### AC

*Affirmation*

I stand in firm affirmation of RESOLVED: A JUST GOVERNMENT OUGHT TO RECOGNIZE AN UNCONDITIONAL RIGHT OF WORKERS TO STRIKE

John Rawls, *A Theory of Justice*

“Justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise, laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust.”

Value: Justice

Robert Soloman, *A Passion for Justice*

“The basic unit of almost all of the leading theories of justice, from Hobbes to Rousseau to Rawls and Nozick, is the isolated, autonomous individual. Society is secondary.”

Therefore, the premise of this debate demands that we evaluate what position caters most to the *individual*

Robert Grimsley, *Jean-Jacques Rousseau*

“The freedom of the political association depends on conditions which are valid for all...Justice demands that all members of the community [in this instance, being a nation or state] enjoy equal rights...”

Thus, the premise of this debate demands that we evaluate what position, in conjunction with individualism, caters most to *absolute equality*

Criterion: Individual and equal rights

In accordance with Soloman and Grimsley, the extent to which justice is upheld is based upon the extent to which equality in individual rights is fulfilled.

In regards to definitions, a just government is a government that upholds this very value; one that ensures unconditional equality and individualism.

**Contention 1: Workers have an inherent disadvantage under a capitalist system**

*Subpoint a - economic inequalities*

[The Stanford Encyclopedia of Philosophy](https://plato.stanford.edu/entries/exploitation/) writes, in 2016, “[Labor] is not truly voluntary because workers are *forced* by their lack of ownership of the means of production to sell their labor power to capitalists or else starve. And workers are not laboring entirely for their own benefit because capitalists use their privileged position to *exploit* workers, appropriating for themselves some of the value created by workers’ labor.” It is for this reason that 82% of wealth created by workers, according to a study by [Oxfam](https://oi-files-d8-prod.s3.eu-west-2.amazonaws.com/s3fs-public/file_attachments/bp-reward-work-not-wealth-220118-en.pdf) in 2018, ends up in the pockets of the top 1%. Allowing unconditional striking places a check on this trend, as workers gain control over the economic systems that feed that 1%.

*Subpoint b - the role of striking in reducing such disadvantages*

Striking provides a conduit for improved working conditions, higher wages, and advocacy power through its capacity for collective bargaining. This improvement is reflected by the [Illinois Economic Policy Institute](https://ler.illinois.edu/wp-content/uploads/2016/04/ILEPI-PMCR-Application-and-Impact-of-Union-Dues-in-Illinois-FINAL.pdf) in 2016, which found that after striking, workers after-tax wages increased by $4,000 annually, and the likelihood to attain health insurance rose by 14%. [Harvard Crimson](https://www.thecrimson.com/article/2019/12/11/lim-right-to-strike/) 2019, “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.” In essence, an unconditional right to striking grants individuals power under inherent oppression, thus promoting an overall improvement in conditions and wages and preserving the bargaining that brings such to fruition. Strikes that are unlawful under conditions in the status quo are also proven to be even more effective - [Washington Post](https://www.washingtonpost.com/politics/2021/11/11/us-workers-have-been-striking-startling-numbers-will-that-continue/) 2021, “Employees tend to win strikes when employers have a hard time replacing striking workers.” they continue to suggest that sit-down strikes fall under this trend, “For employers to replace them and resume production, they first had to battle to move out each seated worker — making the sit-down strike highly successful.”

**Contention 2: Striking both enforces human rights and is a human right**

*Subpoint a - enforcement*

Human rights violations occur in the workplace. [Zelikiman](https://www.zeilikmanlaw.com/for-employees/human-rights-violations-discrimination/), 2021 - “poor the rate of pay, overtime, working hours, holidays, benefits, layoffs, dismissal/termination, discipline, and performance are all prohibited under the Human Rights Code, as employees have the right to equal treatment with respect to employment.”- allowing for striking to occur amends this. Government employees and essential workers, that being employees deprived of the right to strike, are often the victims of this. The [University of Massachusets](https://www.umass.edu/employmentequity/stressed-unsafe-and-insecure-essential-workers-need-new-new-deal), 2021 - “The majority of essential workers do not feel safe at work (60%) and ...43% of essential workers are low wage, earning less than $20/hour.”

*Subpoint b - embodiment*

[United Nations High Commissioner for Human Rights](https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21328&LangID=E), “The right to strike is an intrinsic corollary of the fundamental right of freedom of association. It is crucial for millions of women and men around the world to assert collectively their rights in the workplace, including the right to just and favorable conditions of work, and to work in dignity and without fear of intimidation and persecution.” Placing conditions on an employer’s decision to strike, under the threat of persecution, is in violation of human rights and is unjust.

**Contention 3: The resolution promotes justice for oppressed communities**

*Sole subpoint - conditions on strikes reinforce institutionalized discrimination*

Conditions on a worker’s right to strike disproportionately disadvantage low-income workers of color. The National Labor Relations Act of 1935, though virtually assuring absolute right to strike for private-sector employees, essential workers, including those employed in healthcare, agriculture, security, transportation, and energy, still do not have a federally recognized right to strike. According to the [Economic Policy Institute](https://www.epi.org/blog/who-are-essential-workers-a-comprehensive-look-at-their-wages-demographics-and-unionization-rates/) 2020, 50% of these workers are people of color, 73% are women, and 70% lack collegiate education. This means such workers, the majority of which with minority affiliation, are granted an institutionalized disadvantage. Without unconditional access to unions and strikes, they have no leverage over oppressive institutions through the power of collective bargaining. Enabling justice to occur for such communities is integral to fulfilling the value of this day’s debate and assuring that the obligations of a just government are fulfilled.

***To conclude, I have an observation on the resolution***

I would like to urge the judge to focus on the wording “unconditional right to strike” in the resolution. The resolution is not suggesting that a government ought to recognize a right to anything beyond simply striking, that being, refusing to work for a period of time. If a striker commits an illegal act, including assault, violence, or vandalism, it does not fall under the definition of a strike.