## 1

#### Interpretation: The affirmative debater must specify the type of strikes they defend in a delineated text in the 1AC.

#### Violation: they didn’t

#### Standards –

#### 1] Topic lit – strikes are the core question of the topic and there’s no consensus on normal means so you must spec.

Law Library

[“Strike”, N.D., <https://law.jrank.org/pages/10554/Strike-Status.html>, Law Library, This law and legal reference library provides free access to thousands of legal articles, covering important court cases, historical legal documents, state laws & statutes, and general legal information. Popular articles include Landlord and Tenant Relationship, Health Insurance Law and Employment Law. The legal reference database also covers historically important court cases such as the Ulysses obscenity trial, Plessy vs. Ferguson, Roe vs. Wade and many others. All of the legal information on this website was professionally written and researched, and each law article has been carefully selected -- all to create the most comprehensive legal information site on the web. Read more: Law Library - American Law and Legal Information - JRank Articles <https://law.jrank.org/#ixzz6yOIvCHj7>] [SS]

**Strikes can be divided into** two basic types: **economic and unfair labor practice**. An economic strike seeks to obtain some type of economic benefit for the workers, such as improved wages and hours, or to force recognition of their union. An unfair labor practice strike is called to protest some act of the employer that the employees regard as unfair. A Lexicon of Labor Strikes Over the years different types of labor strikes have acquired distinctive labels. **The following are the** most common **types of strikes, some of which are illegal**: **Wildcat strike** A strike that is not authorized by the union that represents the employees. Although not illegal under law, wildcat strikes ordinarily constitute a violation of an existing collective bargaining agreement. **Walkout** An unannounced refusal to perform work. A walkout may be spontaneous or planned in advance and kept secret. If the employees' conduct is an irresponsible or indefensible method of accomplishing their goals, a walkout is illegal. In other situations courts may rule that the employees have a good reason to strike. **Slowdown** An intermittent work stoppage by employees who remain on the job. Slowdowns are illegal because they give the employees an unfair bargaining advantage by making it impossible for the employer to plan for production by the workforce. An employer may discharge an employee for a work slowdown. **Sitdown strike** A strike in which employees stop working and refuse to leave the employer's premises. Sitdown strikes helped unions organize workers in the automobile industry in the 1930s but are now rare. They are illegal under most circumstances. **Whipsaw strike** A work stoppage against a single member of a bargaining unit composed of several employers. Whipsaw strikes are legal and are used by unions to bring added pressure against the employer who experiences not only the strike but also competition from the employers who have not been struck. Employers may respond by locking out employees of all facilities that belong to members of the bargaining unit. Whipsaw strikes have commonly been used in the automobile industry. **Sympathy strike** A work stoppage designed to provide AID AND COMFORT to a related union engaged in an employment dispute. Although sympathy strikes are not illegal, unions can relinquish the right to use this tactic in a COLLECTIVE BARGAINING agreement. **Jurisdictional strike** A strike that arises from a dispute over which LABOR UNION is entitled to represent the employees. Jurisdictional strikes are unlawful under federal LABOR LAWS because the argument is between unions and not between a union and the employer.

#### **This acts as a resolvability standard. Debate must make sense and be comparable for the judge to decide which means it’s an independent voter and outweighs.**

#### 2] creates a moving target – absent specing what type of strikes they can always redfine the types of strikes they defend in the 1ar and reclarify their advocacy which means they can also shift out of different links to DAs or CPs this – a) kills ground bc they can always shift out and delink which also moots the entirety of the 1nc – b) kills clash bc there wont be any engagement absent a def bc they can shift out of their advocacy which means they always avoid it

#### Fairness is a voter – a) it’s a gateway issue to evaluate the round – you cant vote for the better debater if the round is skewed – b) debate is a game that needs rules

#### Education bc that’s why schools fund it

#### DTD on 1nc T and theory – a) deter future abuse, empirically confirmed with aprioris – b) DTA incentivizes abusive affs that bait theory and then collapse to substance by kicking case or extending tricks

#### Use Competing interps over reasonability – a) creates judge intervention since there is no BL for what’s reasonable, even if u have a BL its still up to them to decide which takes the debate out of our hands which o/w all their args – b) it collapses – reasonability uses an offense defense paradigm to evaluate offense

#### And all neg abuse was the affs fault since my strat was formulated based on the aff

#### No RVI’s – (a) creates a chilling effect – negs would always be disincentives from reading theory against good theory debaters which leads to infinite abuse so it outweighs time skew and (b) they’re illogical - “I’m fair vote for me” doesn’t make any sense - logic comes first on theory since all args need to make sense in order to be evaluable – and theory is not a NIB since they get link and impact turns which o/w all their args

## 2

#### In order for the resolution to be true, the aff must prove that it is conceptually coherent to have a government recognize an absolute, unconditional right to strike. To clarify, that when the state guarantees X, it cannot structurally falter from that obligation. If not, you negate. Prefer:

#### 1 - text – according to dictionary.com unconditional means

https://www.dictionary.com/browse/unconditional

unconditional [ uhn-kuhn-dish-uh-nl ]SHOW IPA [See synonyms for unconditional on Thesaurus.com](https://www.thesaurus.com/browse/unconditional) 📙 Middle School Level adjective **not limited by conditions;** [**absolute**](https://www.dictionary.com/browse/absolute)**:an** unconditional promise. Mathematics. [absolute (def. 12)](https://www.dictionary.com/browse/absolute).

