## Jacks Strike AFF

## Framework

#### [Resolution] I affirm Resolved: A just government ought to recognize the unconditional right to strike

#### [Value] I value a just government, since the resolution can only occur in a just government.

#### [Criterion/Standard]- My value criterion is protecting negative rights. Protecting negative rights is necessary in order to create a just government, which the resolution is entertaining.

## RTPS

The framework above is a side constraint, because for a just government to occur, negative rights must be protected. Negative rights are defined as rights that obligate inaction. If there is a refusal to protect negative rights, that means that a just government can’t exist, and cannot support the resolution.

## Thesis

Since the resolution is talking about the Unconditional Unconditional means not conditional or limited as stated by Merriam Webster. A government ought to recognize the unconditional right to strike because strikes allow for workers to practice their fundamental rights and receive good from it.

## Contention 1

[**C1**] My first contention is that strikes recognizes workers personhood

#### [Pope]: The right to strike is a human right, and a reliability test on certain political candidates who care for the rights of workers. Any law against the right is involuntary servitude

**[Pope]** James Gray Pope[]. Labors right to strike is essential JB

**The right to strike should be a no-brainer for** **any** self-respecting **candidate who claims to care[S] about working people**. It isn’t some transitory policy fix; **it’s a fundamental human righ**t**, recognized in international law**. **Without the right to strike, workers have no effective recourse against unhealthy conditions, [AND]inadequate wages, or employer tyranny**. **Before the American labor movement began** **its long decline, unions made the right to strike a** litmus **test for supporting candidates**. Labor leaders held that **anti-strike laws imposed “involuntary servitude” in violation of the Thirteenth Amendment** to the United States Constitution. **Corporate interests ridiculed this claim, arguing that the Amendment guaranteed only the individual right to quit and go elsewhere. But** **workers and unions held their ground**. “The simple fact is that **the** **right of individual workers to quit their jobs has meaning only when they may quit in concert, so that in their quitting or in their threat to quit they have a real bargaining strength,**” Congress of Industrial Organizations (CIO)**General Counsel Lee Pressman explained.** “**It is thus hypocritical to suggest that a prohibition on the right to strike is not in practical effect a prohibition on the right to quit individually.’**

#### [Lim 1] The right to strike allows for workers to their democratic rights. Strikes also lead to media attention, allowing for discussion.

**[Lim 1]** Woojin Lim ’22, a Crimson Editorial editor, is a Philosophy concentrator in Winthrop House.December 11, 2019 JB

**The exercise of the power to strike affirms a quintessential corpus of values akin to liberal democracies, notably those of dignity, liberty, and autonomy.** In acts of collective defiance, **strikers assert their freedoms of speech, association, and assembly. Acts of striking, marching, and picketing command the attention of the media and prompt public forums of discussion and dialogue.** The question of civic obligations, however, remains at stake. Perhaps those disgruntled with the strike might claim on a whiff that the strike impedes upon their own freedom of movement, educational rights, privacy, and so forth. Do strikers, in virtue of expressing their own freedoms, shirk valid civic norms of reciprocity they owe to members of the community, for instance, to students? No. **The right to strike stems from the premise of an unjust flaw in the social order,** that is, **the recognition that the benefits from shouldering the burdens of social cooperation are not distributed. Strikes and protests publicize this recognition and demand reform.**

For instance, the general matters strike in September of 2019, which was brought out to increase wages, gained lots of media attention, and created change for the workers. It also acted as a spillover for other companies.

**[Gourevitch]: The unconditional right to strike is justified if the workers’ rights were discriminated in the first place. The right also helps with agency.**

**[Gourevitch]** Gourevitch, Alex. [Assistant professor of Political Science, Brown University] “Quitting Work but Not the Job: Liberty and the Right to Strike.” Cambridge University Press, June 13, 2016. JB

Above all, **there is one [A] unjustifiable distributive effect of this oppression: that the majority of wage-bargains ensure the reproduction of that oppressive class structure**. **At any given point in time, a majority of workers do not earn enough to both meet their needs and to save such that they can employ themselves or start their own businesses**. **They must therefore remain workers or, to the degree they rise, they do so either by displacing others or by taking the structurally limited number of opportunities available.18 Each of these different faces** of oppression— structural, interpersonal, and distributive—**is a distinct injustice.** Together **they form an interrelated and mutually reinforcing set of oppressive relationships.** **The various ways in which workers are forced to work, made subject to dominating authority**, and made asymmetrically dependent in the economy does not produce a fair way of distributing the obligation to work and the rewards of social production. Rather, it constrains their freedom in a way that secures the exploitation of one class by another. The weight of these different oppressions is unevenly experienced across different segments of workers.Various factors modify the basic facts about class and oppression. **We have seen, for instance, the difference between being in a high labor supply versus a low labor supply sector. High labor supply sectors involve more intense labor competition, resulting in weaker bargaining power for workers and intensified oppression.**

For example, the Colombia nation strike in 2012 was brought out in order to challenge the tax reform bill, which oppressed many groups in Columbia. After the strike was brought out, the bill was removed.

