## 1AR

### OFFs

#### Your rhetoric of “Paralysis” is an independent voting issue – use ‘freeze’ instead

Gent, PhD – Special Education, 10

[Pamela,– severe disabilities, in Stewart and Webster’s Problematizing Service-Learning: Critical Reflections for Development and Action, p233] cw//az

We have said students are "paralyzed perfectionists" (Higgins 8c Boone, 2003, p. 139), "feel paralyzed, unsure of where to start or what to do," (Maryland Student Service Alliance, 2004, p. 2), "become paralyzed by a sense of impotence, rage, and cynicism" (McNall, 1999), and "are crippled by an amazingly constricted frame of reference" (Barilen, 2003, p. 107). People whose impairments have resulted in paralysis would tell us that their paralysis is not the result of feelings, rage, perfectionism, or their frame of reference. They would also tell us that it is ableist to assume that the type of temporary inactivity suggested in these quotes is in any way similar to their own lived reality. While many of us would question the use of overtly racist or sexist language in our classrooms, we may never have questioned the use of such ableist language.

#### Comes first:

#### [1] Reversibility: once oppressive rhetoric is used it cannot be taken back

#### [2] Norm setting: we are part of a larger debate community with extensive norms – letting bad discourse be rampant kills the community

**[3] Competition: debate is an educational competition with no place for offensive rhetoric – that kills access to the lasting benefit debate provides**

## 1AC

### Climate

#### Status Quo policies make the opportunity cost for teacher strikes too high

**Casey 20** Leo Casey, 12-2-2020, "The Teacher Strike: Conditions for Success," Dissent Magazine, <https://www.dissentmagazine.org/online_articles/the-teacher-strike-conditions-for-success>

The most essential organizational task is winning and keeping the allegiance of teachers to the strike. Teachers are knowledgeable and discerning political actors. They understand full well that strikes are a high-intensity and high-risk tactic, with the potential both to deliver advances and victories that could not be otherwise obtained and to end in major setbacks and defeats. The risk side of this equation is particularly acute in the three-quarters of all states where teacher strikes are illegal; in these states, striking becomes an act of civil disobedience and can result in severe penalties to teachers and their unions. To be willing to go on strike and stay out until a settlement is won, therefore, teachers need to be convinced on a number of different counts: first, that they are fighting for important, worthwhile objectives; second, that those objectives cannot be achieved through other means that are not as high-intensity and high-risk as a strike; third, that the strike has reasonable prospects of success; fourth, that the strike objectives have strong support in the community; and fifth, that the solidarity among teachers, which is essential to a strike’s success, is strong and will hold. In significant measure, the last of these points is dependent not simply on the organization and mobilization of the strike, but also on the four antecedent conditions. If teachers become doubtful on any of these points, it will become difficult to mount or sustain a successful strike.

#### That causes teachers uproot and quitting.

**Carpenter 21** Jennifer Carpenter., 05-17-21, "Opinion: Protect local control for schools," Burlington Free Press, https://www.burlingtonfreepress.com/story/opinion/my-turn/2017/05/17/opinion-protect-local-control-schools/101726614/

The most crucial part of the proposal put forward by House Speaker Mitzi Johnson and President Pro Tem Tim Ashe is that it protects local control of schools. Statewide health insurance negotiations for teachers is the first step towards a statewide teachers’ contract, kneecapping school boards and paving the way towards a single, statewide school district. That is unacceptable, but it is the hill Gov. Scott and his Republican allies have decided to make their stand on. It is telling that Sen. Degree, one of Gov. Scott’s strongest supporters, included in his proposed amendment a clause that would have removed teachers’ right to strike. That shows their true intentions. When teachers’ needs are not met, students’ needs will not be met, and we will be unable to retain and attract a workforce of young families which is critical to the revitalization of our state’s economy. There will be no incentive for the teaching profession to attract and retain new teachers to the field if our state government teaches our community that teachers have no say over their working conditions and therefore are not valued. Schools need teachers and we need enrollment of students. Teachers and families of school age children will simply uproot and go elsewhere to have their needs met, jeopardizing our educational system, our school-age population and workforce. A “one-size-fits-all” approach from our state government cannot possibly work across the board for every school. Having worked in four different school districts in the state, I have been exposed to potential consequences of centralized control. I recall an emergency meeting at one of those districts in 2016 between administration and teachers where there were very tense discussions on what the initial proposal of Act 46 per-pupil spending cap would have meant for the school. Had the administration and teachers not pulled together to discuss and demand more for their programs and allowed a reckless centralized decision to go forth, to paraphrase one of the teachers present at this meeting, the initial Act 46 proposal would have destroyed the institution, as it would have meant dismantling most aspects of the curriculum that would render the students to be competitive for college and in the workforce, as the cuts were too severe of an impact on the school programs to justify sending anyone there. As a result, several teachers said they would have been prepared to pull their own children from the school and move out of the area. This is only one example of how allowing the state to have centralized control, which has proved to be an approach lacking in carefully frontloaded research and detailed examination of impact on programs and teachers, would have devastating consequences on local communities.

#### Current quality of education is sharply decreasing through teacher shortages

**Boyce 19** Paul Boyce, 9-17-2019, "The Teacher Shortage Is Real and about to Get Much Worse. Here's Why," No Publication, https://fee.org/articles/the-teacher-shortage-is-real-and-about-to-get-much-worse-heres-why/

Teacher Shortage According to research by the Economic Policy Institute (EPI), the teacher shortage could reach 200,000 by 2025, up from 110,000 in 2018. This shortage of workers is due to a number of factors. Among them are pay, working conditions, lack of support, lack of autonomy, and the changing curriculum. The shortage of teachers will inevitably cause a decline in educational standards. The shortage is crucially important to educational outcomes. Class sizes are rising, causing a detrimental effect on these outcomes. As the number of available teachers declines, class sizes have to increase to compensate. Having more kids in a class can also affect teacher performance—more books to mark, more children to monitor, more children's behavior that needs managing. The pressure on teachers to obtain high test scores amps up stress further. It creates a vicious cycle, and it is starting to snowball. The shortage is only set to increase unless something changes. Impact on Quality The shortage of teachers will inevitably cause a decline in educational standards. Principals face a shortage of highly qualified teachers. The natural response for them is to hire less qualified teachers, hire teachers trained in another field or grade, or make use of unqualified substitute teachers. This means students are being taught by teachers who lack sufficient skills and knowledge. According to the National Commission on Teaching and America's Future: Studies discover again and again that teacher expertise is one of the most important factors in determining student achievement, followed by the smaller but generally positive influences of small schools and small class sizes. That is, teachers who know a lot about teaching and learning who work in environments that allow them to know students well are the critical elements of successful learning. Teachers matter more to student achievement than any other factor. In fact, research by Chlotfelter, Ladd, & Vigdor states that teacher qualifications predict more of the difference in educational gains than race and parent education combined.

#### Quality of education is key for innovation to stop climate change

Kwauk et al 3/26’ [Christina Kwauk and Rebecca Winthrop, 3-26-2021, "Unleashing the creativity of teachers and students to combat climate change: An opportunity for global leadership," Brookings, <https://www.brookings.edu/research/unleashing-the-creativity-of-teachers-and-students-to-combat-climate-change-an-opportunity-for-global-leadership/>]

Recent research shows that if only 16 percent of high school students in high- and middle-income countries were to receive climate change education, we could see a nearly 19 gigaton reduction of carbon dioxide by 2050. When education helps students develop a strong personal connection to climate solutions, as well as a sense of personal agency and empowerment, it can have consequential impact on students’ daily behaviors and decisionmaking that reduces their overall lifetime carbon footprint. Imagine if 100 percent of students in the world received such an education. New evidence also shows that the combination of women’s empowerment and education that includes everyone—especially the 132 million out-of-school girls across the developing world—could result in an 85 gigaton reduction of carbon dioxide by 2050. By these estimates, leveraging the power of education is potentially more powerful than solely increasing investments in onshore wind turbines (47 gigaton reduction) or concentrated solar power (19 gigaton reduction) alone. When we say that all climate solutions are needed to draw down greenhouse gases, we must also mean education solutions, too. When we say that all climate solutions are needed to draw down greenhouse gases, we must also mean education solutions, too. But beyond education’s potential impact on reducing carbon emissions, education—especially for girls—can save lives in the context of natural disasters exacerbated by climate change by reducing climate risk vulnerability. In a study of 125 countries, researchers found that the death toll caused by floods, droughts, wildfires, extreme temperature events, and extreme weather events could be 60 percent lower by 2050 if 70 percent of women were able to achieve a lower-secondary-school education. Imagine if 100 percent of women were to achieve a full 12 years of education. An equally important outcome of education is its potential to increase young people’s capacity to adapt to the harsh impacts of climate change by building important knowledge and a breadth of “green skills.” For example, young people need both a strong knowledge base around the causes of a warming climate but also a strong set of skills that will allow them to apply their knowledge in the real world, including problem-solving, critical thinking, teamwork, coping with uncertainty, empathy, and negotiation. Indeed these very “transferable skills” are needed equally to thrive in the world of work and to be constructive citizens. Today it is those communities that have historically contributed the least to present-day carbon emissions—such as minority and indigenous communities in the U.S. and many low- and middle-income countries and small island developing states✎ EditSign—that are often the most vulnerable to its risks and impacts. In the U.S. for example, 6,000 schools are located in flood zones and 1 million children had their learning disrupted during California’s 2018-2019 wildfire season, hitting students in low-income communities the hardest. Across the globe, schools and entire communities in the poorest countries in the world are regularly upended due to severe floods and hurricanes, all expected to worsen in intensity and frequency due to climate change. For example, in 2013 Super Typhoon Haiyan✎ EditSign killed more than 6,000 people in the Philippines, damaged or destroyed more than 3,200 schools and day care centers, disrupted the education of more than a million children, and placed 49,000 young girls and women✎ EditSign at risk of sex trafficking due to their displacement in crowded and unsafe shelters. For these communities, climate change is an unchecked threat multiplier. Combating climate change is a move toward climate justice and gender justice. And education has a role to play. High quality climate-change education can also help empower girls and youth to become powerful change agents for sustainability in their communities, charting new paths forward for what life can and should be like.

