments and fast perceptual arguments are constructed. **I see** the project of **morality as a project of renormalizing intuition.** We have intuitions about things that seem desirable or undesirable, intuitions about actions that are right or wrong, intuitions about how to resolve conflicting intuitions, intuitions about how to systematize specific intuitions into general principles. **Delete all** the **intuitions, and** you aren’t left with an ideal philosopher of perfect emptiness, **you’re left with a rock. Keep all your** specific **intuitions and** refuse to build upon the reflective ones, and you aren’t left with an ideal philosopher of perfect spontaneity and genuineness, **you’re left with a** grunting **caveperson** running in circles, due to cyclical preferences and similar inconsistencies. “Intuition”, as a term of art, is not a curse word when it comes to morality – there is nothing else to argue from. **Even modus ponens is an “intuition”** in this sense – **it**‘s **just** that modus ponens **still seems like a good idea after being** formalized, **reflected on**, extrapolated out to see if it has sensible consequences, etcetera. So that is “intuition”. However, Gowder did not say what he meant by “utilitarianism”. Does utilitarianism say… That right actions are strictly determined by good consequences? That praiseworthy actions depend on justifiable expectations of good consequences? That probabilities of consequences should normatively be discounted by their probability, so that a 50% probability of something bad should weigh exactly half as much in our tradeoffs? That virtuous actions always correspond to maximizing expected utility under some utility function? That two harmful events are worse than one? That two independent occurrences of a harm (not to the same person, not interacting with each other) are exactly twice as bad as one? That for any two harms A and B, with A much worse than B, there exists some tiny probability such that gambling on this probability of A is preferable to a certainty of B? If you say that I advocate something, or that my argument depends on something, and that it is wrong, do please specify what this thingy is… anyway, I accept 3, 5, 6, and 7, but not 4; I am not sure about the phrasing of 1; and 2 is true, I guess, but phrased in a rather solipsistic and selfish fashion: you should not worry about being praiseworthy. Now, what are the “intuitions” upon which my “utilitarianism” depends? This is a deepish sort of topic, but I’ll take a quick stab at it. First of all, it’s not just that someone presented me with a list of statements like those above, and I decided which ones sounded “intuitive”. Among other things, **if you try to violate** “**util**itarianism”, **you run into paradoxes, contradictions**, circular preferences, **and other** things that aren’t **symptoms of** moral wrongness so much as **moral incoherence**. After you think about moral problems for a while, and also find new truths about the world, and even discover disturbing facts about how you yourself work, you often end up with different moral opinions than when you started out. This does not quite define moral progress, but it is how we experience moral progress. As part of my experienced moral progress, I’ve drawn a conceptual separation between questions of type Where should we go? and questions of type How should we get there? (Could that be what Gowder means by saying I’m “utilitarian”?) The question of where a road goes – where it leads – you can answer by traveling the road and finding out. If you have a false belief about where the road leads, this falsity can be destroyed by the truth in a very direct and straightforward manner. When it comes to wanting to go to a particular place, this want is not entirely immune from the destructive powers of truth. You could go there and find that you regret it afterward (which does not define moral error, but is how we experience moral error). But, even so, wanting to be in a particular place seems worth distinguishing from wanting to take a particular road to a particular place. Our intuitions about where to go are arguable enough, but our intuitions about how to get there are frankly messed up. **After** the two hundred and eighty-seventh **research** study **showing that people will chop their own feet off if you frame the problem the wrong way, you start to distrust first impressions. When you’ve read** enough **research on scope insensitivity** – people will pay only 28% more to protect all 57 wilderness areas in Ontario than one area, **people will pay the same amount to save 50,000 lives as 5,000** lives… that sort of thing… Well, the worst case of scope insensitivity I’ve ever heard of was described here by Slovic: Other recent research shows similar results. Two Israeli psychologists asked people to contribute to a costly life-saving treatment. They could offer that contribution to a group of eight sick children, or to an individual child selected from the group. The target amount needed to save the child (or children) was the same in both cases. Contributions to individual group members far outweighed the contributions to the entire group. There’s other research along similar lines, but I’m just presenting one example, ’cause, y’know, eight examples would probably have less impact. If you know the general experimental paradigm, then the reason for the above behavior is pretty obvious – focusing your attention on a single child creates more emotional arousal than trying to distribute attention around eight children simultaneously. So people are willing to pay more to help one child than to help eight. Now, **you could** look at this intuition, and **think it was** revealing **some** kind of incredibly **deep moral truth** which shows that one child’s good fortune is somehow devalued by the other children’s good fortune. But what about the billions of other children in the world? Why isn’t it a bad idea to help this one child, when that causes the value of all the other children to go down? How can it be significantly better to have 1,329,342,410 happy children than 1,329,342,409, but then somewhat worse to have seven more at 1,329,342,417? **Or you could** look at that and **say: “The intuition is wrong: the brain can’t** successfully **multiply** by eight and get a larger quantity than it started with. **But it ought to**, normatively speaking.” And once you realize that the brain can’t multiply by eight, then the other cases of scope neglect stop seeming to reveal some fundamental truth about 50,000 lives being worth just the same effort as 5,000 lives, or whatever. You don’t get the impression you’re looking at the revelation of a deep moral truth about nonagglomerative utilities. It’s just that the brain doesn’t goddamn multiply. Quantities get thrown out the window. If you have $100 to spend, and you spend $20 each on each of 5 efforts to save 5,000 lives, you will do worse than if you spend $100 on a single effort to save 50,000 lives. Likewise if such choices are made by 10 different people, rather than the same person. As soon as you start believing that it is better to save 50,000 lives than 25,000 lives, that simple preference of final destinations has implications for the choice of paths, when you consider five different events that save 5,000 lives. (It is a general principle that Bayesians see no difference between the long-run answer and the short-run answer; you never get two different answers from computing the same question two different ways. But the long run is a helpful intuition pump, so I am talking about it anyway.) The aggregative valuation strategy of “shut up and multiply” arises from the simple preference to have more of something – to save as many lives as possible – when you have to describe general principles for choosing more than once, acting more than once, planning at more than one time. Aggregation also arises from claiming that the local choice to save one life doesn’t depend on how many lives already exist, far away on the other side of the planet, or far away on the other side of the universe. Three lives are one and one and one. No matter how many billions are doing better, or doing worse. 