**[Gourevitch]: When strikes gather large amounts of attention, the relationship between employers and workers will increase, through social forcing.**

**[Gourevitch]** Gourevitch, Alex. [Assistant professor of Political Science, Brown University] “Quitting Work but Not the Job: Liberty and the Right to Strike.” Cambridge University Press, June 13, 2016. JB

**Relations among workers and employers would be truly free** and thus truly contingent. It is **only when there is a sufficiently large population of individuals who have nothing but their labor-power to sell that the mechanism of social forcing guarantees a constant supply of labor through the labor market itself**. But this means that**, in a society based on the commodification of labor, the conditions that would make the buying and selling of labor-power a truly free set of exchanges would require utterly transforming that market**-based production relationship itself. **It would require giving workers a reason-able alternative to selling their labor**—say through a sizable, unconditional basic income and universal public goods, or through giving all workers the possibility of owning or cooperatively owning their own enterprise. **Such measures would amount to a radical de-commodification of labor-power, an overcoming of the very social conditions that give rise to the labor market’s self-image** as a site of free exchange.

**[Lim 2] Strikes are a form of free expression, and preserve human rights by checking unjust employers**

**Lim 2:** Woojin Lim ’22, a Crimson Editorial editor, is a Philosophy concentrator in Winthrop House.December 11, 2019

**The strike** (and the credible threat of a strike) **is an indispensable part of the collective bargaining procedure. Collective bargaining** (or “agreement-making”) **provides workers** and employees **with the opportunity to influence the establishment of workplace rules that govern a large portion of their lives. The** concerted **withdrawal of labor allows workers to promote and defend their unprotected economic and social interests from employers’** unilateral decisions, **and provide employers with pressure and incentives to make reasonable concessions.** Functionally, **strikes provide workers with the bargaining power to drive fair and meaningful negotiations, offsetting** the inherent **inequalities of bargaining power in the employer-employee relationship. The right to strike is essential in preserving and winning rights.** Any curtailment of this right involves the risk of weakening the very basis of collective bargaining. **Strikes are not only a means of demanding and achieving** an adequate **provision of basic liberties but also are** themselves intrinsic, **self-determined expressions of freedom and human rights. The exercise of the power to strike affirms** a quintessential corpus of **values akin to liberal democracies, notably those of dignity, liberty, and autonomy. In acts of collective defiance, strikers assert their freedoms of speech, association, and assembly.** Acts of **striking, marching, and picketing command the attention of the media and prompt public** forums of **discussion and dialogue.**

## Contention 2

**[C2]** My second contention is that the outcomes of strikes are good

#### [Bonta]: Successful strikes get the support and attention of other workers. If a government is the cause for workers injustice, other workers will enounce the government to change injustices.

**[Bonta]** Bruce Bonta[] Labor Strikes In peaceful Societies JB

**In Northern India,** **leaders of 500,000 civil service employee**s of the state of Jammu and **Kashmir decided to go on a one-day strike** last Thursday **to protest discriminatory practices by the state government.** **The public employees are particularly incensed about disparities in the retirement pay among different classifications of workers.** The Joint Consultative Committee (JCC), an association of the different public employee unions in the state, organized the strike. **All public workers except for vital hospital employees were included in the one-day work stoppage. The strike was honored by nearly 100 percent of the state’s public employees**, including the ones in the Ladakh region, except for Ladakh’s predominantly Muslim district of Kargil, where none of the civil servants participated**. A JCC leader, Muhammad Khursheed Alam, blamed the state government for the failures of negotiations.** **The JCC has met with the governor of the state, N.N. Vohra, who has accepted their demands** on principle, but nothing had happened by Thursday.

#### [McNicholas & Poydock]: Strikes are a necessity for increasing wages and improving working conditions

**[McNicholas & Poydock]** Celine McNicholas[] Margaret Poydock[]. Workers are striking during the coronavirus JB

**Based on the** very limited **data available, the resurgence of strike activity in recent years has given over a million workers an active role in demanding improvements in their pay and working conditions.** **Essential workers during the coronavirus** pandemic **are continuing this trend by demanding better pay and safer working conditions** from their employers. However, without comprehensive data, it’s impossible to understand the scope of how many workers are utilizing their fundamental right to strike. This knowledge gap makes it difficult for policymakers to adequately address the needs for workers in the United States, and the Bureau of Labor Statistics should be provided funding to gather comprehensive data on worker strikes. But even **with the** limited **knowledge we have, it’s evident that strikes are an effective tool to improve the pay and working conditions of working people**. **Therefore, strengthening the right to strike for workers needs to be at the heart of labor law reform going forward**.

#### [Gourvitch 3]- Strikes have strong influence on governments, and they are recognized by democracies

**[Gourevitch]** Gourevitch, Alex. [Assistant professor of Political Science, Brown University] “Quitting Work but Not the Job: Liberty and the Right to Strike.” Cambridge University Press, June 13, 2016. JB

**Every liberal democracy recognizes that workers have a right to strike. That right is protected in law, sometimes in the constitution itself. Yet Strikes pose serious problems for liberal societies. They Involve violence and coercion, they often violate some basic liberal liberties, they appear to involve group rights having priority over individual ones, and they can threaten public order itself. Strikes are also one of the most common forms of disruptive collective protest in modern history. Even given the dramatic decline in strike activity since its peak in the 1970s, they can play significant roles in our lives. For instance, just over the past few years in the United States, large illegal strikes by teachers paralyzed major school districts in Chicago and Seattle, as well as statewide in West Virginia, Oklahoma, Arizona, and Colorado; a strike by taxi drivers played a major role in debates and court decisions regarding immigration; and strikes by retail and food-service workers were instrumental in getting new min-imum wage and other legislation passed in states like California, New York, and North Carolina. Yet, despite their significance, there is almost no political philosophy written about strikes.**