#### Climate change destroys the world.

Specktor 19 [Brandon; writes about the science of everyday life for Live Science, and previously for Reader's Digest magazine, where he served as an editor for five years; "Human Civilization Will Crumble by 2050 If We Don't Stop Climate Change Now, New Paper Claims," livescience, 6/4/19; <https://www.livescience.com/65633-climate-change-dooms-humans-by-2050.html>] Justin

The current climate crisis, they say, is larger and more complex than any humans have ever dealt with before. General climate models — like the one that the [United Nations' Panel on Climate Change](https://www.ipcc.ch/sr15/) (IPCC) used in 2018 to predict that a global temperature increase of 3.6 degrees Fahrenheit (2 degrees Celsius) could put hundreds of millions of people at risk — fail to account for the **sheer complexity of Earth's many interlinked geological processes**; as such, they fail to adequately predict the scale of the potential consequences. The truth, the authors wrote, is probably far worse than any models can fathom. How the world ends What might an accurate worst-case picture of the planet's climate-addled future actually look like, then? The authors provide one particularly grim scenario that begins with world governments "politely ignoring" the advice of scientists and the will of the public to decarbonize the economy (finding alternative energy sources), resulting in a global temperature increase 5.4 F (3 C) by the year 2050. At this point, the world's ice sheets vanish; brutal droughts kill many of the trees in the [Amazon rainforest](https://www.livescience.com/57266-amazon-river.html) (removing one of the world's largest carbon offsets); and the planet plunges into a feedback loop of ever-hotter, ever-deadlier conditions. "Thirty-five percent of the global land area, and **55 percent of the global population, are subject to more than 20 days a year of** [**lethal heat conditions**](https://www.livescience.com/55129-how-heat-waves-kill-so-quickly.html), beyond the threshold of human survivability," the authors hypothesized. Meanwhile, droughts, floods and wildfires regularly ravage the land. Nearly **one-third of the world's land surface turns to desert**. Entire **ecosystems collapse**, beginning with the **planet's coral reefs**, the **rainforest and the Arctic ice sheets.** The world's tropics are hit hardest by these new climate extremes, destroying the region's agriculture and turning more than 1 billion people into refugees. This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to **stress the fabric of the world's largest nations**, including the United States. Armed conflicts over resources, perhaps culminating in **nuclear war, are likely**. The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."

### Solvency

#### Thus, the plan Resolved: A just United States ought to recognize teachers’ unconditional right to strike.

Shanker 73’ [SHANKER, ALBERT L. “Why Teachers Need the Right to Strike.” Monthly Labor Review, vol. 96, no. 9, 1973, pp. 48–51. JSTOR, [www.jstor.org/stable/41839103. Accessed 21 June 2021](http://www.jstor.org/stable/41839103.%20Accessed%2021%20June%202021).]

INSTEAD of talking about alternatives to strikes, we ought to be talking about trying to strike in the pub-lic sector. It has not been tried. In the private sec-tor, we have paid a price for strikes. We have paid a price for the process of collective bargaining, be-cause the only alternative is an unfree society—and the price that we pay for strikes is one that we generally are willing to pay. Collective bargaining has never been sold as an ideal answer to anything, but it is the lesser of a number of evils that exist in the private sector and, in a somewhat modified form, in the public sector. Management and labor have to go through some sort of messy process to find a way of agreeing with each other for a period of time, and the only alter-natives are unilateral determination by management —which leads to exploitation—or arbitration—which leads to the imposition by a third party of his views. There are some differences in the public sector, but these are not adequate justification to abolish or modify the bargaining process. The notion, con-stantly stated, that in the public sector there is no profit motive is in a sense true. But in a sense it is irrelevant, because there is no question that the public employee bargains just as hard, if not harder, than the private employee. The question of being reelected, the fear of being accused of throwing away public money—"giving it away" to public employees —and also the very fact that he is involved in a public activity in many ways makes it more difficult for public management to bargain than for private management. No one fought a tougher battle against labor unions than philanthropists who were involved in donating their own time as managers in hospitals in the City of New York. They spent many hours in getting many billions of dollars to see to it that these hospitals could be made viable. But when it came to providing an effective union for employees earning $24 or $25 a week, they felt that those employees should donate their time, too, since the philanthro-pists were. This happens frequently in public sector management. Another issue in the public sector, somewhat more difficult to resolve, is that top public manage-ment is elected by the people, put there in order to effectuate public purposes. We do run into a con-flict in the question of bargaining and it is just that—who is making these public decisions? Can public management make the decision on the basis of their platform, on the basis of their promises? Or will elections become-relatively meaningless, be-cause whatever the politician says he's going to do, eventually he's going to the bargaining table and be forced to do, not what the people or the general public want him to do, but what he is compelled to do. Who's really running the city, the Board of Education? the Department of Sanitation? Is it the people in a democracy, or is it the unions—here viewed as a greedy and private interest, compelling government to do for its purposes rather than those of the people. These are some of the issues in this sector. As we look at alternatives, it is important to acknowledge that strikes originally were widespread in obtaining recognition for unions. No one has mentioned that the majority of States still do not recognize any form of collective bargaining for pub-lic employees. Here in California there is an ineffec-tive "meet and confer" law, which does not result in binding written agreements or anything resem-bling collective bargaining. Instead of talking about alternatives to the strike in the public sector, I would say that the teachers and other public employees in the State of Cali-fornia, and the majority of other States in the United States, would be wise to follow the trends of teachers and other public workers in New York, Chicago, Philadelphia, and elsewhere—because if they do not in fact exercise the right to strike, the government may never create the machinery that employees have in other States. It is not accidental that in States in which public employees have engaged in strikes the legislatures have found it possible to create mecha-nisms for collective bargaining.

#### Definition of unconditional right to strike:

NLRB 85 [National Labor Relations Board; “Legislative History of the Labor Management Relations Act, 1947: Volume 1,” Jan 1985; <https://play.google.com/store/books/details?id=7o1tA__v4xwC&rdid=book-7o1tA__v4xwC&rdot=1>] Justin

\*\*Edited for gendered language

As for the so-called absolute or unconditional right to strike—there are no absolute rights that do not have their corresponding responsibilities. Under our American Anglo-Saxon system, each individual is entitled to the maximum of freedom, provided however (and this provision is of first importance), his [their] freedom has due regard for the rights and freedoms of others. The very safeguard of our freedoms is the recognition of this fundamental principle. I take issue very definitely with the suggestion that there is an absolute and unconditional right to concerted action (which after all is what the strike is) which endangers the health and welfare of our people in order to attain a selfish end.

#### We defend these strikes as outlined by the NRLA

SHRM N.D. SHRM, xx-xx-xxxx, "Are all types of strikes protected under the National Labor Relations Act? ," https://www.shrm.org/resourcesandtools/tools-and-samples/hr-qa/pages/cms\_021003.asp/SJKS

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An employee's right to strike is a critical component of the right to organize but is not without limitations. Certain strikes qualify as protected activity under the National Labor Relations Act (NLRA), but not all strikes are protected. The main types of strikes covered by the NLRA are: Unfair labor practice strikes, which protest employers' illegal activities. Economic strikes, which may occur when there are disputes over wages or benefits. Recognition strikes, which are intended to force employers to recognize unions. Jurisdictional strikes, which are concerted refusals to work to affirm members' right to particular job assignments and to protest the assignment of work to another union or to unorganized employees.

