## 1

#### Interpretation: the affirmative must defend that only just governments ought to recognize the right to strike

#### Just governments respect liberties

Dorn 12 James A. Dorn, Cato Journal, "The Scope of Government in a Free Society", Fall 2012, https://www.cato.org/sites/cato.org/files/serials/files/cato-journal/2012/12/v32n3-10.pdf

If laws are just, liberty and property are secure. The most certain test of justice is negative—that is, justice occurs when injustice (the violation of natural rights to life, liberty, and property) is prevented. The emphasis here is on what Hayek (1967) called “just rules of conduct,” not on the fairness of outcomes. No one has stated the negative concept of justice better than the 19th century French classical liberal Frederic Bastiat ([1850] 1964: 65): When law and force confine a man within the bounds of justice, they do not impose anything on him but a mere negation. They impose on him only the obligation to refrain from injuring others. They do not infringe on his personality, or his liberty or his property. They merely safeguard the personality, the liberty, and the property of others. They stand on the defensive; they defend the equal rights of all. They fulfill a mission whose harmlessness is evident, whose utility is palpable, and whose legitimacy is uncontested. In short, the purpose of a just government is not to do good with other people’s money, but to prevent injustice by protecting property and securing liberty.

#### US HR violations don’t secure liberties

Amnesty International, 4-14-2021, "Everything you need to know about human rights in United States of America," No Publication, https://www.amnesty.org/en/countries/americas/united-states-of-america/report-united-states-of-america/

UNITED STATES OF AMERICA 2020 The Trump administration’s broadly dismal human rights record, both at home and abroad, deteriorated further during 2020. The USA experienced massive demonstrations across the country with the backdrop of the COVID-19 pandemic, contested 2020 general elections and a widespread racist backlash against the Black Lives Matter movement. In response to thousands of public demonstrations against institutional racism and police violence, law enforcement authorities routinely used excessive force against protesters and human rights defenders and failed to constrain violent counter-protests against primarily peaceful assemblies. The administration also sought to undermine international human rights protections for women; lesbian, gay, bisexual, transgender and intersex (LGBTI) people; and victims of war crimes, among others. It also exploited the COVID-19 pandemic to target migrants and asylum-seekers for further abuses. Joe Biden was declared the winner of the November presidential election. Background Despite confirmation by the Electoral College that Joe Biden had won the November presidential election, President Trump continued to challenge the result, making repeated unsubstantiated claims of electoral irregularities. These continued allegations sparked a number of pro-Trump protests and raised concerns about the peaceful transfer of power in January. Discrimination The COVID-19 pandemic exacerbated long-standing inequalities in the USA. Inadequate and uneven government responses to the pandemic had a disproportionate and discriminatory impact on many people based on their race, socioeconomic situations and other characteristics. Systemic disparities dictated who served as frontline workers and who had employment and economic security and access to housing and health care.1 Incarcerated people were particularly at risk due to insanitary conditions in prisons and detention where they were unable to adequately physically distance and had inadequate access to hygienic supplies as facilities became hotspots for infection. Additionally, racially discriminatory political speech and violence risked increasing the number of hate crimes. Right to health Workers in health care, law enforcement, transportation and other “essential” sectors faced enormous challenges as the US government failed to adequately protect them during the pandemic. Shortages in personal protective equipment (PPE) meant that health and other essential workers often had to perform their jobs without adequate protection and in unsafe environments. In April, the National Nurses Union held a physically distanced protest in front of the White House against the lack of PPE for health workers. From March to December 2020, more than 2,900 health care workers died amidst the COVID-19 pandemic. The US Centres for Disease Control and Prevention (CDC) acknowledged that available figures were likely underestimates. Some health and other essential workers in the public and private sectors also faced reprisals, including harassment, disciplinary procedures and unfair dismissal, if they spoke out about the inadequate protective measures. Excessive use of force At least 1,000 people were reportedly killed by police using firearms. The limited public data available suggests that Black people are disproportionately impacted by police use of lethal force. The US government’s programme to track how many such deaths occur annually was not fully implemented. No state laws governing the use of lethal force by police – where such laws exist – comply with international law and standards regarding the use of lethal force by law enforcement officials.2 Freedom of assembly Law enforcement across the USA committed widespread and egregious human rights violations against people protesting about the unlawful killings of Black people and calling for police reform. Amnesty International documented 125 separate incidents of unlawful police violence against protesters in 40 states and Washington, D.C., between 26 May and 5 June alone.3 Thousands more protests took place in the remainder of the year. Violations were committed by law enforcement personnel at the municipal, county, state and federal levels, including by National Guard troops who were deployed by the federal government in some cities. The violence included beatings with batons or other devices, the misuse of tear gas and pepper spray, and the inappropriate and indiscriminate firing of “less lethal” projectiles. In numerous incidents, human rights defenders – including protest organizers, media representatives, legal observers and street medics – were specifically targeted with chemical irritants and kinetic impact projectiles, arrested and detained, seemingly on account of their work documenting and remedying law enforcement agencies’ human rights abuses. Right to life and security of the person The government’s ongoing failure to protect individuals from persistent gun violence continued to violate their human rights, including the right to life, security of the person and freedom from discrimination, among others. Unfettered access to firearms, a lack of comprehensive gun safety laws (including effective regulation of firearm acquisition, possession and use) and a failure to invest in adequate gun violence prevention and intervention programmes continued to perpetuate this violence. In 2018, the most recent year for which data was available, some 39,740 individuals died from gunshot injuries while tens of thousands more are estimated to have sustained gunshot injuries and survived. In the midst of the COVID-19 pandemic, with increased gun sales and shootings, the USA failed in its obligation to prevent deaths from gun violence, which could have been done through a range of urgent measures, including de-listing gun stores as essential businesses. As of 2020, expansive “Stand Your Ground” and “Castle Doctrine” laws, both of which provide for private individuals to use lethal force in self-defence against others when in their homes or feeling threatened, existed in 34 US states. These laws appeared to escalate gun violence and the risk of avoidable deaths or serious injuries, resulting in violations of the right to life. As protesters against the killing of Black people took to the streets in cities across the USA, there were instances where armed civilians in states where the open carrying of firearms is permitted engaged protesters, causing at least four deaths.

