

# 1AC

The standard is improving access to methods of forcing concessions.

1] Benefits - Forcing concessions can lead to benefits.

Lim, 19 (Woojin Lim, moral and political philosophy concentrator, Harvard '22, 12-11-2019, accessed on 11-19-2021, Thecrimson, "The Right to Strike | Opinion | The Harvard Crimson", <https://www.thecrimson.com/article/2019/12/11/lim-right-to-strike/>)

On April 9, 1969, roughly 500 student activists took over University Hall to protest Harvard's role in the Vietnam War. City and state police armed with riot gear, clubs, and mace were called to remove all protesters who had vowed nonviolent resistance. In the early morning hours of April 10, over 400 police officers stormed University Hall, between 250 and 300 arrests were made, and 75 students were injured. In response, by April 11, thousands of Harvard students, teaching fellows, and faculty had gathered in Harvard Stadium to strike. Fifty years later, the Harvard Graduate Students Union-United Automobile Workers declared a strike, fighting for increased compensation, health benefits, and neutral third-party arbitration for sexual harassment and discrimination. On December 3, over 500 demonstrators, wearing on their shoulders large blue-and-white "UAW on Strike" placards, marched routes throughout the Yard. In the strike of 1969, strikers fought for social justice; in the HGSU-UAW strike of 2019, strikers press on the fight for fair wages and working conditions.

The right to strike is a right to resist oppression. 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. 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 fairly distributed. Strikes and protests publicize this recognition and demand reform. No doubt, work stoppages from teaching fellows, course assistants, and graduate research assistants — no sections, no office hours, no labs, no grades — may pose inconvenience and perhaps hardship in our present lives. Strikes may also impose a serious financial cost on both the employer and the employees. These costs and inconveniences,

however, should not be ridiculed as outrageous, for they rightfully invite disruption. The possible hazards that arise from a strike must be weighed against the workers' welfare and just rewards and to the community. For instance, current graduate students who struggle in financials and mental health may be troubled with juggling teaching obligations. If graduate students are provided with pay security and adequate dental, mental health, and specialist coverage, their quality of teaching and research may improve in the long run. There are dangers to bystanders and neutrals when a strike occurs, but such considerations also arise when one lays down the right to strike. That said, if we should defend the right to strike, it must be meaningful. Both parties involved should strive to strike a deal — no pun intended — in good faith, and not merely act upon purposeless forms of virtue-signaling or anger-venting on chaotic impulse. Nonetheless, provided the facts of injustice and repression, affected members should not only be permitted but highly encouraged (and obliged) to uptake the call of justice to restore broken institutions — be that through joining the pickets or standing in solidarity.

## 2] Noticeability - More strikes will have more impacts with accessibility.

Forcing concessions can lead to benefits.

Akhtar and Hadden, 20 (Allana Akhtar and Joey Hadden, journalist and reporter for Business Insider, junior lifestyle reporter for Insider inc., 5-1-2020, accessed on 11-19-2021, Insider, "The biggest and most powerful worker strikes of all time", <https://www.businessinsider.com/the-biggest-and-most-powerful-worker-strikes-of-all-time-2019-9>)

Tomb-builders and artisans began complaining of month-long payment delays in 1159 BC, as they prepared for a festival to honor Ramesses III, according to renowned Egyptologist Toby Wilkinson's analysis of ancient record keeping. Government officials largely ignored the tomb-builders, and they eventually stopped working and took to the city streets yelling "we are hungry." They blocked access to the Valley of the Kings, barring others from bringing sacred food and drink to the dead. The pharaoh and ancient workers eventually compromised and they got their paychecks — and the strikes led to greater awareness of corruption within the Egyptian ruling class. The Roman plebeians class represented builders, bakers, and common laborers that were one step above slaves on the social hierarchy. They sometimes stopped working en masse during "secessions" to demand fairer treatment during the Republic. During the first secession in 494 BC, plebeians walked off the job to protest a law that would increase their debt. The strike resulted in a repeal of that law, as well as a government representative position for plebeians. The final secession in 287 BC resulted in the formation of the Plebeian Assembly, meaning the class could now pass their own laws the elect their own representatives. In 1766, miners working for Spanish colonists protested wage reductions and poor working conditions. The two parties eventually negotiated a better labor contract. The strike began on July 30 after the mining management would not respond to a list of worker grievances. The strike lasted approximately one month, and ended when the administration agreed to increase wages and meet other demands. The first US general strike — or one that involved workers from different industries — occurred in Philadelphia in 1835 to call for shorter workdays. The strikes began when coal workers went on strike to call for ten-hour workdays in early June. They were soon joined by carpenters, painters, bakers, and more. Three weeks after the general strike, the city imposed a 10-hour workday and raised wages for some workers.