#### Empirics confirm right to strike improves teacher union legitimacy

DiSalvo, Daniel, and Michael Hartney. “Teachers Unions in the Post-Janus World.” Education Next, 2 Sept. 2020, www.educationnext.org/teachers-unions-post-janus-world-defying-predictions-still-hold-major-clout/[ Daniel Disalvo

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* Increases solidarity proven by survey
* Provides incentive to join union which increases member count
* Positive press coverage that empirically increases public support

It is probably not a coincidence that public-school teachers began engaging in strikes and work stoppages soon after the Janus decision was handed down. In 2018, teacher walkouts occurred in the Republican-leaning, weak-union states of Oklahoma, Kentucky, Arizona, West Virginia, North Carolina, and Colorado. Of these, the largest work stoppage was by the Arizona Education Association and involved 81,000 teachers. The second-largest strike, by the Oklahoma Education Association, included 45,000 teachers. Overall, the 20 major teacher strikes of 2018 involved the highest number of workers—485,000—since 1986. Aside from forcing local workplace issues to the bargaining table, strikes can also serve as a union recruitment and retention strategy. Calling a strike enlists the rank-and-file in a collective enterprise and thereby enhances union solidarity. Because only union members can vote to authorize a strike, union leaders can use such occasions to recruit nonmembers to join. Strikes also gain teachers unions sympathetic national press coverage. In 2019, a smaller wave of strikes occurred in Democrat-dominated, strong-union cities, including Los Angeles, Oakland, Denver, and Chicago, as well as in a number of smaller school districts in Oregon, California, and New Jersey. Prior to 2018–2019, only two notable teacher strikes had occurred in big cities in the past 20 years: a 7-day walkout in Chicago in 2012 and a 16-day walkout in Detroit in 2006. Besides pay, a major point of contention in these strikes was the demand that school districts hire more teachers to reduce class sizes and employ more support staff. Regardless of whether such measures make wise policy, they clearly serve to increase the pool of potential union members. Consider that, in Los Angeles, the district and the union settled on a deal that added 300 nurses, 82 librarians, 77 counselors, and some new teachers to reduce class sizes. In Chicago, the district and the union settled a five-day strike with a contract that included caps on class sizes, which necessitated adding more teachers, and promises to hire 250 nurses and 209 social workers. All of these new employees are potential union members. There is evidence that teachers-union activity post-Janus did increase solidarity. A survey by Educators for Excellence found that 54 percent of teachers in 2020 felt that union membership provided them with “feelings of pride and solidarity,” up from 46 percent in 2018. In addition, a little more than half of teachers who do not belong to the union say they are likely to join their union next year. The strikes have also increased public support for the teaching profession. Although a vigorous debate persists among analysts, it is now the popular wisdom that teachers are underpaid. West Virginia and Arizona both ended teacher walkouts by passing across-the-board pay increases. Early in the current presidential campaign, some Democratic candidates proposed using federal funds to top up teacher salaries. Public opinion has notably shifted in favor of increasing teacher salaries. The 2019 Education Next survey found that, among respondents who were not told the average salary of teachers in their home state, 72 percent said teacher pay should increase, while just 3 percent favored cutting it. Even among respondents who were told how much teachers currently make, 56 percent favored hiking these salaries—a 20 percent increase since 2017—and only 5 percent wanted to decrease them. Beyond pay, one study found that the recent strike wave increased support for teachers unions. The survey found that parents of school-age children with firsthand experience with the recent strikes supported greater legal rights for teachers unions and favored a stronger labor movement. This is a notable finding, given that teacher work stoppages make life difficult for parents, who must scramble to find childcare and things for kids to do. In short, the teachers unions have gained public sympathy, while education reformers have lost some. Consider the cover of Time magazine at the dawn of the education-reform movement in 1980: “Help! Teacher Can’t Teach.” Forty years later, in the aftermath of the Great Recession and red-state teacher strikes, Time once again put the image of a schoolteacher on its cover, but the headline told a different story: “I have a master’s degree, 16 years of experience, work two extra jobs, and donate blood plasma to pay the bills. I’m a teacher in America!”

### Framing

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

#### [1] Pleasure and pain are the starting point for moral reasoning—they’re our most baseline desires and the only things that explain the intrinsic value of objects or actions

Moen 16, Ole Martin (PhD, Research Fellow in Philosophy at University of Oslo). "An Argument for Hedonism." Journal of Value Inquiry 50.2 (2016): 267.

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. Although pleasure and pain thus seem to be good candidates for intrinsic value and disvalue, several objections have been raised against this suggestion: (1) that pleasure and pain have instrumental but not intrinsic value/disvalue; (2) that pleasure and pain gain their value/disvalue derivatively, in virtue of satisfying/frustrating our desires; (3) that there is a subset of pleasures that are not intrinsically valuable (so-called “evil pleasures”) and a subset of pains that are not intrinsically disvaluable (so-called “noble pains”), and (4) that pain asymbolia, masochism, and practices such as wiggling a loose tooth render it implausible that pain is intrinsically disvaluable. I shall argue that these objections fail. Though it is, of course, an open question whether other objections to P1 might be more successful, I shall assume that if (1)–(4) fail, we are justified in believing that P1 is true itself a paragon of freedom—there will always be some agents able to interfere substantially with one’s choices. The effective level of protection one enjoys, and hence one’s actual degree of freedom, will vary according to multiple factors: how powerful one is, how powerful individuals in one’s vicinity are, how frequent police patrols are, and so on. Now, we saw above that what makes a slave unfree on Pettit’s view is the fact that his master has the power to interfere arbitrarily with his choices; in other words, what makes the slave unfree is the power relation that obtains between his master and him. The difﬁculty is that, in light of the facts I just mentioned, there is no reason to think that this power relation will be unique. A similar relation could obtain between the master and someone other than the slave: absent perfect state control, the master may very well have enough power to interfere in the lives of countless individuals. Yet it would be wrong to infer that these individuals lack freedom in the way the slave does; if they lack anything, it seems to be security. A problematic power relation can also obtain between the slave and someone other than the master, since there may be citizens who are more powerful than the master and who can therefore interfere with the slave’s choices at their discretion. Once again, it would be wrong to infer that these individuals make the slave unfree in the same way that the master does. Something appears to be missing from Pettit’s view. If I live in a particularly nasty part of town, then it may turn out that, when all the relevant factors are taken into account, I am just as vulnerable to outside interference as are the slaves in the royal palace, yet it does not follow that our conditions are equivalent from the point of view of freedom. As a matter of fact, we may be equally vulnerable to outside interference, but as a matter of right, our standings could not be more different. I have legal recourse against anyone who interferes with my freedom; the recourse may not be very effective—presumably it is not, if my overall vulnerability to outside interference is comparable to that of a slave— but I still have full legal standing.68 By contrast, the slave lacks legal recourse against the interventions of one speciﬁc individual: his master. It is that fact, on a Kantian view—a fact about the legal relation in which a slave stands to his master—that sets slaves apart from freemen. The point may appear trivial, but it does get something right: whereas one cannot identify a power relation that obtains uniquely between a slave and his master, the legal relation between them is undeniably unique. A master’s right to interfere with respect to his slave does not extend to freemen, regardless of how vulnerable they might be as a matter of fact, and citizens other than the master do not have the right to order the slave around, regardless of how powerful they might be. This suggests that Kant is correct in thinking that the ideal of freedom is essentially linked to a person’s having full legal standing. More speciﬁcally, he is correct in holding that the importance of rights is not exhausted by their contribution to the level of protection that an individual enjoys, as it must be on an instrumental view like Pettit’s. Although it does matter that rights be enforced with reasonable effectiveness, the sheer fact that one has adequate legal rights is essential to one’s standing as a free citizen. In this respect, Kant stays faithful to the idea that freedom is primarily a matter of standing—a standing that the freeman has and that the slave lacks. Pettit himself frequently insists on the idea, but he fails to do it justice when he claims that freedom is simply a matter of being adequately (and reliably) shielded against the strength of others. As Kant recognizes, the standing of a free citizen is a more complex matter than that. One could perhaps worry that the idea of legal standing is something of a red herring here—that it must ultimately be reducible to a complex network of power relations and, hence, that the position I attribute to Kant differs only nominally from Pettit’s. That seems to me doubtful. Viewing legal standing as essential to freedom makes sense only if our conception of the former includes conceptions of what constitutes a fully adequate scheme of legal rights, appropriate legal recourse, justiﬁed punishment, and so on. Only if one believes that these notions all boil down to power relations will Kant’s position appear similar to Pettit’s. On any other view—and certainly that includes most views recently defended by philosophers—the notion of legal standing will outstrip the power relations that ground Pettit’s theory.

#### [2] Physicalism is true and leads to util – ignore non-material circumstances.

Papineau 9 Papineau, David, "Naturalism", The Stanford Encyclopedia of Philosophy (Spring 2009 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/spr2009/entries/naturalism/>.

