## 1

**Presumption Negates**

**1. We presume things false, this is why people don’t believe things like conspiracy theories.**

**2. There are an infinite number of ways to prove something false and only one way to prove it true.**

**3. The neg burden is to deny the evidence of truth so if there’s no offense as to why the resolution is true the neg has fulfilled their burden.**

**Permissibility Negates**

**1. The aff must prove an obligation because ought indicates a moral obligation. If an action is permissible, definitionally, no obligation is present and you negate.**

**Morality must be internally motivating because we must internalize and care about external claims, which means external motivation collapses.**

**Joyce 1**, Richard (Professor of Philosophy at Victoria University Wellington, New Zealand). The Myth of Morality. 2001. [Bracketed for grammatical clarity] // (N8)

Back to the [Suppose] external reason[s]. **Suppose it were claimed,** instead, that **I have a reason to refrain from drinking the coffee because it is tapu** and must not be touched. This reason claim will be urged regardless of what I may say about my indifference to tapu, or my citing of nihilistic desires to tempt the hand of fate. **[r]egardless of my desires (it is claimed) I ought not drink** - l have a reason not to drink. But how could that reason ever explain any action of mine? Could the external reason even explain my [action] from drinking? Clearly, in order to explain it the external reason must have some causally efficacious role [in] among the antecedents of the action (in this case, an omission) — l must have. in some manner. "internalized" it. **The only possibility, it would seem, consistent with its being an external reason, is that I believe the external reason** claim [but] : I believe that the coffee is tapu. There's no doubting that such a belief can play a role in explaining actions - including my refraining from drinking the coffee. The question is whether the belief alone can[not] produce action, to which the correct answer is “No.” A very familiar and eminently sensible view says that **in order to explain an action** the **belief must couple with desires** (such that those same desires had in the absence of the belief would not have resulted in the action). And this seems correct: **if I believe that the coffee is** [bad] **tapu but really just don’t care about that, then I will not refrain from drinking it.** So in order for the belief to explain action it must couple with [desire] elements - but **in that case** the putative **external reason collapses into** an **internal** one.3

**Contracts solve this because people agree to certain constraints to better promote their self interest. People agree to channel their desires and in doing so, establish a set of moral agreements.**

**Gauthier 86** Gauthier, David P. *Morals by Agreement*. Oxford: Clarendon, 1986. Print. // (N8)

**Moral principles are introduced as the objects of** full **voluntary** ex ante a**greement among** rational **persons.** Such agreement is hypothetical, in supposing a pre-moral context for the adoption of moral rules and practices. But the **parties to agreement are real,** determinate individuals, **distinguished by their capacities, situations, and concerns.** In so far as **[Since] they** would **agree to constraints on their choices, restraining their pursuit of their own interests, they acknowledge a distinction between what they may and may not do.**  As rational persons understanding the structure of their interaction, **they recognize** for mutual constraint, and so for **a moral dimension in their affairs.**

**Thus, the standard is consistency with the contractarian principle of mutual restraint, this is when people agree to constrain their actions for their own self interest. To clarify, obligations arise from restraints we place on ourselves by entering contracts.**

**Prefer:**

**1. Bindingness: Contracts are binding since there are legal repercussions to not following them. This outweighs because if people don’t have any reason to follow ethics they can just not follow it the second they don’t want to and it loses all meaning.**

**2. Them contesting my framework concedes it’s validity since contracts were fundamental to any of their cards. For example, your authors needed publishing licenses, and your empirical studies needed permits.**

**Contention) 1**

**Workers agree in contracts not to strike, these contracts grant employers the right to fire people if they strike and has been upheld by the state.**

"Employer Sanctions for Violation of No-Strike Clause: Union Busting through Mass Discharge and Rescission." ***Yale Law Journal*,** digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=8323&context=ylj. Accessed 23 June 2021.

**EMPLOYERS often secure no-strike clauses 1 in collective bargaining contracts** 2 with their employees' unions, 3 in order to ensure greater union responsibility for the maintenance of stable production schedules.4 **Under such clauses, the union promises not to authorize or sanction any strike during the term of its contract.' The employer is** usually **given power to discipline or discharge all the individual union members who strike in violation of the no-strike clause.0**

When confronted with a union-sponsored strike in violation of a no-strike clause, the employer may be forced to accede to the union's demands because of production requirements or the scarcity of replacement workers. 7 Alternatively, he may shut down his plant and wait out the strike, disciplining the strikers when they return to work, subject to an arbitrator's review.8 However, if he believes his bargaining position to be strong, he may discharge all the strikers, rescind the contract, and refuse thereafter to deal with the union.0 **The National Labor Relations Board has upheld such employer actions on the grounds that they are justified by the union's prior material breach of the contract,'** ° and that strikers in violation of contract are not protected by the National Labor Relations Act."1

**This impacts back to my framework because recognizing the right of the workers to strike goes against established contracts granting employers the ability to restrict the ability of workers to strike.**

## 2

**Counterplan text: A just government ought to recognize the unconditional right of workers to strike, except doctors.**

**Strikes by doctors harm patients and are counter productive to the goal of the strike.**

Sarah **Boseley** "Senior Colleagues Condemn Junior Doctors' Plan For Five-Day Strikes". *The Guardian*, 2016, https://www.theguardian.com/society/2016/sep/01/junior-doctors-row-medical-profession-split-latest-strikes?CMP=gu\_com. Accessed 13 Nov 2021.