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## Definitions (Oxford Languages):

V: Utilitarianism - the doctrine that actions are right if they are useful or for the benefit of a majority.

VC: Morality - the extent to which an action is right or wrong

## 1AC - Plan

1] Strikes are limited in their accomplishments without an unconditional right to strike.

Garneau et al., 19 (Marianne Garneau, Rasmus Hästbacka, MK Lees, Nick Driedger, and Eric Dirnbach, labor educator and organizer with the IWW, analyzer of possibly philosophical concepts from Sweden, writer and editor of Organizing Work, author of Organizing Work, researcher for the Laborers' Union on green jobs and infrastructure, 5-1-2019, accessed on 11-19-2021, Organizing, "Why don't strikes achieve more?", <https://organizing.work/2019/05/why-dont-strikes-achieve-more/>)

There are a number of factors that contain how effective strikes can be, and impel unions to settle them. For one thing, they are expensive. If a union is providing even minimal strike pay, it needs a war chest of millions of dollars to be able to support even a few hundred workers. Strikes drain union coffers, and they take a financial, physical, and emotional toll on workers as well, who aren't usually earning as much in strike pay as they would on the job, while getting yelled at or hit by cars or freezing on the picket line.

Quite often, strikes don't succeed in completely shutting down a business, not least because employers can legally hire scabs. The product may suffer, and employers may take a hit, but they can hobble along (while draining the union's bank account). (A note on the alleged \$100 million loss suffered by Stop & Shop during the recent strike, which leftists also celebrated: that figure was put out by the employer, and is more than double an estimate put forward by an industry analyst. We should always remain skeptical about boss communications. In this case, they may be crying poverty to get workers to sign the proposed collective agreement.)

Sometimes strikes end because of government intervention, as when workers are legislated back to work, or fired en masse. Less dramatically, the government can intervene to bring about some kind of settlement in the form of binding arbitration.

Sometimes employers even goad unions into striking, knowing what a heavy toll strikes take. If an employer knows they can weather a strike much better than the union, they are perfectly incentivized to provoke one and starve the union out.

The bottom line is that strikes, under the current labor relations system, are not the slam-dunk tactic the left takes them to be. Strikes can only take place when the contract has expired, and once the membership has been balloted. This means that the employer has years to prepare, knowing when the contract is set to expire. They probably even know roughly how long the strike can last. They've also seen strikes before, and aren't bowled over by them. There is no element of surprise. They know the union won't do anything too drastic like occupy the workplace or chain the doors shut. They hire scabs, they manage public relations (often by crying poverty or publicly claiming the union won't come to the table), and they wait it out.

Of course we in left labor circles sympathize with strikers and see their cause as morally and politically righteous. But sympathy is one matter, and clear-eyed analysis is another. That we wish workers victory does not mean we suspend judgement about the effectiveness of their tactics. Nor is any of this meant to judge or condemn unions for choosing the tactics that they do. Instead, it is about zooming out and understanding what factors are constraining the situation in general.