3 = 1 + 1 + 1, no matter what other quantities you add to both sides of the equation. And if you add another life you get 4 = 1 + 1 + 1 + 1. That’s aggregation. **When you’ve read** enough heuristics and **biases research, and**enough **coherence** and uniqueness **proofs for** Bayesian probabilities and **expected utility**, and you’ve seen the “Dutch book” and “money pump” effects that penalize trying to handle uncertain outcomes any other way, then **you don’t see** the **preference reversals** in the Allais Paradox **as** revealing some incredibly **deep moral truth** about the intrinsic value of certainty. **It** just **goes to show that the brain doesn’t** goddamn **multiply.** The primitive, perceptual intuitions that make a choice “feel good” don’t handle probabilistic pathways through time very skillfully, especially when the probabilities have been expressed symbolically rather than experienced as a frequency. So you reflect, devise more trustworthy logics, and think it through in words. When you see people insisting that no amount of money whatsoever is worth a single human life, and then driving an extra mile to save $10; or when you see people insisting that no amount of money is worth a decrement of health, and then choosing the cheapest health insurance available; then you don’t think that their protestations reveal some deep truth about incommensurable utilities. Part of it, clearly, is that **primitive intuitions don’t**successfully **diminish the emotional impact of** symbols standing for **small quantities** – anything you talk about seems like “an amount worth considering”. And part of it has to do with preferring unconditional social rules to conditional social rules. Conditional rules seem weaker, seem more subject to manipulation. If there’s any loophole that lets the government legally commit torture, then the government will drive a truck through that loophole. So it seems like there should be an unconditional social injunction against preferring money to life, and no “but” following it. Not even “but a thousand dollars isn’t worth a 0.0000000001% probability of saving a life”. Though the latter choice, of course, is revealed every time we sneeze without calling a doctor. The rhetoric of sacredness gets bonus points for seeming to express an unlimited commitment, an unconditional refusal that signals trustworthiness and refusal to compromise. So you conclude that moral rhetoric espouses qualitative distinctions, because espousing a quantitative tradeoff would sound like you were plotting to defect. On such occasions, people vigorously want to throw quantities out the window, and they get upset if you try to bring quantities back in, because quantities sound like conditions that would weaken the rule. But you don’t conclude that there are actually two tiers of utility with lexical ordering. You don’t conclude that there is actually an infinitely sharp moral gradient, some atom that moves a Planck distance (in our continuous physical universe) and sends a utility from 0 to infinity. You don’t conclude that utilities must be expressed using hyper-real numbers. Because the lower tier would simply vanish in any equation. It would never be worth the tiniest effort to recalculate for it. All decisions would be determined by the upper tier, and all thought spent thinking about the upper tier only, if the upper tier genuinely had lexical priority. As Peter Norvig once pointed out, if Asimov’s robots had strict priority for the First Law of Robotics (“A robot shall not harm a human being, nor through inaction allow a human being to come to harm”) then no robot’s behavior would ever show any sign of the other two Laws; there would always be some tiny First Law factor that would be sufficient to determine the decision. Whatever value is worth thinking about at all, must be worth trading off against all other values worth thinking about, because thought itself is a limited resource that must be traded off. When you reveal a value, you reveal a utility. I don’t say that morality should always be simple. I’ve already said that the meaning of music is more than happiness alone, more than just a pleasure center lighting up. I would rather see music composed by people than by nonsentient machine learning algorithms, so that someone should have the joy of composition; I care about the journey, as well as the destination. And I am ready to hear if you tell me that the value of music is deeper, and involves more complications, than I realize – that the valuation of this one event is more complex than I know. But that’s for one event. When it comes to multiplying by quantities and probabilities, complication is to be avoided – at least if you care more about the destination than the journey. **When you’ve reflected** on enough intuitions, **and corrected enough absurdities, you** start to **see a common denominator**, a meta-principle at work, **which one might phrase as “Shut up and multiply.”** Where music is concerned, I care about the journey. When lives are at stake, I shut up and multiply. It is more important that lives be saved, than that we conform to any particular ritual in saving them. And the optimal path to that destination is governed by laws that are simple, because they are math. **And that’s why I’m a utilitarian** – at least when I am doing something that is overwhelmingly more important than my own feelings about it – which is most of the time, because there are not many utilitarians, and many things left undone.

#### 6. actor spec-

#### a. no act-omission or intent-foresight distinction- gov’ts must create permissions and prohibitions so inaction is functionally an action and policymakers have to take the global perspective since they are responsible for the public and lack the relevant features of individual agents like autonomy that justify such a distinction

#### b. gov’ts have to aggregate since all collective actions require trade-offs that benefit some and worsen others- side-constraints freeze action and render ethics inoperable- takes-out and turns calc indicts- consequentialism is hard but not impossible, it’s empirically false since we calculate all the time, and the alt is no action which is worse

#### c. only consequentialism treats agents equally since it values their well-being the same- public officials have special obligations by virtue of their role to benefit its people in an equal manner

#### 7. Lexical pre-requisite: Threats to life preclude the ability for moral actors to effectively utilize and act upon other moral theories