In the middle of the nineteenth century the conservation of kinetic plus potential energy came to be accepted as a basic principle of physics (Elkana 1974). In itself this does not rule out distinct mental or vital forces, for there is no reason why such forces should not be ‘conservative’, operating in such a way as to compensate losses of kinetic energy by gains in potential energy and vice versa. (The term ‘nervous energy’ is a relic of the widespread late nineteenth-century assumption that mental processes store up a species of potential energy that is then released in action.) However, the **conservation of energy** does **imply**  that any such special forces must be governed by strict **deterministic laws:** if mental or vital forces arose spontaneously, then there would be nothing to **ensure** that they never led to energy increases. During the course of the twentieth century received scientific opinion became even more restrictive about possible causes of physical effects, and came to reject sui generis mental or vital causes, even of a law-governed and predictable kind. Detailed physiological research, especially into nerve cells, gave no indication of any physical effects that cannot be explained in terms of basic physical forces **that** also **occur outside** living bodies. By the middle of the twentieth century, belief in sui generis mental or vital forces had become a minority view. **This led to** the widespread acceptance of the doctrine now known as the‘causal closure’or the ‘causal completeness’ of the physical realm, according to which **all** physical **effects** **can be accounted for by** basicphysical causes (where ‘physical’ can be understood as referring to some list of fundamental forces) non-physical causes of physical effects. As a result, the default philosophical view was a non-naturalist interactive pluralism which recognized a wide range of such non-physical influences, including spontaneous mental influences (or ‘determinations of the soul’ as they would then have been called). The nineteenth-century discovery of the conservation of energy continued to allow that sui generis non-physical forces can interact with the physical world, but required that they be governed by strict force laws. This gave rise to an initial wave of naturalist doctrines around the beginning of the twentieth century. Sui generis mental forces were still widely accepted, but an extensive philosophical debate about the significance of the conservation of energy led to a widespread recognition that any such mental forces would need to be law-governed and thus amenable to scientific investigation along with more familiar physical forces.[5] By the middle of the twentieth century, the acceptance of the casual closure of the physical realm led to even stronger naturalist views. The causal closure thesis implies that any **mental** and biological causes **must** themselves **be physical**ly constituted**, if they are to produce** physical **effects.** It thus gives rise to a particularly strong form ofontological naturalism, namely the physicalist doctrine that any state that has physical effects must itself be physical. From the 1950s onwards, philosophers began to formulate arguments for ontological physicalism. Some of these arguments appealed explicitly to the causal closure of the physical realm (Feigl 1958, Oppenheim and Putnam 1958). In other cases, the reliance on causal closure lay below the surface. However, it is not hard to see that even in these latter cases the causal closure thesis played a crucial role. Thus, for example, consider J.J.C. Smart's (1958) thought that we should identify mental states with brain states, for otherwise those mental states would be "nomological danglers" which play no role in the explanation of behaviour. Or take David Lewis's (1966) and David Armstrong's (1968) argument that, since mental states are picked out by their causal roles, and since we know that physical states play these roles, mental states must be identical with those physical states. Again, consider Donald Davidson's (1970) argument that, since the only laws governing behaviour are those connecting behaviour with physical antecedents, mental events can only be causes of behaviour if they are identical with those physical antecedents. At first sight, it may not be obvious that these arguments require the causal closure thesis. But a moment's thought will show that none of these arguments would remain cogent if the closure thesis were not true, and that some physical effects (the movement of matter in arms, perhaps, or the firings of the motor neurones which instigate those movements) were not determined by prior physical causes at all, but by sui generis mental causes. Sometimes it is suggested that the indeterminism of modern quantum mechanics creates room for sui generis non-physical causes to influence the physical world. However, even if quantum mechanics implies that some physical effects are themselves undetermined, it provides no reason to doubt a quantum version of the causal closure thesis, to the effect that the chances of those effects are fully fixed by prior physical circumstances. And this alone is enough to rule out sui generis non-physical causes. For such sui generis causes, if they are to be genuinely efficiacious, must presumably make an independent difference to the chances of physical effects, and this in itself would be inconsistent with the quantum causal closure claim that such chances are already fixed by prior physical circumstances. Once more, it seems that anything that makes a difference to the physical realm must itself be physical. Even if it is agreed that anything with physical effects must in some sense be physical, there is plenty of room to debate exactly what ontologically naturalist doctrines follow. The causal closure thesis says that (the chance of) every physical effect is fixed by a fully physical prior history. So, to avoid an unacceptable proliferation of causes, any prima facie non-physical cause of a physical effect will need to be included in that physical history. But what exactly does this require? The contemporary literature offers a wide range of answers to this question. In part the issue hinges on the ontological status of causes. Some philosophers think of causes as particular events, considered in abstraction from any properties they may possess (Davidson 1980). Given this view of causation, a mental or other apparently non-physical cause will be the same as some physical cause as long as it is constituted by the same particular (or ‘token’) event. For example, a given feeling and a given brain event will count as the same cause as long as they are constituted by the same token event. However, it is widely agreed that this kind of ‘token identity’ on its own fails to ensure that prima facie non-physical causes can make any real difference to physical effects. To see why, note that token identity is a very weak doctrine: it does not imply any relationship at all between the properties involved in the physical and non-physical cause; it is enough that the same particular entity should possess both these properties. Compare the way in which an apple's shape and colour are both possessed by the same particular thing, namely that apple. It seems wrong to conclude on this account that the apple's colour causes what its shape causes. Similarly, it seems unwarranted to conclude that someone's feelings cause what that person's neuronal discharges cause, simply on the grounds that these are both aspects of the same particular event. This could be true, and yet the mental property of the event could be entirely irrelevant to any subsequent physical effects. Token identity on its own thus seems to leave it open that the mental and other prima facie non-physical properties are ‘epiphenomenal’, exerting no real influence on effects that are already fixed by physical processes (Honderich 1982, Yalowitz 2006 Section 6, Robb and Heil 2005 Section 5). These considerations argue that causation depends on properties as well as particulars. There are various accounts of causation that respect this requirement, the differences between which do not matter for present purposes. The important point is that, if mental and other prima facie non-physical causes are to be equated with physical causes, [any] non-physical properties must somehow be constituted by physical properties. If your anger is to cause what your brain state causes, the property of being angry cannot be ontologically independent of the relevant brain properties. So much is agreed by nearly all contemporary naturalists. At this point, however, consensus ends. One school holds that epiphenomenalism can only be avoided by type-identity, the strict identity of the relevant prima facie non-physical properties with physical properties. On the other side stand ‘non-reductive’ physicalists, who hold that the causal efficacy of non-physical properties will be respected as long as they are ‘realized by’ physical properties, even if they are not reductively identified with them. Type-identity is the most obvious way to ensure that non-physical and physical causes coincide: if exactly the same particulars and properties comprise a non-physical and a physical cause, the two causes will certainly themselves be fully identical. Still, type-identity is a very strong doctrine. Type identity about thoughts, for example, would imply that the property of thinking about the square root of two is identical with some physical property. And this seems highly implausible. Even if all human beings with this thought must be distinguished by some common physical property of their brains—which itself seems highly unlikely—there remains the argument that other life-forms, or intelligent androids, will also be able to think about the square root of two, even though their brains may share no significant physical properties with ours (cf. Bickle 2006). This ‘variable realization’ argument has led many philosophers to seek an alternative way of reconciling the efficacy of non-physical causes with the causal closure thesis, one which does not require the strict identity of non-physical and physical properties. The general idea of this ‘non-reductive physicalism’ is to allow that a given non-physical property can be ‘realized’ by different physical properties in different cases. There are various ways of filling out this idea. A common feature is the requirement that non-physical properties should metaphysically supervene on physical properties, in the sense that any two beings who share all physical properties will necessarily share the same non-physical properties, even though the physical properties which so realize the non-physical ones can be different in different beings. This arguably ensures that nothing more is required for any specific instantiation of a non-physical property than its physical realization—even God could not have created your brain states without thereby creating your feelings—yet avoids any reductive identification of non-physical properties with physical ones. (This is a rough sketch of the supervenience formulation of physicalism. For more see Stoljar 2001 Sections 2 and 3.) Some philosophers object that non-reductive physicalism does not in fact satisfy the original motivation for physicalism, since it fails to reconcile the efficacy of non-physical causes with the causal closure thesis (Kim 1993. Robb and Heil 2005 Section 6). According to non-reductive physicalism, prima facie non-physical properties are not type-identical with any strictly physical properties, even though they supervene on them. However, if causes are in some way property-involving, this then seems to imply that any prima facie non-physical cause will be distinct from any physical cause. Opponents of non-reductive physicalism