When leftists picture strikes, they are probably in part remembering black-and-white images of workers in the 1910s and 1920s streaming out of factories and mines and violently clashing with Pinkerton guards. But strikes have been tamed by the labor relations framework established by the Wagner Act (the National Labor Relations Act) of 1935 and the Taft-Hartley Act of 1947. Those legislative measures were passed in response to massive upheaval, in which workers shut down production with strikes, or employers shut down production with lockouts. The goal of the Wagner Act is right there in its full title: "to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce." The NLRA forced employers to sit down and bargain with workers, not out of a desire to strengthen workers as a class, but to funnel disputes between workers and bosses into a less disruptive process – in boardrooms and away from the shopfloor — so that economic production could continue. Taft-Hartley further contained strikes in numerous ways, again in response to creative and effective forms of economic disruption, by outlawing sympathy strikes, political strikes, "wildcat" strikes taken without the authorization of union leadership, secondary picketing and boycotts, and so on.

## 2 - The unconditional right of workers to strike closely evens the levels and positions of a business.

Myall, 19 (James Myall, Maine Center for Economic Policy's lead reporter on the inclusive economy, including research on labor issues, gender and racial equity, and health care policy, 4-17-2019, accessed on 11-19-2021, MECEP, "Right to strike would level the playing field for public workers, with benefits for all of us - MECEP", <https://www.mecep.org/blog/right-to-strike-would-level-the-playing-field-for-public-workers-with-benefits-for-all-of-us/>)

The right of workers to organize and bargain with their employer benefits all Mainers. Collective bargaining leads to better wages, safer workplaces, and a fairer and more robust economy for everyone — not just union members. The right to strike is critical to collective organizing and bargaining. Without it, Maine's public employees are unable to negotiate on a level playing field. Maine's Legislature is considering a bill that would give public-sector workers the right to strike. MECEP supports the legislation, and is urging legislators to enact it. The right to strike would enable fairer negotiations between public workers and the government. All of us have reason to support that outcome. Research shows that union negotiations set the bar for working conditions with other employers. And as the largest employer in Maine, the state's treatment of its workers has a big impact

on working conditions in the private sector. **Unions support a fairer economy.** Periods of high union membership are associated with lower levels of income inequality, both nationally and in Maine. **Strong unions, including public-sector unions, have a critical role to play in rebuilding a strong middle class. Unions help combat inequities within work places. Women and people of color in unions face less wage discrimination than those in nonunion workplaces.** On average, wages for nonunionized white women in Maine are 18 percent less than of those of white men. Among unionized workers, that inequality shrinks to just 9 percent. Similarly, women of color earn 26 percent less than men in nonunionized jobs; for unionized women of color, the wage gap shrinks to 17 percent.[i] **All of us have a stake in the success of collective bargaining. But a union without the right to strike loses much of its negotiating power. The right to withdraw your labor is the foundation of collective worker action.** When state employees or teachers are sitting across the negotiating table from their employers, how much leverage do they really have when they can be made to work without a contract? It's like negotiating the price of a car when the salesman knows you're going to have to buy it — whatever the final price is. **Research confirms that public-sector unions are less effective without the right to strike. Public employees with a right to strike earn between 2 percent and 5 percent more than those without it.**[ii] While that's a meaningful increase for those workers, it also should assuage any fears that a right to strike would lead to excessive pay increases or employees abusing their new right.

LD 900, "An Act to Expand the Rights of Public Employees Under the Maine Labor Laws," ensures that Maine's public-sector workers will have the same collective bargaining rights as other employees in Maine. The bill would strengthen the ability of Maine's public-sector workers to negotiate, resulting in higher wages, a more level playing field, and a fairer economy for all of us.

### 3 - Interest in unions, particularly in the U.S., is rising.

Bahn, 19 (Kate Bahn, director of labor market policy and interim chief economist at the Washington Center for Equitable Growth, 8-29-2019, accessed on 11-19-2021, Equitable Growth, "The once and future role of strikes in ensuring U.S. worker power - Equitable Growth", <https://equitablegrowth.org/the-once-and-future-role-of-strikes-in-ensuring-u-s-worker-power/>)