#### Prefer –

#### 1] Precision –

#### 2] Limits –

#### 3] Phil ed –

#### Fairness –

#### Drop the debater –

#### Competing interps –

#### No RVIs –

#### Evaluate T before 1AR theory –

## 2

#### Presumption and permissibility negates –

**Derrida,** Jacques Derrida, “Force of Law: The Mystical Foundation of Authority” //Massa  
But justice**,** however unpresentable it may be, doesn't wait.· It **is that which** must not wait**.** To be direct, simple and brief, let us say this: a **just** decision is **always** required immediately**, "right away."** It cannot furnish itself with infinite information and the unlimited knowledge of conditions**,** rules or hypothetical imperatives **that could justify it.** And even if it did have all that at its disposal, even if it did give itself the time, all the time and all the necessary facts about the matter, the moment of decision**,** as such, **always** remains a **finite** moment of urgency and precipitation, since it must not be the consequence or the effectof this theoretical or historical knowledge, of this reflection or this deliberation, since it **always** marks **the** interruption of **the** juridico- or ethico- or politico-**cognitive** deliberation that precedes it**,** that must precede it. The instant of decision is a madness, says Kierkegaard. This is particularly true of the instant of the just decision that must rend time and defy dialectics. It is a madness. **Even if time** and prudence,the patience of knowledge and the mastery of conditions **were** hypothetically **unlimited, the decision would be structurally finite,** however late it came, decision of urgency and precipitation, **acting in** the night of **non-knowledge and non-rule.** Not of the absence of rules and knowledge but of a reinstitution of rules which by definition is not preceded by any knowledge or by any guarantee as such. If we were to trust in a massive and decisive distinction between performative and constative – a problem I can’t get involved in here – we would have to attribute this irreducibility of precipitate urgency, at the bottom this irreducibility of thoughtlessness and unconsciousness, however intelligent it may be, to the performative structure of speech act and acts in general as acts of justice or law, whether they be performatives that institute something or derived performatives supposing anterior conventions. A constative can be juste (right), in the sense of justesse, never in the sense of justice, except by founding itself on conventions and so on other anterior performatives, buried or not, it always maintains within itself some irruptive violence, it no longer responds to the demands of theoretical rationality. Since every constative utterance itself relies, at least implicitly, on a performative structure (“I tell you that, I speak to you, I address myself to you to tell you that this is true, that things are like this, I promise you or renew my promise to you to make a sentence and to sign what I say when I say that, tell you, or try to tell you the truth,” and so forth), the dimension of justesse or truth of the theoretico-constatie utterances (in all domains, particularly in the deoman of the theory of law) always thus presupposes the dimension of justice of the performative utterances, that is to say their essential precipitation, which never proceeds without a certain dissymmetry and some quality of violence. That’s how I would be tempted to understand the proposition of Levinas, who, in a whole other language and following an entirely different discursive procedure, declares that “La Verite suppose la justice” (“Truth supposes justice”) (“Verite et justice, in Totalite et infini 3, p. 62). Dangerously parodying the French idiom, we could end up saying: “La justice, y a qu’ca de vrai.” This is not without consequence, needless to say, for the status, if we still can call it that, of truth.

