

NEG

I stand proudly in negation *Resolved: A just government ought to recognize an unconditional right of workers to strike.* To begin, I'd like to offer the following definitions, Oxford Languages reads

Just- based on or behaving according to what is morally right and fair.

Ought- used to indicate duty or correctness, typically when criticizing someone's actions.

[Unconditional](#) - Without any conditions or limits.

Merriam Webster then defines,

Unconditional: Not conditional or limited: absolute, unqualified.

Strike, defined Giovanni Crema, member of Italy's Committee on Economic Affairs and Development:

The term "strike" has been defined as "Any concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective-bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees". The

The term "strike" covers several possible types of action (work stoppage, job action, walk-out, sit-down strike, sympathy strike, secondary strike, wildcat strike etc). European countries accept

strikes called for work-related or industrial reasons but do not all have the same attitude to political strikes. Political strikes are more prevalent in southern Europe and in a country like Poland, where some unions are to a greater or lesser extent linked to anti-establishment political organizations. In the Polish public services, for example, strikes can be simultaneously economic and political in nature judging by the demands of those who strike. (The Right to Strike in Essential Services, May 11, 2005, <https://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=10894&lang=EN>)

Workers, defined by [Cambridge Dictionary](#),

"Someone who works in a particular job or in a particular way"

[Longman Dictionary](#) defines further,

"Worker: someone who does a job, especially a particular type of job"

The Value for this debate is Public Safety; without ensuring public safety, one cannot call itself a just government. According to [National Geographic](#), “A government is responsible for creating and enforcing the rules of a society, defense, foreign affairs, the economy, and public services.” If the aff justifies any action taken to reduce or eliminate any of these functions, this round flows neg. With Public Safety comes Peace, the Criterion for this round. The Preservation of public peace is necessary to continue to have safety, infringing upon that, as the aff does, causes the round to flow neg if proven.

Contention 1: Essential Workers Cannot Strike

Granting free reign to the public sector to strike puts major risk to the public safety of civilians. More than the US agrees as well as mentioned in [Malebye 14](#), “Although the right to strike is enshrined in section 23(2)(c) of the Constitution, that right is not absolute and may be limited in terms of a law of general application to the extent that such limitation may be reasonable and justifiable in an open and democratic society. It is widely recognised, both in this country and abroad, that in certain circumstances, it will be reasonable and justifiable to limit the right to strike, particularly in times of national emergency or in services where a strike is likely to harm the public.¹¹⁰ In some countries like Canada, France and Italy, limitations on strikes in essential services are confined to the public sector, based on the notion that it is only the government which provides services, whose absence will endanger the community’s safety.¹¹¹ The differentiation of workers should be made according to the functions they perform and not according to the nature of their employer’s legal status. This is so because a service provided by a worker in a private sector may be more harmful to the public compared to a service provided by a public sector worker.¹¹²

The developing nations, in particular, have tended to take a broad view of the concept of essential services. In the Philippines, the definition includes “companies engaged in the generation or distribution of energy, banks, hospitals and export oriented industries. In 1983, semiconductor electronics was added to the list. South Korea includes stock transactions and banking business. The list in Malaysia is extremely extensive covering maintenance and functioning of the Armed Forces and Royal Malaysian Police Force, and business and industries which are connected with the defence and security of Malaysia.¹¹³ The inclusion of services which affect the economy is not confined to developing countries. In 1976 the New Zealand definition was extended to “export slaughterhouses”. Various countries, both industrialised and developing, have recently included in their list of essential services certain financial operations such as those carried out by banks and foreign exchange offices.¹¹⁴ Countries in Asia, Africa, Latin America and the Caribbean have tended to adopt the enumeration method. By contrast, Western countries generally allow special provisions to be invoked if industrial action is deemed by a particular person or body to threaten particular consequences. In France, the Government can requisition strikers employed in a service or an enterprise regarded as indispensable to provide for the needs of the nation.¹¹⁵ Countries will differ in what they consider essential services. Morris says the necessity for continuous provision of a service in any given country depends upon a variety of geographical, environmental and technological factors.

The entire impact of this contention is preventing savable lives and proving that strikes should not be given free reign. This is proven in [Princwill 21](#), “Abuja, Nigeria (CNN) Emmanuel Agbenro sits helplessly inside his sparsely-decorated ward at a

hospital in Nigeria. He is supposed to be having treatment for colon cancer but doctors in Nigeria has downed tools in a nationwide strike over better pay and conditions. “I’m only surviving by faith,” said Agbenro, who is supposed to be starting a second round of chemotherapy at the state-run National Hospital in the capital Abuja. He says he has received no treatment since August 2. “Since the strike started, no doctor has come to check on me. I’m only surviving by faith,” Agbenro told CNN. “We are not accepting patients with serious medical needs,” a member of staff at the National Hospital told CNN. “There are no doctors on the ground, so patients in bad conditions are referred to private hospitals,” added the employee, who asked not to be named as he doesn’t have authorization to speak with the media. However, treatment at private hospitals cost significantly more than those run by the government and those who cannot afford private healthcare will suffer most. Resident doctors in the country’s state-run hospitals are striking over “poor welfare” amid a resurgence of coronavirus infections and a move by authorities to scupper the industrial action. As the strike by doctors over pay and conditions enters its third week, patients requiring urgent medical care such as Agbenro have been left in the lurch at the public hospitals.