**At the same time, there is an increasing consensus today that unions are a positive force for increasing worker power and balancing against economic inequality. In polling of support for unions and specific aspects of collective bargaining, Equitable Growth grantee Alex Hertel-Fernandez of Columbia University, along with William Kimball and Thomas Kochan of the Massachusetts Institute of Technology, find that support for unions has grown overall, with nearly half of U.S. workers in 2018 saying they would vote for a union if given the opportunity. This is a significant increase from one-third of workers supporting unionization in 1995. According to their research, workers primarily value unions' role in collective bargaining and ensuring access to benefits such as healthcare, retirement, and unemployment insurance. Strikes have historically been one of the strongest tools used by unions to ensure they have power to engage in collective bargaining. But striking was viewed as a negative attribute in the survey done by Hertel-Fernandez, Kimball, and Kochan. Yet, when they**

presented workers with the hypothetical choice of a union exercising strike power with other attributes of unions, such as collective bargaining, support increased. But strikes, of course, do not take place in a bubble. The wider climate of worker bargaining power and institutions that support labor organizing plays a role in making this historically crucial tool effective again. So, too, does the power of employers to resist these organizing efforts when the labor market lacks competition that would increase worker bargaining power.

power is a situation in the labor market where individual employers exercise effective control over wage setting rather than wages being set by competitive forces (akin to monopoly power, where a limited number of firms exercise pricing power over their customers.) In a new Equitable Growth working paper by Mark Paul of New College of Florida and Mark Stelzner of Connecticut College, the role of collective action in offsetting employer monopsony power is examined in the context of institutional support for labor. Paul and Stelzner construct an abstract model with the assumption of monopsonistic markets and follow the originator of monopsony theory Joan Robinson's insight that unions can serve as a countervailing power against employer power. Their model shows that institutional support for unions, such as legislation protecting the right to organize, is necessary for this dynamic process of balancing employers' monopsony power. In an accompanying column, the two researchers write that they "find that a lack of institutional support will devastate unions' ability to function as a balance to firms' monopsony power, potentially with major consequences ... In turn, labor market outcomes will be less socially efficient."

In short, policies and enforcement that support collective action such as strikes not only creates benefits for workers directly but also addresses a larger problem of concentrated market power.

Within the past few years, strikes have been revived as a bargaining tool. "Red for Ed" became the name referring to teachers strikes that took place across traditionally conservative right-to-work states. Beginning with the closure of all schools in West Virginia in 2018 following 20,000 teachers across the state walking out, this movement spread to Oklahoma, Kentucky, Arizona, and Colorado, among other places. These strikes were led by rank-and-file union members, rather than by union leadership, rendering them illegal under the Taft-Hartley Act, which prohibits so-called wildcat strikes. These strikes led to significant gains for these public-sector workers through organizing against policymakers rather than direct management. Before Red for Ed, the "Fight for Fifteen" movement starting in 2012 and "OUR Walmart" starting in 2010 exemplified labor organizing in new mediums by conducting worker-led actions against large corporations that directly employ or control the employment (as in the franchisor-franchisee model) of low-wage workers. The efforts of Fight for Fifteen directly impacted New York state's minimum wage increase to \$15 per hour and has paved the way for a national movement for a higher minimum wage. OUR Walmart led walkouts and Black Friday protests in the years leading up to Walmart's decision to increase wages.

# **1AC - Impacts**

**1] An unconditional right to strike for workers will expand the possibilities the right to strike can fulfill.**

- **More people, particularly the majority, can benefit.**

**2] The right to strike itself balances the relationship between employers and employees, but the unconditional right to strike can further strengthen this correlation because the party of employees has greater access to forcing concessions and communicating with their superiors.**

- **So, the unconditional right to strike for workers can allow for a more “equal” work environment that can accomplish more and benefit one another.**

**3] With rising interest in strikes, the right to strike for workers should become unconditional due to its demand/popularity.**

- **The example that was cited is U.S. specific. However, this relates to the resolution because, despite its subjective controversy, the U.S. can overall be considered a just government due to its democratic policies, and organizations.**
  - **With great interest in the right to strike among workers in a society that is ruled by a just government, the unconditional right to strike for workers will be utilized by many.**