## 1

#### Permissibility Negates

[a] negate means “to deny the truth of,” so the neg can disprove an obligation through permissibility since the 1ac must defend an active obligation to act

[b] lack of obligation proves the res false – it says you have to prove obligation, but you cannot be obligated and lack obligation simultaneously

[c] The resolution begins with “Resolved”, which means to “Firmly determined to do something.” Something is not firm if it is merely permissible

#### Presumption Negates:

[a] To negate means, “to deny the truth of,” which implies that absent a reason to affirm the resolution, you negate.

## 2 – Hobbes NC

#### The meta-ethic is constructivism – morality is constructed through social interactions and does not exist a priori. Prefer –

a] Rule-following paradox—rules are infinitely regressive because they rely on more rules to explain them that are based in social understanding.

b] Epistemology—the way we interpret the natural world is necessarily framed by social constructs—we don’t call trees trees because of some natural fact about trees.

c] Externalism fails—even if a priori normative facts exist, they’re epistemically inaccessible because humans are products of their molecular biology—the mind can’t derive facts independent of material, external forces like gravity.

#### The state of nature necessitates infinite violence between conflicting world views –

a] Pre-emption—if there’s no basis to condemn actions, then everyone acts solely in their own self-interest—that means the most rational strategy is to take people out before they can hurt you

Parrish 3, Rick. "Derrida's Economy of Violence in Hobbes' Social Contract." Theory & Event, vol. 7 no. 4, 2005. Project MUSE muse.jhu.edu/article/244119.

Elaborating on this, Hobbes writes that “the nature, disposition, and interest of the speaker, such as are the names of virtues and vices; for one man calleth wisdom, what another calleth fear; and one cruelty what another justice.”29 A more simplistic understanding of the brutality of the state of nature, which David Gauthier calls the “simple rationality account,”30 has it that mere materialistic competition for goods is the cause of the war of all against all, but such rivalry is a secondary manifestation of the more fundamental competition among all persons to be the dominant creator of meaning. Certainly, Hobbes writes that persons most frequently “desire to hurt each other” because “many men at the same time have an appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it; whence it follows that **the strongest must have it, and who is strongest must be decided by the sword**.”31 But this competition for goods only arises as the result of the more primary struggle that is inherent in the nature of persons of meaning creators. **In the state of nature, “where every man is his own judge**,”32 persons will “mete good and evil by diverse measures,”33 creating labels for things as they see fit, based on individual appetites. One of the most significant objects that receives diverse labels in the state of nature is ‘threat’. Even if most people happen to construe threat similarly, there will be serious disagreement regarding whether or not a specific situation fits a commonly-held definition. This is of course the key to the famous Security Dilemma that international relations theorists spend so much time trying to overcome34 — certain perfectly **innocent actions by one person**(or state) can easily be construed, and rationally **must be construed, as a threat**. Furthermore, any attempt by one person to allay another’s fears about the threatening nature of actions must be taken as strategic disinformation, rather than as genuine explanation. Even if “I agree with you in principle about your right to preserve yourself,” this agreement is useless “if I disagree about whether this is the moment for you to implement that right.”35 Given that **persons “are individual in experience**, they are individual in **their conceptions and in their speech**. Their power of reasoning with words . . . dissociates them and provokes violent competition”36 specifically because concepts that seem simple invoke very different interpretations. If there were some universally objective and knowable set of circumstances that constituted Threat as such, the rationally self-interested persons of the state of nature would not have to seek control over all things for their own protection. All persons could both avoid actions that would be defined as threat and shed the overbearing suspicion that, taken together, make the Hobbesian state of nature so unbearably brutish.

b] Resource Wars—a finite amount of material resources creates conflict between different people who want it

c] Action Theory—the imposition of your world view through action necessitates violence against the other since it de-legitimizes their perspective.

#### There is no objective solution to this conflict, because truth is relative. Instead, conflict requires the creation of the sovereign, to resolve disputes. In exchange for their safety, subjects agree to give up their claims to meaning to the sovereign.

Parrish 04 [Parrish, Rick, (Rick Parrish teaches at Loyola University New Orleans. His current research is focused on the play of violence and respect within justice.) "Derrida’S Economy Of Violence In Hobbes’ Social Contract" Theory &amp; Event, Vol. 7 No. 4, 2005, 2005, http://muse.jhu.edu/article/244119#back, DOA:6-30-2018 // WWBW]