**Senior doctors have voiced strong opposition to** [**the series of five-day** strikes planned by their junior colleagues](https://www.theguardian.com/society/2016/sep/01/patients-association-national-voices-condemn-planned-five-day-junior-doctors-strike)**,** warning that **the action will cause real problems for patients, the service and the profession.**

In a surprise statement on Thursday evening, the Academy of Medical Royal Colleges – which brings together doctors’ professional bodies – distanced itself from the doctors’ union, the British Medical Association, which has called the strike. The academy was “disappointed at the prospect of further sustained industrial action by junior doctors”, it said in a statement after several agonised hours of deliberation.

“We are acutely aware that the [**NHS**](https://www.theguardian.com/society/nhs) is under extreme pressure at the moment,” it said. **“Patient safety and quality of care must be the priority.** We know there are genuine concerns about the contract and working arrangements but we do not consider the proposed strikes are proportionate.

“Five days of **strike action, particularly at such short notice, will cause real problems for patients,** the service and the profession.”

On Wednesday it was announced that junior doctors will go on strike from 12 to 16 September – the longest period of action yet announced by doctors in their [**protracted dispute over terms and conditions**](https://www.theguardian.com/society/2016/sep/01/what-you-need-to-know-about-the-junior-doctors-strike) that the health secretary, Jeremy Hunt, would like to introduce. On Thursday the BMA announced additional dates for proposed walkouts, on 5, 6, 7, 10 and 11 October, 14-18 November and 5-9 December

However the BMA is split over whether to support the five-day strikes called by junior doctors, with many of its senior members considering the action unethical and fearful that patients will be harmed.

At a special meeting of the ruling council of the BMA on Wednesday some experts argued that the action was unethical because of the risk to patient safety, the Guardian has learned.

Such was the importance of the meeting that some council members changed their holiday plans to be there. Following a highly charged discussion, the BMA council voted by 16 to 12 to support the junior doctors’ industrial action.

The opposition of senior doctors raises questions over whether the industrial action can go ahead as planned. The opposition of the royal colleges may persuade some junior doctors not to take part and they may also lose the support of some senior doctors who were expected to cover for them during the strikes.

**The Patients Association’s** chief executive, Katherine Murphy, said the **organisation was “gravely troubled” at the “catastrophic impact this will have on so many patients and their families”** as winter approaches. “Many patients may be very unwell or vulnerable and so **we cannot predict the distress or pain this will cause to everyone this will affect,”** added Murphy.

Earlier in the day Hunt said in a series of broadcast interviews that [**junior doctors would be inflicting “the worst doctors’ strike in NHS history”**](https://www.theguardian.com/society/2016/sep/01/jeremy-hunt-five-day-doctors-strike-worst-in-nhs-history). The minister told Sky News: “Patients will be asking why it is that the BMA, who only in May said ‘this deal is a good deal for doctors, a good deal for patients, it’s good for the NHS, it’s good for equality’ are now saying it is such a bad deal that they want to inflict the worst doctors’ strike in [**NHS**](https://www.theguardian.com/society/nhs) history.”

Theresa May, accused the BMA of playing politics, reiterating her confidence in Hunt during a visit to the Jaguar Land Rover assembly plant in Solihull.

“Jeremy has been an excellent health secretary, he is an excellent health secretary and this deal is about a deal that is safe for patients and I think it’s crucial if you look at what we’re doing as a government with the NHS,” the prime minister said. “We’ve got record levels of funding into the NHS, we’ve got more doctors now in the NHS than we’ve seen in its history and this is a deal that is safe for patients.

“The government is putting patients first, the BMA should be putting patients first – not playing politics.”

Most senior doctors condemn Hunt for his continuing threat to impose a contract on them that they say does not recompense them for Saturday shifts and will jeopardise patient safety, because of the excessive hours they will be asked to work.

Earlier in the day, the president of the Royal College of Physicians of Edinburgh, which has members across the UK, called on the government to negotiate but made it plain he opposed the strikes. “The safety of our patients and the wider NHS workforce remains paramount and this long-running dispute benefits no one,” said Prof Derek Bell.

“We are concerned that the **industrial action** proposed **will have a significant impact for patients and all healthcare professionals** in the NHS. The timing of the proposed industrial action – so soon after the August changeover with many junior doctors new in post and heading towards the winter months – and the sustained nature of the action will heap pressure on a health system that is already struggling to deal with existing pressures and rota gaps. The proposed notice will also make it extremely difficult for hospitals to arrange cover. We hope that this action can be avoided.”

## Case