object that this gives us an unacceptable proliferation of causes for the physical effects of non-physical causes—both the physical cause implied by the causal closure thesis and the distinct non-physical cause. In response, advocates of non-reductive physicalism respond that there is nothing wrong with such an apparent duplication of causes if it is also specified that the latter metaphysically supervene on the former. The issue here hinges on the acceptability of different kinds of overdetermination (Bennett 2003). All can agree that it would be absurd if the physical effects of non-physical causes always had two completely independent causes. This much was assumed by the original causal argument for physicalism, which reasoned that no sui generis non-physical state of affairs can cause some effect that already has a full physical cause. However, even if ‘strong overdetermination’ by two ontologically independent causes is so ruled out, this does not necessarily preclude ‘weak overdetermination’ by both a physical cause and a metaphysically supervenient non-physical cause. Advocates of non-reductive physicalism argue that this kind of overdetermination is benign, on the grounds that the two causes are not ontologically distinct—the non-physical cause isn't genuinely additional to the physical cause (nothing more is needed for your feelings than your brain states). There is room to query whether non-reductive physicalism amounts to a substantial form of naturalism. After all, the requirement that some category of properties metaphysically supervenes on physical properties is not a strong one. A very wide range of properties would seem intuitively to satisfy this requirement, including moral and aesthetic properties, along with any mental, biological, and social properties. (Can two physically identical things be different with respect to wickedness or beauty?) Supervenience on the physical realm is thus a far weaker requirement than that some property should enter into natural laws, say, or be analysable by the methods of the natural sciences. Indeed some philosophers are explicitly anti-naturalist about categories that they allow to supervene on the physical—we need only think of G.E. Moore on moral properties, or Donald Davidson and his followers on mental properties (Moore 1903, Davidson 1980). In response, those of naturalist sympathies are likely to point out that any viable response to the argument from causal closure will require more than metaphysical supervenience alone (Horgan 1993, Wilson 1999). Supervenience is at least necessary, if non-reductive physicalists are to avoid the absurdity of strong overdetermination. But something more than mere supervenience is arguably needed if non-reductive physicalists are to make good their claim that non-physical states cause the physical effects that their realizers cause. Metaphysical supervenience alone does not ensure this. (Suppose ricketiness, in a car, is defined as the property of having some loose part. Then ricketiness will supervene on physical properties. In a given car, it may be realized by a disconnected wire between ignition and starter motor.This disconnected wire will cause this car not to start. But it doesn't follow that this car's then not starting will be caused by its property of ricketiness. Most rickety cars start perfectly well.) So it looks as if the causal closure argument requires not only that non-physical properties metaphysically supervene on physical properties, but that they be natural in some stronger sense, so as to qualify as causes of those properties' effects. It is a much-discussed issue how this demand can be satisfied. Some philosophers seek to meet it by offering a further account of the nature of the relevant non-physical properties, for example, that they are second-order role properties whose presence is constituted by some first-order property with a specified causal role (Levin 2004). Others suggest that the crucial feature is how these properties feature in certain laws (Fodor 1974) or alternatively the degree of their explanatory relevance to physical effects (Yablo 1992). And reductive physicalists will insist that the demand can only be met by type-identifying prima-facie non-physical properties with physical properties after all.[6] There is no agreed view on the requirements for prima facie non-physical properties to have physical effects. This difficult issue hinges, inter alia, on the nature of the causal relation itself, and it would take us too far afield to pursue it further here. For the purpose of this entry, we need only note that the causal closure argument seems to require that properties with physical effects must be ‘natural’ in some sense that is stronger than metaphysical supervenience on physical properties. Beyond that, we can leave it open exactly what this extra strength requires. Some philosophers hold that mental states escape the causal argument, on the grounds that mental states cause actions rather than any physical effects. Actions are not part of the subject matter of the physical sciences, and so a fortiori not the kinds of effects guaranteed to have physical causes by any casual closure thesis. So there is no reason, according to this line of thought, to suppose that the status of mental states as causes of actions is threatened by physics, nor therefore any reason to think that mental states must in some sense be realized by physical states (Hornsby 1997, Sturgeon 1998). The obvious problem with this line of argument is that actions aren't the only effects of mental states. On occasion mental states also cause unequivocally physical effects. Fast Eddie Felsen's desire to move a pool ball in a certain direction will characteristically have just that effect. And now the causal closure argument bites once more. The snooker ball's motion has a purely physical cause, by the causal closure thesis. This will pre-empt Fast Eddie's desire as a cause of that motion, unless that desire is in some sense physically realized (Balog 1999, Witmer 2000). Other philosophers have a different reason for saying that mental states, or more particularly conscious mental states, don't have physical effects. They think that there are strong independent arguments to show that conscious states can't possibly supervene metaphysically on physical states. Putting this together with the closure claim that physical effects always have physical causes, and abjuring the idea that the physical effects of conscious causes are strongly overdetermined by both a physical cause and an ontologically independent conscious cause, they conclude that conscious states must be ‘epiphenomenal’, lacking any power to causally influence the physical realm (Jackson 1981; 1985. See also Chalmers 1995).[7] The rejection of physicalism about conscious properties certainly has the backing of intuition. (Don't zombies—beings who are physically exactly like humans but have no conscious life—seem intuitively possible?) However, whether this intuition can be parlayed into a sound argument is a highly controversial issue, and one that lies beyond the scope of this entry. A majority of contemporary philosophers probably hold that physicalism can resist these arguments. But a significant minority take the other side.[8] If the majority are right, and physicalism about conscious states is not ruled out by independent arguments, then physicalism seems clearly preferable to epiphenomenalism. In itself, epiphenomenalism is not an attractive position. It requires us to suppose that conscious states, even though they are caused by processes in the physical world, have no effects on that world. This is a very odd kind of causal structure. Nature displays no other examples of such one-way causal intercourse between realms. By contrast, a physicalist **naturalism** about conscious states will **integrate the mental** realm **with** the causal unfolding of the spatiotemporalworld in an entirely familiar way. Given this, general principles of theory choice would seem to argue strongly for physicalism over epiphenomenalism.[9] If we focus on this last point, we may start wondering why the causal closure thesis is so important. If general principles of theory choice can justify physicalism, why bring in all the complications associated with causal closure? The answer is that causal closure is needed to rule out interactionist dualism. General principles of theory choice may dismiss epiphenomenalism in favour of physicalism, but they do not similarly discredit interactionist dualism. As the brief historical sketch earlier will have made clear, interactionist dualism offers a perfectly straightforward theoretical option requiring no commitment to any bizarre causal structures. Certainly the historical norm has been to regard it as the default account of the causal role of the mental realm.[10] Given this, arguments from theoretical simplicity cut no ice against interactionist dualism. Rather, the case against interactionist dualism hinges crucially on the empirical thesis that all physical effects already have physical causes. It is specifically this claim that makes it difficult to see how dualist states can make a causal difference to the physical world. It is sometimes suggested that physicalism about the mind can be vindicated by an ‘inference to the best explanation’. The thought here is that there are many well-established synchronic correlations between mental states and brain states, and that physicalism is a ‘better explanation’ of these correlations than epiphenomenalism (Hill 1991, Hill and McLaughlin 1999). From the perspective outlined here, this starts the argument in the middle rather than the beginning, by simply assuming the relevant mind-brain correlations. This assumption of pervasive synchronic mind-brain correlations is only plausible if interactionist dualism has already been ruled out. After all, if we believed interactionist dualism, then we wouldn't think dualist mental states needed any help from synchronic neural correlates to produce physical effects. And it is implausible to suppose that we have direct empirical evidence, prior to the rejection of interactive dualism, for pervasive mind-brain correlations, given the paucity of any explicit examples of well-established neural correlates for specific mental states. Rather our rationale for believing in such correlations must be that the causal closure of the physical realm eliminates interactive dualism, whence we infer that mental states can only systematically precede physical effects if they are correlated with the physical causes of those effects. G.E. Moore's famous ‘open question’ argument is designed to show that moral facts cannot possibly be identical to natural facts. Suppose the natural properties of some situation are completely specified. It will always remain an open question, argued Moore, whether that situation is morally good or bad. (Moore 1903.) Moore took this argument to show that moral facts comprise a distinct species of non-natural fact. However, any such non-naturalist view of morality faces immediate difficulties, deriving ultimately from the kind of causal closure thesis discussed above. If all physical effects are due to a limited range of natural causes, and if moral facts lie outside this range, then it follow that moral facts can never make any difference to what happens in the physical world (Harman, 1986). At first sight this may seem tolerable (perhaps moral facts indeed don't have any physical effects). But it has very awkward epistemological consequences. For beings like us, knowledge of the spatiotemporal world is mediated by physical processes involving our sense organs and cognitive systems. **If moral facts cannot influence the physical world,** then it is hard to see how we **can have** any **knowledge of them.**