All of the foregoing points to the conclusion that in the commonwealth **the sovereign's** first and **most fundamental job is to be the ultimate definer**. Several other commentators have also reached this conclusion. By way of elaborating upon the importance of the moderation of individuality in Hobbes' theory of government, Richard Flathman claims that peace "is possible only if the ambiguity and disagreement that pervade general thinking and acting are eliminated by the stipulations of a sovereign."57 Pursuant to debunking the perennial misinterpretation of Hobbes' mention of people as wolves, Paul Johnson argues that "**one of the primary functions of the sovereign** is to provide the necessary unity of meaning and reference for the primary terms in which men try to conduct their social lives."58 "The whole raison d'être of sovereign helmsmanship **lies** squarely **in the chronic defusing of interpretive clashes**,"59 **without which** **humans would** "fly off in all directions"60 and **fall inevitably into the violence of the natural condition.** 26. It is not surprising that so many noted students of Hobbes have reached this conclusion, given how prominently he himself makes this claim. According to Hobbes, "in the state of nature, where every man is his own judge, and differeth from others concerning the names and appellations of things, and from those differences arise quarrels and breach of peace, it was necessary there should be a common measure of all things, that might fall in controversy."61 The main categories of the sovereign's tasks are "to make and abrogate laws, to determine war and peace, [and] to know and judge of all controversies,"62 but each of these duties is a subspecies of its ultimate duty to be the sole and ultimate definer in matters of public importance. **It is only through the sovereign's effective continued accomplishment of this duty that the people of a commonwealth avoid the definitional problems that typify the state of nature.** 27. Judging controversies, which Hobbes lists as the third main task of the sovereign, is the duty most obviously about being the ultimate definer. In fact, Hobbes declares it a law of nature that "in every controversy, the parties thereto ought mutually to agree upon an arbitrator, whom they both trust; and mutually to covenant to stand to the sentence he shall give therein."63 As I repeatedly alluded to above, this agreement to abide by the decision of a third party arbitrator, **a sovereign** in the commonwealth, **is necessary because of the fundamentally perspectival and relative nature of persons' imputations of meaning and value into the situations they construct.** Hobbes understands this problem, as evidenced by his claim that "seeing right reason is not existent, the reason of some man or men must supply the place thereof; and that man or men, is he or they, that have the sovereign power"64 to dictate meanings that will be followed by all. The sovereign is even protected from potential democratic impulses, by which a 'true' meaning would be that agreed upon by the greatest number of people. Because "no one man's reason, nor the reason of any one number of men, makes the certainty," they will still "come to blows . . . for want of a right reason constituted by nature"65 unless both the majority and the minority agree to abide by the meanings promulgated by the sovereign. 28. These meanings are usually created and promulgated by the sovereign in the form of laws, another of the tasks with which Hobbes charges it. In one of his clearest explanations of the law, Hobbes writes that "it belongs to the same chief power to make some common rules for all men, and to declare them publicly, by which every man may know what may be called his, what another's, what just, what unjust, what honest, what dishonest, what good, what evil; that is summarily, what is to be done, what to be avoided in our common course of life."66 The civil law is the set of the sovereign's definitions for ownership, justice, good, evil, and all other concepts that are important for the maintenance of peace in the commonwealth. When everyone follows the law (that is, when everyone follows the sovereign's definitions) there are far fewer conflicts among persons because everyone appeals to the same meanings. This means that people know what meanings others will use to evaluate the actions of themselves and others, so the state of nature's security dilemmas and attempts to force one's own meanings upon others are overcome. 29. **There is to be no question of the truth or falsity of the sovereign's definitions because "there are no authentical doctrines concerning right and wrong**, good and evil, **besides the constituted laws in each realm and government."**67 In fact, Hobbes specifically says that one of the "diseases of a commonwealth" is that "every private man is judge of good and evil actions."68 **Only when individual persons agree to follow the meanings promulgated by the sovereign, which of course includes refraining from trying to impose their own meanings on others, can persons live together in peace -- when they take it upon themselves to impose meaning on situations of public import, they descend into violence again.**

#### Thus, the standard is consistency with the will of the sovereign.

#### Prefer –

#### [1] Bindingness: Without the sovereign, each person becomes their own sovereign and attempts to put their own will over others until one sovereign is victorious. To escape the state of nature subjects become receptive to their own desires and use force to define and create the sovereign.

#### [2] Epistemic Humility: Allowing multiple conflicting schemes ensures that people will resist other’s schemes inevitably causing violence. Humans naturally have limitations so presuming we can deductively arrive at all ethical truths freezes action because we will never be able to fully be certain—empirically proven by the centuries of indeterminate ethical debate.

#### [3] Infinite Regress- other moral theories inevitably fail because individuals can question why they follow them, but state based morality escapes this because individuals consent to the state by virtue of engaging in it.

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#### Now, negate:

#### 1] The sovereign has absolute authority; strikes contest the rule of the authority of the sovereign which leads to infinite regress and freezes action.