#### External world skep is true.

Neta 14, Ram. “External World Skepticism.” The Problem of The External World, 2014, philosophy.unc.edu/files/2014/06/The-Problem-of-the-External-World.pdf. //Massa

You take yourself to know that you have hands. But notice that, if you **do** have hands, then you are not **merely** a brain floating in a vat **of nutrient fluid and being electrochemically stimulated to have the sensory experiences** that you have now: such a brain does not have hands, but you do. So if you know that you do have hands, then you must also be in a position to know that you are not such a brain. But how could you know **that** you are not **such a brain? If you were such a brain,** everything would seem exactly as it does now; you would (by hypothesis) have **all** the same sensory experiences that you’re having **right** now. Since your empirical knowledge of the world around you must **somehow** be based upon **your** sensory experiences**, how could these experiences**—the very same experiences that you would have if you were a brain in a vat—**furnish you with knowledge that you’re not such a brain? And if you don’t know that you’re not such a brain, then you cannot know that you have hands.**

#### Linguistic properties are indeterminate since every claim requires a factual definition and empirical verification, which is impossible given the arbitrariness of meaning.

Kripke 82 Saul Kripke. Wittgenstein on Rules and Private Language. Harvard University Press. Cambridge MA, 1982. pg. 72 //Massa  
The simplest, most basic idea of the Tractatus can hardly be dismissed: a declarative sentence gets its meaning by virtue of its truth conditions, by virtue of its correspondence to facts that must obtain if it is true. For example, ‘the cat is on the mat’ is understood by those speakers who realize that it is true if and only if a certain cat is on a certain mat; it is false otherwise. The presence of the cat on the mat is a fact or condition-in-the-world that would make the sentence true (express a truth) if it obtained. So stated, the Tractatus picture of the meaning of declarative sentences may seem not only natural but even tautological. Nonetheless, as Dummett says, "the Investigations contains implicitly a rejection of the classical (realist) Frege-Tractatus view that the general form of explanation of meaning is a statement of the truth conditions".61 In the place of this view, Wittgenstein proposes an alternative rough general picture. (To call it an alternative theory probably goes too far. Wittgenstein disclaims (§6S) any intent of offering a general account of language to rival that of the Tractatus. Rather we have different activities related to each other in various ways.) Wittgenstein replaces the question, "What must be the case for this sentence to be true?" by two others: first, "Under what conditions may this form of words be appropriately asserted (or denied)?"; second, given an answer to the first question, "What is the role, and the utility, in our lives of our practice of asserting (or denying) the form of words under these conditions?"

#### Even if it was possible to form sufficient reasons, those reasons are epistemically bankrupt in terms of their truth value because of the Gettier problem.

Chapman 18, Andrew. “The Gettier Problem.” 1000-Word Philosophy: An Introductory Anthology, 25 July 2018, 1000wordphilosophy.com/2014/04/10/the-gettier-problem //Massa  
First, the thought is that a person must believe something to in order to know it. It would seem contradictory to claim that Max knows, but that Max doesn’t believe, that his tennis racquet is in the closet. Second, it would seem contradictory to claim to Max knows that his tennis racquet is in the closet while his racquet is actually back at the court. Max might believe that his racquet is in the closet and be wrong. He might believe that he knows that his racquet is in the closet and be wrong. He might even have good evidence that his racquet is in the closet and nonetheless be wrong. In none of these cases would we say that Max knows where his racquet is, since what he believes is false. Finally, it seems as though Max needs some justification, evidence, or good reason to believe that his racquet is in the closet in order for him to know that it is.3 Suppose that Max has no good reason to believe that his racquet is in the closet. If Max just guesses that it’s in the closet, even if he serendipitously gets things right, it seems as though Max, while having a true belief, has an unjustified true belief, and hence, does not have knowledge.4

## 3

#### A. Interpretation: The affirmative debater must articulate a distinct ROB in the form of a delineated text in the first affirmative speech.

#### B. Violation:

#### C. Standards:

#### 1. Strat Skew –

#### 2. Reciprocity –

## 4

#### I negate: A just government ought to recognize an unconditional right of workers to strike.

#### The resolution specifies that the right to strike must be unconditional—this means it cannot be contingent on any authority or have any exceptions.

Thomas Magnell, Philosopher, The Correlativity of Rights and Duties, J Value Inquiry (2011) 45:1–12//BA PB