#### [3] Frameworks must be theoretically legit because they assume a definition of “ought”— it means util which means it’s jurisdictional and a topicality question.

#### Prefer—

#### [A] Ground – Util cares about all impacts which ensures link and impact turn ground for both sides – aff gets advantages neg gets DAs and anything can function as an impact as long as an external benefit is articulated but other frameworks deny one side the ability to weigh offense.

#### [4] extinction outweighs

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

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

#### [5] Death outweighs—agents can’t act if they fear for their bodily security—my framework constrains every NC.

#### [6] No intent foresight distinction for states.

Enoch 07 Enoch, D [The Faculty of Law, The Hebrew Unviersity, Mount Scopus Campus, Jersusalem]. (2007). INTENDING, FORESEEING, AND THE STATE. Legal Theory, 13(02). doi:10.1017/s1352325207070048 https://www.cambridge.org/core/journals/legal-theory/article/intending-foreseeing-and-the-state/76B18896B94D5490ED0512D8E8DC54B2

The general difficulty of the intending-foreseeing distinction here stemmed, you will recall, from the feeling that attempting to pick and choose among the foreseen consequences of one’s actions those one is more and those one is less responsible for looks more like the preparation of a defense than like a genuine attempt to determine what is to be done. Hiding behind the intending-foreseeing distinction seems like an attempt to evade responsibility, and so thinking about the distinction in terms of responsibility serves 39. Anderson & Pildes, supra note 38. I will use this text as my example of an expressive theory here. 40. See id. at 1554, 1564. 41. For a general critique, see Mathew D. Adler, Expressive Theories of Law: A Skeptical Overview, 148 U. PA. L. REV. 1363 (1999–2000). 42. As Adler repeatedly notes, the understanding of expression Anderson & Pildes work with is amazingly broad, so that “To express an attitude through action is to act on the reasons the attitude gives us”; Anderson & Pildes, supra note 38, at 1510. If this is so, it seems that expression drops out of the picture and everything done with it can be done directly in terms of reasons. 43. This may be true of what Anderson and Pildes have in mind when they say that “expressive norms regulate actions by regulating the acceptable justifications for doing them”; id. at 1511. http://journals.cambridge.org Downloaded: 03 Aug 2014 IP address: 134.153.184.170 Intending, Foreseeing, and the State 91 to reduce even further the plausibility of attributing to it intrinsic moral significance. This consideration—however weighty in general—seems to me very weighty when applied to state action and to the decisions of state officials. For perhaps it may be argued that individuals are not required to undertake a global perspective, one that equally takes into account all foreseen consequences of their actions. Perhaps, in other words, individuals are entitled to (roughly) settle for having a good will, and beyond that let chips fall where they may. But this is precisely what stateswomen and statesmen—and certainly states—are not entitled to settle for.44 In making policy decisions, it is precisely the global (or at least statewide, or nationwide, or something of this sort) perspective that must be undertaken. Perhaps, for instance, an individual doctor is entitled to give her patient a scarce drug without thinking about tomorrow’s patients (I say “perhaps” because I am genuinely not sure about this), but surely when a state committee tries to formulate rules for the allocation of scarce medical drugs and treatments, it cannot hide behind the intending-foreseeing distinction, arguing that if it allows45 the doctor to give the drug to today’s patient, the death of tomorrow’s patient is merely foreseen and not intended. When making a policy-decision, this is clearly unacceptable. Or think about it this way (I follow Daryl Levinson here):46 perhaps restrictions on the responsibility of individuals are justified because individuals are autonomous, because much of the value in their lives comes from personal pursuits and relationships that are possible only if their responsibility for what goes on in the (more impersonal) world is restricted. But none of this is true of states and governments. They have no special relationships and pursuits, no personal interests, no autonomous lives to lead in anything like the sense in which these ideas are plausible when applied to individuals persons. So there is no reason to restrict the responsibility of states in anything like the way the responsibility of individuals is arguably restricted.47 States and state officials have much more comprehensive responsibilities than individuals do. Hiding behind the intending-foreseeing distinction thus more clearly constitutes an evasion of responsibility in the case of the former. So the evading-responsibility worry has much more force against the intending-foreseeing distinction when applied to state action than elsewhere.

#### [7] Reject calc indicts and util triggers permissibility arguments:

#### [A] They’re functionally NIBs that skew the aff and move the debate away from the topic and actual philosophical debate, killing valuable education

#### [B] Morally abhorrent – it would say we have no obligation to prevent genocide or extinction which is morally abhorrent and makes debate unsafe

### Underview

#### 1] Aff gets 1AR theory since the neg can be infinitely abusive and I can’t check back. DTD, CI, No RVIs- since the 1ar is too short to win theory and substance.

#### 2] Presumption and permissibility affirm –

**1. Statements are true before false since if I told you my name, you’d believe me.**

**2. Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason.**

**3. Illogical – presuming statements false is illogical since you can’t say things like P and ~P are both wrong.**

**4. Presuming obligations is logically safer since it’s better to be supererogatory than fail to meet an obligation.**

#### [3] The role of the ballot is to determine the desirability of the world of the affirmative’s advocacy against the world of the negative. Prefer:

#### [a] TT doesn’t take reps or theory into account because its not within the judge’s jurisdiction; that means default comparative worlds since reps are a prerequisite to engaging in debate because toleration of bad discourse allows racism and threatening language which decreases participation and is a pre requisite

#### [b] Resolved denotes a proposal to be enacted by law which hijacks textuality

Words and Phrases 1964Permanent Edition

Definition of the word “resolve,” given by Webster is “**to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;**” It is of **similar** force **to the word “enact,”** which is **defined** by Bouvier **as** meaning “**to establish by law**”.

#### [2] Evolution proves our theory true

**Johnson and Thayer 16** – Dominic D. P. Johnson, D.Phil., Ph.D.\* and Bradley A. Thayer, Ph.D., “The evolution of offensive realism Survival under anarchy from the Pleistocene to the present,” https://www.cambridge.org/core/services/aop-cambridge-core/content/view/56B778004187F70B8E59609BE7FEE7A4/S073093841600006Xa.pdf/div-class-title-the-evolution-of-offensive-realism-div.pdf

Few principles unite the discipline of international relations, but one exception is anarchy—the absence of government in international politics. Anarchy is, ironically, the ‘‘ordering’’ principle of the global state system and the starting point for most major theories of international politics, such as neoliberalism and neorealism.42,43,44,45 Other theoretical approaches, such as constructivism, also acknowledge the impact of anarchy, even if only to consider why anarchy occurs and how it can be circumvented.46,47 Indeed, the anarchy concept is so profound that it defines and divides the discipline of political science into international politics (politics under conditions of anarchy) and domestic politics (politics under conditions of hierarchy, or government). Given the prominence of the concept in present-day international relations theory, it is striking that anarchy only took hold as a central feature of scholarship in recent decades, since the publication of Kenneth Waltz’s Theory of International Politics in 1979. In fact, however, **anarchy has been a constant feature of the entire multimillion year history of the human lineage (and indeed the 3.5 billion–year history of the evolution of all life on Earth before that). It is not just that we lack a global Leviathan today; humans never had such a luxury. The fact that human evolution occurred under conditions of anarchy, that we evolved as hunter-gatherers in an ecological setting of predation, resource competition, and intergroup conflict, and that humans have been subject to natural selection** for millions of years **has profound consequences for understanding human behavior**, not least how humans perceive and act toward others. Scholars often argue over whether historically humans experienced a Hobbesian ‘‘state of nature,’’ but—whatever the outcome of that debate—it is certainly a much closer approximation to the prehistoric environment in which human brains and behavior evolved. **This legacy heavily influences our decision-making and behavior today, even—perhaps especially—in the anarchy of international politics**. We argue that **evolution under conditions of anarchy has predisposed human nature toward the behaviors predicted by offensive realism: Humans**, particularly men, **are strongly self-interested, often fear other groups, and seek more resources, more power, and more influence** (as we explain in full later). **These strategies** are not unique to humans and, in fact, **characterize a much broader trend in behavior among mammals as a whole—especially primates**—as well as many other major vertebrate groups, including birds, fish, and reptiles. **This recurrence of behavioral patterns** across different taxonomic groups **suggests that the behaviors characterized by offensive realism have broad and deep evolutionary roots**. This perspective does not deny the importance of institutions, norms, and governance in international politics. On the contrary, it provides or adds to the reasons why we demand and need them, and indeed why they are so hard to establish and maintain. Until recently, **international relations theorists rarely used insights from the life sciences to inform their understanding of human behavior**. However, **rapid advances in the life sciences offer increasing theoretical and empirical challenges to scholars in** the social sciences in general and **international relations** in particular, who are therefore under increasing pressure to address and integrate this knowledge rather than to suppress or ignore it. Whatever one’s personal views on evolution, **the time has come to explore the implications of evolutionary theory for mainstream theories of international relations**. **The most obvious challenge that evolutionary theory presents to international relations concerns our understanding of human nature**. Theories purporting to explain human behavior make explicit or implicit assumptions about preferences and motivations, and mainstream theories in international politics are no exception. Many **criticisms of international relations theories focus on these unsubstantiated or contested assumptions about underlying human nature**