[Wells 21](#) follows with another example, “I’ve never been in a place where we tried to do as much” for the staff, Alan Vierling, the president of Sparrow Hospital, said Friday. “We’ve addressed issues from assault by patients on staff. We’ve put in rest(ing) rooms and we’ve done massage chairs, and we’ve given bonuses and we’ve given money, and we’ve made resources available.” \

The article continues to detail the threat of the elderly, mothers, and more vulnerable life being put at risk because of the threat of a strike. Hospitals are trying to keep up but they can’t keep up with demands.

Hwang 20 continues, “As weary health care workers across California enter the 19th month of the pandemic, thousands are walking off the job and onto the picket line, demanding more staffing.

The strikes and rallies threaten to cripple hospital operations that have been inundated by the COVID-19 Delta surge as well as patients seeking long-delayed care.

More than two dozen hospitals across the state — including some Kaiser Permanente and Sutter Health facilities and USC Keck Medicine — have experienced strikes by engineers, janitorial staff, respiratory therapists, nurses, midwives, physical therapists and technicians over the past four months.

This week, nearly a third of all California hospitals reported “critical staffing shortages” to the federal government, with more predicting shortages in the coming week. Hospitals are unable to meet the state’s required staff-to-patient ratios for nurses or schedule adequate numbers of other critical personnel.

The major impact here is the threat to public safety as thousands of patients are being put at risk from these hostposts losing workers. [Schumaker 21](#) quantifies, “COVID-19 is surging throughout the United States, with daily case averages reaching more than 110,000, up 25.5% from last week. Hospitalizations, which tend to follow rising cases, particularly in areas with low vaccination rates, are now at their highest point in six months, with more more than 75,000 COVID-19 patients currently hospitalized, according to updated data from the Department of Health and Human Services.

Subpoint B: Public Transportation Strikes Hurt Public Safety

Given the public sector’s striking ability to threaten the daily lives of the public, first up is traffic and public transportation. Even a short-term strike leads to major congestion and problems. Bauernschuster 17 states, “

Mass Transit Externalities.—Our paper also makes contact with a growing literature in

economics that examines the role of mass transit in mitigating agglomeration diseconomies, such as traffic congestion, accident risk, and pollution emissions.⁴¹ Anderson (2014) evaluates

the congestion relief benefit of the Los Angeles public transportation system by exploiting a strike by transit workers in 2003 during which the entire system shut down for 35 days. The

author uses the abrupt and complete cessation of service to quantify the effects of transit provision on congestion. His regression discontinuity estimates suggest that the total

congestion relief benefit of operating the Los Angeles transit system lie between \$1.2 billion to \$4.1 billion per year.⁴² The strike episodes we exploit in this study differ from the 2003 Los Angeles transit strike in one important aspect: they did not lead to a complete shutdown of the entire system, but to substantial disruptions in terms of service frequency. While our empirical

results can therefore not be thought of as capturing the effects of transit provision, they might to a certain degree reveal the effects of marginal changes in the transit network, such as an

increase in service quality or connection frequency. However, one caveat in this respect is that

the impact of long-term changes in service quality is likely different than the short-run effect resulting from strikes. One simple reason is that long-run adaptations in commuter behavior might differ from those in the short-run. Thus, our main contribution to the literature on mass transit externalities lies in showing that even short-term disruptions of public transport

networks can have far reaching consequences for urban populations in terms of time lost to travel, accident risk, air pollution, and health.

The neg wins on time as even the most minimal public sector strike can cause said damages. More hazards come as Bauernschuster 17 continues, “Policy.—Our most interesting and novel finding is that strikes in public transportation not only cause congestion costs, but also pose a non-negligible threat for public safety and public health. We have shown that public transit strikes cause daily pollution shocks accompanied by an increase in pollution-related health problems. For children under five years of age, hospital admissions for respiratory diseases and abnormalities of breathing increase by 11 and 34 percent, respectively. With 71 transit strikes in our sample, 68 more young children had to be admitted to hospitals than would have been if there had been no strikes. Moreover, our estimates suggest that transit strikes increase the risk of being injured in a motor vehicle crash by 20 percent. According to the International Labour Organization (ILO), governments can ban strikes in “essential services,” defined as a service whose stoppage poses a clear and imminent threat to the life, personal safety, or health of the whole or part of the population.

Public transportation does not fall under the ILO's definition of an essential service. Taken at face value, our results seem to provide evidence in support of the opposite position: that mass transit—just as the police or firefighters—is critical to public safety and health on a day-to-day basis. That said, it is also important to point out that the economic costs associated with the strike-induced increases in accidents, accident-related injuries, and hospitalizations are small, coming to less than 0.5 percent of the above-calculated congestion costs.³⁷ Some strikes in our samples only span a few hours, while others last all day. We are therefore able to examine whether longer strikes are more disruptive than shorter strikes. In unreported regressions, we have replaced our binary strike indicator with a continuous variable capturing the duration of strikes in hours. Using a simple linear specification, we find that a reduction by one hour in strike duration reduces the negative effects of an average strike during the am peak period by (i) 7.6 percent for freeway traffic, (ii) 7.8 percent for travel times, (iii) 16 percent for vehicle crashes, (iv) 13 percent for accident injuries, (v) 9.8 percent for particle pollution, and (vi) 7.3 percent for respiratory-related hospitalizations among young children. From a policy perspective, this suggests that restrictions on strike duration might undo some of the negative effects unearthed in this study.

The impact here is that letting these workers strike increases vehicle accidents, respiratory problems, and more hazards that clearly violate public safety and peace.

All in all, violating public safety and tearing peace away, as the aff does, flows this round neg as allowing both transportation and essential workers to strike leads way to thousands of deaths and millions in economic damages to the cities involved, thank you.