Unconditional rights may be either absolutely unconditional or relatively unconditional. An absolutely unconditional right is a right which every right-holder enjoys as something capable of having rights. These are the most fundamental of all rights. As rights which all right-holders have simply as right-holders, they are common to all people, institutions, corporations, societies, and at least some nonhuman animals. They do not need to be acquired. Because they are held unconditionally, they cannot be overruled. For the same reason, they are as minimal as can be. To draw anything more than the most minimal rights from right-holders as such is almost surely a mistake. The flights of fancy of natural rights theorists led Bentham to shout: ‘‘Natural Rights is simple nonsense: natural and imprescriptible rights, rhetorical nonsense,—nonsense upon stilts.’’12 Still, notwithstanding Bentham’s finest flourish of phrasing, there may be some, for example, the right of a right-holder not to be subject to a wanton disregard of its interests. This would seem to be a right that at least some animals have as well as people taken individually or in groups. It is not a particularly robust right. An awful lot of harm can be inflicted upon a right-holder without showing a wanton disregard for the right holder’s interests. Even so, as minimal as it is, it is not a right that is always respected, as National Socialists and International Socialists showed in concentration camps and the Gulag. A relatively unconditional right is a right which all right-holders of a certain kind enjoy without qualification. This gives a clear sense to the much abused term ‘‘human rights,’’ though there may be others. In the strictest sense, human rights are relatively unconditional rights. They are rights which human beings have simply as human beings, or perhaps more precisely as persons, if not all human beings are accounted persons, whatever their role or situation within or apart from a society. A better term for them would be ‘‘person rights,’’ but here the common term is unlikely to be allowed to give way. Human rights are not acquired, though if personhood is a characteristic that human beings can come to have and come to lose, human rights may be gained or lost along with it. Some other right-holders may have the same rights unconditionally, but not all. Narrower on the one hand than absolutely unconditional rights, broader on the other than conditional rights, human rights cannot be conferred by declarations or political manifestos on non-human animals or people: not on non-human animals because non-human animals cannot have them, and not on people because people already have them. In the strictest sense, many of the rights that have come to be labeled as human rights in the fairly recent past, such as the supposed rights to a certain level of income or to a certain level of education are not human rights at all, however politically popular it may be to say that they are. If they are rights in any sense, they are civil rights, acquired rights that are conferred by some civil authority. Human rights in the strictest sense have a more philosophical tone. One notable human right is that of entering into obligations, the right, odd as it sounds, to bear duties. Another is the human right to freedom, the relatively unconditional right that people who are capable of acting autonomously have as such beings. We have a right to liberty without the need for the right to be conferred, while other beings, such as non-human animals that may have the broader absolutely unconditional rights, lack this relatively unconditional right. This is why liberty is intimately tied with human dignity, even as it is demonstrably allied with human prosperity. All other rights that have correlative duties are conditional rights, rights of only some right-holders. They are acquired rights. Their acquisition is conditional on meeting certain qualifications. Someone has a right to have a promise kept only if he meets the qualifications of being the promisee. Someone has a right to receive charity only if he meets the qualification of being in need. From this it should be evident that conditional rights may be either conditioned-rights or unconditionedrights. What makes a right conditioned is a condition of the right itself, that of the correlative duty, an imperfect duty, not being conferred on other qualified rightholders. What makes a right conditional is a condition for acquiring the right in the first place.

#### The right to strike is an conditional right, so viewing it as unconditional is impossible. Fiat doesn’t solve because its intrinsic to the nature of the principle and the aff is a binding policy, not just view X as Y.

#### [1] The right to strike is conditional on the government existing and enforcing it: A] The Sqou proves that without the state, the right doesn’t exist, which means turning the NC non-uniques the aff B] State of nature would just mean people could take the action, not that they have a guaranteed right to do so.

#### [2] The right is conditional on the existence of certain social institutions: IE a workplace and employer to strike against, and a job to stop doing. This doesn’t apply to unconditional rights like freedom or life, since they are intrinsic to human nature not social constructs.

#### [3] Unconditional rights cannot conflict with each other, as otherwise neither would be absolute, but the right to strike conflicts with the right to life of those deprived of stuff like medicine, which is fundamental to every human action.

# Accessibility

## 1

#### Just governments respect liberties

Dorn 12

the purpose of a just government is to prevent injustice by protecting property and securing liberty.

#### US HR violations don’t secure liberties

Amnesty International, 4-14

uneven responses to the pandemic had a discriminatory impact based on their race disparities dictated employment and economic security Law enforcement committed widespread human rights violations against people protesting Amnesty International documented 125 incidents of unlawful violence

## 2

#### Every reason is equally as violent in its creation.

Derrida

justice must not wait a decision is required immediately It cannot furnish itself with unlimited knowledge of conditions even if it did the moment of decision remains a moment of urgency since it marks interruption of deliberation that precedes it

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Neta 14

if you have hands, then you are not a brain floating in a vat But how could you know you are not everything would seem exactly as it does now; you would have the same sensory experiences that you’re having now. empirical knowledge of the world must be based upon sensory experiences

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Kripke 82

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Chapman 18

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## 4

#### The resolution specifies that the right to strike must be unconditional—this means it cannot be contingent on any authority or have any exceptions.

Magnell 11

An unconditional right is a right common to all They do not need to be acquired they cannot be overruled many rights such as the supposed rights to a certain level of income however politically popular are acquired rights conferred by civil authority conditional rights are conditional on meeting certain qualifications