#### [3] Youth participatory action research enables transformative resistance and is crucial to make activism work

Cammarota and Fine 08

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In the Matrix, Morpheus, played by Laurence Fishburne, places Keanu Reeves’ character Neo in a chair to tell him face to face about the real truth of his experience. Morpheus shows Neo a red pill in one hand and a blue one in the other, describing that the red pill will lead him “down the rabbit hole” to the truth while the blue pill will make him forget about their conversation and return everything back to “normal.” Neo looks confused and worried, hesitates for a moment, and then reaches to grab and then swallow the red pill. " e “blue and red pill” scene in ! e Matrix serves as an excellent metaphor for the relationships some educators/activists have with their students, and the kinds of choices we ask them to make. The critical educational experience offered might lead the student “down the rabbit hole” past the layers of lies to the truths of systematic exploitation and oppression as well as possibilities for resistance. A$ er he ingests the red pill, Neo ends up in the place of truth, awakening to the reality that his entire world is a lie constructed to make him believe that he lives a “normal” life, when in reality he is fully exploited day in and day out. What is “normal” is really a mirage, and what is true is the complete structural domination of people, all people. " is book, Revolutionizing Education, literally connects to the metaphorical play on chimera and veracity forwarded by the narrative in ! e Matrix. Examples are presented throughout in which young people resist the 1 normalization of systematic oppression by undertaking their own engaged praxis—critical and collective inquiry, re% ection and action focused on “reading” and speaking back to the reality of the world, their world (Freire, 1993). The praxis highlighted in the book—youth participatory action research (YPAR)—provides young people with opportunities to study social problems affecting their lives and then determine actions to rectify these problems. YPAR, and thus Revolutionizing Education, may extend the kinds of questions posed by critical youth studies (Bourgois, 1995; Fine and Weis, 1998; Giroux, 1983; Kelley, 1994; Macleod, 1987; McRobbie, 1991; Oakes et al., 2006; Rasmussen et al., 2004; Sullivan, 1989; Willis, 1977). How do youth learn the skills of critical inquiry and resistances within formal youth development, research collectives, and/or educational settings? How is it possible for their critical inquiries to evolve into formalized challenges to the “normal” practices of systematic oppression? Under what conditions can critical research be a tool of youth development and social justice work? The Matrix infers revolution by showing how Neo learns to see the reality of his experiences while understanding his capabilities for resistance. " e YPAR cases presented in this book also follow a similar pattern: young people learn through research about complex power relations,histories of struggle, and the consequences of oppression. They begin to re- vision and denaturalize the realities of their social worlds and then undertake forms of collective challenge based on the knowledge garnered through their critical inquiries. As you will read in this volume, the youth, with adult allies, have written policy briefs, engaged sticker campaigns, performed critical productions, coordinated public testimonials—all dedicated to speaking back and challenging conditions of injustice. What perhaps distinguishes young people engaged in YPAR from the standard representations in critical youth studies is that their research is designed to contest and transform systems and institutions to produce greater justice—distributive justice, procedural justice, and what Iris Marion Young calls a justice of recognition, or respect. In short, YPAR is a formal resistance that leads to transformation

#### US Democracy is nearing its brink but has potential to spur back

House 3/22’ [Freedom House, 3-22-2021, "NEW REPORT: US Democracy Has Declined Significantly in the Past Decade, Reforms Urgently Needed," <https://freedomhouse.org/article/new-report-us-democracy-has-declined-significantly-past-decade-reforms-urgently-needed>]

Today, Freedom House released a special report, From Crisis to Reform: A Call to Strengthen America’s Battered Democracy, which identifies three enduring problems that have undermined the health of the US political system: unequal treatment for people of color, the outsized influence of special interests in politics, and partisan polarization. This report comes in response to a decade-long decline in US democracy and is based in Freedom House’s global comparative research. The report concludes that these three major problems compound one another, creating a vicious circle of distrust and dysfunction, and that addressing them with urgency and conviction is crucial to restoring Americans’ faith not just in their government, but also in democracy itself. “Our democracy is in trouble,” said Michael J. Abramowitz, president of Freedom House, “and the strength of American democracy is important for people everywhere, not just here at home. Congress and the Biden administration must make it a priority to strengthen our institutions, restore civic norms, and uphold the promise of universal liberty on which our nation was founded.” “The state of US democracy has implications for freedom and democracy around the world,” said Sarah Repucci, vice president of research and analysis at Freedom House. “Democracy movements in other countries look to the United States for inspiration and support, and authoritarian leaders falsely point to America’s problems as proof of democracy’s inherent inferiority and as a sort of license for their own abuses of power.”

#### Teacher union legitimacy is key to strengthen democracy – multiple internal links.

Khalenberg 16 Kahlenberg, — Richard D. “How Defunding Public Sector Unions Will Diminish Our Democracy.” The Century Foundation, 5 Oct. 2016, tcf.org/content/report/how-defunding-public-sector-unions-will-diminish-our-democracy/?session=1. [Richard D. Kahlenberg is director of K–12 equity and senior fellow at The Century Foundation. The author or editor of seventeen books, he has expertise in education, civil rights, and equal opportunity. Kahlenberg has been called “the intellectual father of the economic integration movement” in K–12 schooling and “arguably the nation’s chief proponent of class-based affirmative action in higher education admissions.” He is also an authority on teachers’ unions, private school vouchers, charter schools, community colleges, housing segregation, and labor organizing.]//dhsNJ

* Check government power
* Unions increase middle class which prevents wealthy from controlling politicians
* Create working culture that teaches people to be active in democracy. Statically proven since denser union member ship correlates to more voter turnout
* Teachers Unions lead to more educated students increasing informed voting