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Although Hobbes offered some mild pragmatic grounds for preferring monarchy to other forms of government, his main concern was to argue that **effective government—whatever its form—must have absolute authority.** Its powers must be neither divided nor limited. **The powers of legislation, adjudication, enforcement, taxation, war-making (and the less familiar right of control of normative doctrine) are connected in such a way that a loss of one may thwart effective exercise of the rest;** for example, **legislation without interpretation and enforcement will not serve to regulate conduct. Only a government that possesses all of what Hobbes terms the “essential rights of sovereignty” can be reliably effective**, since **where partial sets of these rights are held by different bodies that disagree** in their judgments as to what is to be done, **paralysis of effective government, or degeneration into a civil war to settle their dispute, may occur.** Similarly, **to impose limitation on the authority of the government is to invite irresoluble disputes over whether it has overstepped those limits. If each person is to decide for herself whether the government should be obeyed**, factional disagreement—**and war to settle the issue, or at least paralysis of effective government—are [is] quite possible**. **To refer resolution of the question to some further authority, itself also limited and so open to challenge for overstepping its bounds, would be to initiate an infinite regress of non-authoritative ‘authorities’** (where the buck never stops). To refer it to a further authority itself unlimited, would be just to relocate the seat of absolute sovereignty, a position entirely consistent with Hobbes’s insistence on absolutism. **To avoid the horrible prospect of governmental collapse and return to the state of nature, people should treat their sovereign as having absolute authority.**

#### 2.) The aff obligates governments to act – this is incoherent because it implies constraining the sovereign through a higher authority. Only sovereign entities can create moral obligations, so the state can’t have an obligation to act.

#### 3.) The government’s sole obligation is to resolve the state of nature – even if they prove the aff is good, the plan is still permissible, so no obligation to enact the plan.

## 3

#### Counterplan: The United States ought to recognize an unconditional right of workers to strike except in the instance strikes directly demand discrimination towards certain groups of individuals

**BPSC** [Unfair Labor Practices by Union, http://bpscllc.com/unfair-labor-practices-by-unions.html, N.D., Business & People Strategy Consulting Group, California's trusted source for workplace human resources and employment law] [SS]

Causing or Attempting to Cause Discrimination: Section 8(b)(2) makes it an unfair labor practice for a labor organization to cause or attempt to cause an employer to discriminate against an employee in violation of Section 8(a)(3). The section is violated by agreements or arrangements with employers, other than lawful union-security agreements, that condition employment or job benefits on union membership, on the performance of union membership obligations or on arbitrary grounds. But union action that causes detriment to an individual employee does not violate Section 8(b)(2) if it is consistent with nondiscriminatory provisions of a bargaining contract negotiated for the benefit of the total bargaining unit, or if the action is based on some other legitimate purpose. A union’s conduct, accompanied by statements advising or suggesting that action is expected of an employer, may be enough to find a violation of this section if the union’s action can be shown to be a causal factor in the employer’s discrimination. Contracts or informal arrangements with a union under which an employer gives preferential treatment to union members also violate Section 8(b)(2). However, an employer and a union may agree that the employer will hire new employees exclusively through the union hiring hall if there is no discrimination against nonunion members on the basis of union membership obligations. In setting referral standards, a union may consider legitimate aims such as sharing available work and easing the impact of local unemployment. The union may also charge referral fees if the amount of the fee is reasonably related to the cost of operating the referral service. A union that attempts to force an employer to enter into an illegal union-security agreement, or that enters into and keeps in effect such an agreement, also violates Section 8(b)(2), as does a union that attempts to enforce such an illegal agreement by bringing about an employee’s discharge. Even when a union-security provision of a bargaining contract meets all statutory requirements, a union may not lawfully require the discharge of employees under the provision unless they were informed of the union-security agreement and their specific obligation under it. A union violates Section 8(b)(2) if it tries to use the union-security provisions of a contract to collect payments other than those lawfully required, such as assessments, fines and penalties. Other examples of Section 8(b)(2) violations include: Causing an employer to discharge employees because they circulated a petition urging a change in the union’s method of selecting shop stewards Causing an employer to discharge employees because they made speeches against a contract proposed by the union Making a contract that requires an employer to hire only members of the union or employees “satisfactory” to the union Causing an employer to reduce employees’ seniority because they engaged in anti-union acts Refusing referral or giving preference on the basis of race or union activities when making job referrals to units represented by the union Seeking the discharge of an employee under a union-security agreement for failure to pay a fine levied by the union

#### Racist union strikes have happened before--flips their equality offense

Allison **Keyes**, JUNE 30, **2017**, "The East St. Louis Race Riot Left Dozens Dead, Devastating a Community on the Rise," Smithsonian Magazine, https://www.smithsonianmag.com/smithsonian-institution/east-st-louis-race-riot-left-dozens-dead-devastating-community-on-the-rise-180963885/ //SR

Racial tensions began simmering in East St. Louis—a city where thousands of blacks had moved from the South to work in war factories—as early as February 1917. The African-American population was 6,000 in 1910 and nearly double that by 1917. In the spring, the largely white workforce at the Aluminum Ore Company went on strike. Hundreds of blacks were hired. After a City Council meeting on May 28, angry white workers lodged formal complaints against black migrants. When word of an attempted robbery of a white man by an armed black man spread through the city, mobs started beating any African-Americans they found, even pulling individuals off of streetcars and trolleys. The National Guard was called in but dispersed in June.