### NC

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

Value: Utilitarian Justice

Jeremy Bentham*, The Principles of Morals and Legislation*

“Justice, in the only sense in which it has a meaning, is an imaginary personage, feigned for the convenience of discourse, whose dictates are the dictates of utility, applied to certain particular cases”

In essence, in deciding justice, one is forced to view utility as a core factor.

Criterion: Common good

[Stanford Encyclopedia of Philosophy](https://plato.stanford.edu/entries/common-good/), 2018

“The members of a community provide to all members in order to fulfill a relational obligation they all have to care for certain interests that they have in common.”

Just government, as defined by Richardson 2020,

“*Just laws* protect people from unjust harm from other people, while *unjust laws* benefit *select* groups of people or businesses while harming other groups of people or businesses.” A just government is one that enforces such laws. If an increase in say, mortality or harm occurs as a consequence of striking, it is inherently unjust and thus violates the resolution. Therefore, reasonable conditions are necessary to ensure justice is maintained.

**Contention 1: Unconditional strikes violate justice for the majority**

*Subpoint a - death and violence*

According to the [National Bureau of Labor Statistics](https://www.nber.org/digest/jul10/evidence-effects-nurses-strikes) 2010, Nurses strikes are associated with a 19.4% increase in mortality and a 6.5 % increase in hospital readmissions. Similar trends have been documented in the case of police strikes - A police strike in Espirito Santo, Brazil, brought the town to “near anarchy”, as the [Washington Post](https://www.washingtonpost.com/news/worldviews/wp/2017/03/01/police-went-on-strike-in-a-brazilian-state-the-result-was-near-anarchy/) writes in 2017. 143 people lost their lives over the course of a week in February, compared to four in all of January. Conditions are integral to preventing such pandemonium from occurring.

*Subpoint b - economic collapse*

The damage caused by unconditional strikes transcends physical constraints. Unprotected strikes in South Africa resulted in, “a weakened currency, reduced global investment, declining productivity, and increase unemployment in the affected sectors” ([Tenza](http://www.scielo.org.za/scielo.php?script=sci_abstract&pid=S1682-58532020000300004)). This promotes inflation and stagflation, reinforcing economic inequalities and decline, and fundamentally deriving justice.

*Subpoint c - quality of life*

In 2019, when Los Angeles School District teachers went on strike, the school district as a whole lost, according to The Main Wire, $125 million in state resources. Even discounting the amount lost in potential educational improvements, strikes such as these are correlated with a 3% average drop in test scores and reduced higher education attainment ([Belot & Webbink](https://www.washingtonpost.com/news/wonk/wp/2012/09/10/how-teacher-strikes-hurt-student-achievement/)). The same can be said as it relates to pollution, productivity, and more. [Transportation for America](https://www.jstor.org/stable/26156424?seq=1#metadata_info_tab_contents) 2017 -  strikes in the public sector increase traffic and congestion by 47%, causing a $1 billion reduction in productivity and creating “daily pollution shocks.”

**Contention 2: Unconditional strikes hurt workers**

Conditions exist on strikes to preserve some equilibrium and fairness between the employer and employee. One of the largest provisions the [National Labor Relations Board](https://www.nlrb.gov/strikes) puts on strikes states that a strike is unlawful if participants are, “physically blocking persons from entering or leaving a struck plant, violence against nonstriking employees, or attacking management representatives.” this does not work to protect unlawfulness by large corporations; it works to protect workers who may not or can’t afford to go on strike. The affirmation, by condoning this resolution, is making the suggestion to you, judge, that workers ought not to have individual rights or protections from their peers. Even further, conditions including the Unfair Labor Practice provisions, state that strikers “can be neither discharged nor permanently replaced. When the strike ends, unfair labor practice strikers, absent serious misconduct on their part, are entitled to have their jobs back even if employees hired to do their work have to be discharged.”