On January 11, the U.S. Supreme Court will hear oral arguments in Friedrichs v. California Teachers Association. The case pits the right of public employees to band together and form effective unions to pursue the common interests of workers against the free speech rights of dissenting public employees to abstain from funding collective bargaining efforts with which they disagree.1 A decision by the Court against the teachers association could not only significantly weaken public sector unions, but also endanger the nation’s core democratic values. In the suit, a public school teacher, Rebecca Friedrichs, argues that a state law requiring her to pay fees to the California Teachers Association (CTA) violates her First Amendment rights not to subsidize speech to which she objects. The CTA counters that in order to promote peaceful and orderly labor relations, and as a matter of basic fairness, the state may require Friedrichs to cover the costs of collective bargaining agreements, from which she benefits, preventing her from being a “free rider.” Union supporters worry that a decision in Friedrichs’ favor could devastate public sector unions across the nation. These unions, whose numbers were once small compared to the vibrant private sector union movement, now represent nearly a majority of unionized workers.2 The one bright spot in an otherwise deteriorating American labor movement, public sector unions are now under extraordinary legal and political assault. More broadly, many progressives see the Friedrichs case as an effort to defund the American left, given the financial support public sector unions provide a variety of liberal causes, from civil rights to raising the minimum wage.3 This report highlights an additional problem that should concern people across the political spectrum: defunding public sector unions could deal a substantial blow to a critical driver of American democracy. Public sector unions promote democratic values and practices in a variety of ways. They serve as a check on arbitrary government power and help sustain middle-class wages and benefits; serve as schools of democracy for workers; and, in the case of teacher unions, help support a public school system that promotes democratic values. These larger interests should enter into the calculus the Supreme Court uses to weigh free speech rights against state interests. Indeed, the whole idea of unionism is based on basic democratic values. The fundamental idea that duly-elected union leadership has the right to collect dues and advocate as the majority of workers wants is analogous to a democracy’s right to impose taxation in order to promote the common good. The 1935 National Labor Relations Act embodied this democratic vision. Section 1 provides: “It is declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection”4 (emphasis supplied). Subsequent state laws governing collective bargaining for public sector employees were modeled on the NLRA’s vision. The report proceeds in four parts. Part I analyzes the claims in Friedrichs under the current framework of balancing envisioned by the Supreme Court, and concludes that fair share fees are justified. Part II broadens the discussion to consider the state’s powerful interest in promoting institutions that strengthen American democracy. Part III considers an objection raised by supporters of Friedrichs: that public sector unions will do just fine if they lose the Friedrichs case. Part IV concludes. Balancing First Amendment Rights against the State’s Interests The current legal framework in which courts weigh cases such as Friedrichs is narrowly constrained, balancing the free speech rights of dissenting union members against the state’s interests in promoting stable labor relations with its public employees. In the 1977 case of Abood v. Detroit Board of Education, the U.S. Supreme Court reached a sensible compromise that properly balanced these two sets of interests by splitting union dues into two categories: those that support political speech, and those that support bread–and-butter collective bargaining. Because the First Amendment’s free speech clause provides a right to not be compelled by the state to subsidize speech with which one disagrees, dissenting public employees cannot be required by the state to join a union, or to subsidize the union’s political and lobbying efforts to promote certain positions of public concern.5 On the other hand, the Court recognized that the state, as an employer, has an interest in promoting harmonious labor relations. To discourage the formation of multiple unions with competing claims, the state has an interest in facilitating a single union negotiating on the behalf of all workers, whether or not individual employees choose to be a member of the union. Under an exclusive bargaining arrangement, the union has a duty to represent members and nonmembers alike. Accordingly, the Court held, the state may prevent employees from being “free riders” by compelling contribution to that portion of union membership dues that underwrite the cost of collective bargaining over issues such as wages and benefits. More recently, in Harris v. Quinn (2014), the Supreme Court was asked to apply the Abood principle to unionized home care workers. The Supreme Court rejected that extension, finding that home care workers, although paid with public funds, were only “partial public employees.” They work for individual patients in private homes and answer mostly to the patients for their work. The Supreme Court created a new test, as scholar Catherine Fisk notes, which suggests that fair share fees can only be justified when “the cited benefits” require imposition of such fees. “No such showing” was made in Harris, the justices held, noting that under Illinois law, the union negotiated a limited number of issues and had no role in enforcing contracts for nonmembers.6 Although Harris sustained the 1977 Abood holding, a majority hinted that it might be willing to overturn Abood in a future case.7 In Friedrichs, the petitioner explicitly seeks to have the Supreme Court overrule the longstanding Abood compromise.8 That would be a serious mistake, for reasons outlined below. Current Rules Balance Free Speech Rights The U.S. Supreme Court has long recognized that First Amendment rights extend beyond the right to speak to include the right not to be compelled to subsidize speech to which an individual objects. The lawyers for Friedrichs invoke Thomas Jefferson’s statement “to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.”9 The state cannot require that, as a condition of employment, public employees must contribute to an ideological cause they may oppose. Friedrichs tries to argue that the distinction between political speech and collective bargaining for public sector unions outlined in Abood is illusory; that because collective bargaining over wages and benefits impacts state budgets, it is inherently political speech. But respondents point out that if this were true—that collective bargaining is a form of political speech—how could it be legal for states to ban it among public employees, as several states currently do? Moreover, the Abood Court noted that dissenting public employees are still free to express their disagreements with the union publicly and vocally. A “public employee who believes that a union representing him is urging a course that is unwise as a matter of public policy is not barred from expressing his viewpoint.”10 And, of course, if teachers such as Friedrichs are upset with union leadership, they can seek to have leaders ousted through periodic democratic elections of officers, or even run for office themselves. Countervailing State Interests Recognized in Abood Free speech rights are never absolute. Jefferson’s statement about compelled contributions, for example, cannot be taken literally. For instance, the government may, in fact, compel taxation from an individual who is opposed to the war in Afghanistan, and then use those funds to engage in speech to recruit soldiers for the war effort. Free speech rights must always be balanced against other considerations. In the case of public sector unions, the Abood Court noted the state has two major interests. The opinion, written by Potter Stewart, an Eisenhower appointee, identified one as labor peace and workplace stability, and the other as reducing the risk of “free ridership” and unfairness.11 In the United States, a single union normally represents all employees in order to promote “labor peace.” “The principle of exclusive union representation,” the Court noted, “is a central element in the congressional structure of industrial relations.” The National Labor Relations Act—and many state collective bargaining laws—provide for a single representative to avoid “the confusion that would result from attempting to enforce two or more agreements specifying different terms and conditions of employment.” The Court noted that the arrangement also “prevents inter-union rivalries from creating dissension within the workforce and eliminating the advantages to the employer of collectivization.” Finally, the Court observed, exclusive union representation “also frees the employer from the possibility of facing conflicting demands from different unions, and permits the employer and a single union to reach agreements and settlements that are not subject to attack from rival labor organizations.”12 In the context of public employee unions, the Court noted, “confusion and conflict” could reign, for example, if rival teachers unions held different positions on issues such as “class hours, class sizes, holidays, tenure provisions,” and the like.13 A second, related, state interest is to prevent what is known as the “free rider” problem in cases of collective action. Because of exclusive representation, unions have a duty “fairly and equitably to represent all employees . . . union and non-union.” Given this arrangement, in which employees benefit from collective bargaining whether they are union members or not, a classic “free rider” issue arises, the Court noted, whereby employees could “refuse to contribute to the union while obtaining the benefits of union representation that necessarily accrue to all employees.”14 Free rider problems exist in many organizations. Why donate to a religious institution if you can still attend and enjoy services whether or not you pay? To counter this, some groups can provide “special advantages” to backers—a leadership position in the church, for example. Unions cannot take this approach, however. As Justice Kagan noted in Harris v. Quinn, because “the law compels unions to represent—and represent fairly—every worker in the bargaining union, regardless whether they join or contribute to the union,” the collective action problem is “of far greater magnitude than in the typical interest group.”15 She referenced Justice Antonin Scalia’s opinion in an earlier decision, making this point: “where the state creates in the nonmembers a legal entitlement from the union, it may compel them to pay the cost.”16 This principle, “there is no free lunch,” is something conservatives usually understand well. According to the counsel for Friedrichs, annual dues to the CTA amount to approximately $1,000 per teacher, of which nonmembers receive a refund of roughly $350 to $400 for expenses unrelated to collective bargaining.17 In other words, Friedrichs is happy to accept increases in wages and benefits the union negotiates hard to win, but does not want to pay the $600 to $650 per year that other members contribute in order to make those wage gains possible. Will she give back her raises, forgo health care benefits, give up the right to pursue grievances, and agree to teach larger classes that the union negotiated? The amicus brief of the American Federation of Teachers and the American Association of University Professors put it well: there is no “constitutional right to a free ride.”18 Promoting Democracy Should Be Considered in Balancing Free Speech and State Interests In balancing the rights of free speech and state interests, Abood came to the correct conclusion—free speech rights can sometimes be curtailed to serve state interests in labor peace and avoiding free ridership. But these are only a subset of state interests. Indeed, the Abood court substantially understated the interests of states in preserving fair share fees. For example, amici in the case, such as the National Women’s Law Center and seventy other civil rights groups, note that there are myriad ways in which labor unions generally—and public sector unions specifically—improve the conditions of minorities and women, a vitally important state interest.19 All unions—including, and perhaps especially, public sector unions—also contribute to one of the most important foundational interests of the state: democracy. And they do this in many different ways. Unions are critical civic organizations that serve as a check on government power. They are important players in promoting a strong middle class, upon which democracy depends. They serve as schools of democracy for workers. And teacher unions, in particular, help ensure that our educational system is sufficiently funded to teach children to become thoughtful and enlightened citizens in our self-governing democracy. Democracies Need Unions to Serve as a Check on Government Power Alexis de Tocqueville famously marveled at the thriving civic associations that keep American democracy vitalized; and for the past century, unions have been a critical part of that framework. Recognizing the important role of unions in liberal democracies, the 1948 Universal Declaration of Human Rights provides in Article 23 that “Everyone has the right to form and join trade unions for the protection of his interests.” In 1980, President Ronald Reagan championed the role of Polish unions in challenging dictatorial rule by the Communist Party. Reagan declared in a Labor Day speech that year, “where free unions and collective bargaining are forbidden, freedom is lost.” Albert Shanker, the legendary president of the American Federation of Teachers from 1974 to 1997, saw a pattern in authoritarian regimes. “There is no freedom or democracy without trade unions,” he noted. “The first thing a dictator does is to get rid of the trade unions.”20 Public sector unions, in particular, have played an important role in bringing down dictators in countries such as Chile.21 In free societies across the globe, from Finland to Japan, the rights of teachers and other public sector employees to unionize are well established. Indeed, when the United States attempts to plant the seeds of democracy in other countries, free trade unions—for private and public sector workers alike—are critical elements of what we advocate. If such unions are to have the capacity to wield influence, they cannot be starved of the fees from workers necessary to play that role. Democracies Need a Strong Middle Class to Avoid Plutocracy Going back to Aristotle, it has been recognized that democracies are more likely to thrive when a vibrant middle class can support them.22 Large inequalities of wealth can undermine democracy. As philosopher Sidney Hook observed, “It is possible for people to be politically equal as voters, yet so unequal in educational, economic, and social opportunities, that ultimately, even the nature of the political equality is affected.”23 In highly unequal societies, large income gaps can give wealthy interests an outsized role in electing officials. Theodore Roosevelt warned of the dangers of having “a small class of enormously wealthy and economically powerful men, whose chief object is to hold and increase their power.”24 More recently, Nobel Prize–winning economist Michael Spence told the New York Times that we have seen “an evolution from one propertied man, one vote; to one man, one vote; to one person, one vote; trending to one dollar, one vote.”25 Strong unions helped build the middle class in America after the Great Depression, and continue to have a positive effect on ameliorating extreme inequalities of wealth. By bargaining for fair wages and benefits, unions in the public and private sector help foster broadly shared prosperity. Research finds, for example, that unions compress wage differences between management and labor. According to one study, “controlling for variation in human resource practices, unionized establishments have an average of 23.2 percentage point lower management-to-worker pay ratio relative to non-union workplaces.”26 By the same token, as the Center for American Progress’s David Madland has vividly illustrated, the decline in union density in the United States between 1969 and 2009 has been accompanied by a strikingly similar decline in the share of income going to the middle class (the middle three-fifths of the income distribution; see Figure 1). &nbsp;The middle class is hollowing out: in 1971, 61 percent of Americans were middle class, but a December 2015 Pew Research Center report found that a slight majority of Americans now live in low- or upper-income households.27 Although there are many reasons for middle-class wage stagnation—including globalization and the rise in technology—Lawrence Mishel of the Economic Policy Institute finds that the decline in union bargaining power is “the single largest factor suppressing wage growth for middle-wage workers over the last few decades.” The International Monetary Fund, likewise, has linked decline in unions worldwide with rises in income inequality.28 Figure 1. chartDOWNLOAD International studies also connect the relatively low levels of U.S. union density (when compared with other nations) and the higher level of economic inequality

#### US democracy is the greatest international stabilizer and is key to democracy globally

Kelly Magsamen et. al. 18, Max Bergmann, Michael Fuchs, and Trevor Sutton, 9-5-2018, "Securing a Democratic World," Center for American Progress, https://www.americanprogress.org/issues/security/reports/2018/09/05/457451/securing-democratic-world/

Policy recommendations Revitalizing global democracy is an immense and complex task that will take many years. But in the short term, the threat presented by opportunist authoritarian regimes urgently requires a rapid response. That is why America’s democracy rebalance needs both an immediate defensive line of effort to protect democratic values at home and around the world from creeping authoritarianism and a sustained long-term effort to expand the global democratic community and address the drivers of democratic retrenchment. Strengthen democracy at home American foreign policy starts at home with the strength of our own democratic model. None of the initiatives proposed in this report is likely to succeed if the United States does not embrace its own democratic values and norms and lead by example