#### Text is a side constraint to other interps of the res since it establishes what it means which controls fairness and education. It also determines what the content of the resolutional statement requires the aff to prove, so it comes first under truth testing.

#### 2 - Conceptual necessity – If the state cannot conceptually be obligated to recognize an unconditional right to strike, then the principle itself is incoherent – it presupposes some binding force. Means (a) you’d still negate even if the burden is false since it proves the resolution false (b) it’s a prereq to debating the res since my burden evaluates what it means to affirm or negate.

#### 3 - Real world – the aff would be an incoherent policy if it was impossible, its effectiveness wouldn’t matter. That’s why policy makers don’t debate over outrageous policies like making everyone live forever – they may seem good in the abstract, but are impossible to apply. Key to fairness and education since it’s the basis for prep and a coherent understanding of the res.

### Contention:

#### Now negate, the constitutive feature of the law is that the sovereign creates it, but the sovereign lives outside of the law and has complete control over the it. The sovereign is the only authority over the law, creating a state of exception; the state cannot undermine the sovereign in the state of exception. Thus, any principle that mandates the state to act is impossible.

Agamben 04 [Agamben, Giorgio. “Homo Sacer – Sovereign Power and Bare Life”. Translated by Daniel Heller-Rozan. Published 2004. Bracketed for gendered language] AA

The paradox of sovereignty consists in the fact **the sovereign is**, at the same time, **outside and** **inside the juridical order. If the sovereign is** truly **the one to** **whom the** juridical **order grants the** **power** **of proclaiming a state of exception** and**, therefore**, of suspending the order's own validity, then "**the sovereign stands outside** the juridical order and, nevertheless, belongs to it, **since it is up** **to him [them] to decide if the constitution is to be** **suspended** in toto" (Schmitt, Politische Theologie, p. 13). The specification that the ¶ sovereign is "at the same time outside and inside the juridical order" (emphasis added) is not insignicant: **the sovereign, having the legal power to suspend the validity of the law, legally places himself outside the law**. This means that the paradox can also be formulated this way: "**the law is outside itself**," or: "1, the sovereign, who am outside the law, declare that there is nothing outside the law [che non c'e un ori gge]." ¶ The topology implicit in the paradox is worth reflecting upon, since the degree to which sovereignty marks the limit (in the dou­ ble sense of end and principle) of the juridical order will become clear only once the structure of the paradox is grasped. Schmitt presents this structure the structure of the exception (Ausnahme): ¶ The exception is that which cannot be subsumed; it defies general codification, but it simultaneously reveals a specically juridical formal element: the decision in absolute purity. The exception appears in its absolute form when it is a question of creating a situation in which juridical rules can be valid. **Every** general **rule demands** **a regular**, everyday **frame** oflife **to which it can be factually applied** and which is submitted to its regulations. The rule requires a homogeneous me­ dium. This factual regularity is not merely an "external presupposi­ tion" that the jurist can ignore; it belongs, rather, to the rule's imma­ nent validity. There is no rule that is applicable to c**haos. Order must be established for juridical order** to m e sense. A regular situation must be created, and **sovereign is he who definitely decides if this** **situation** **is** actually **effective**. l law is "situational law." The sovereign creates and guarantees the situation as a whole in irs totality. **He** **has the monopoly over** **the** nal **decision**. Therein consists **the** essence of **State sovereignty**, which **must** therefore **be** properly juridically de ned not as the monopoly to sanction or to rule but as **the monopoly to decide**, **where** the word "**monopoly" is** **used in a general sense** that is still to be developed. The decision reveals the essence of State authority most clearly. Here the decision must be distinguished from the juridical regulation, and (to formulate it paradoxically) authority proves itself not to need law to create law. .. . The exception is more interesting than the regular case. The latter proves nothing; the excep­ tion proves everything. **The exception does not only confirm the rule; the rule as such lives o the exception alone**. A Protestant theologian who demonstrated the viral intensity of which theological reflection was still capable in the nineteenth century said: "The exception explains the general and itself. And when one really wants to study the general, one need only look around for a real exception. It brings everything to light more clearly than the general itself After a while, one becomes disgusted with the endless talk about the general-there are exceptions. If they cannot be explained, then neither can the general be explained. Usually the difficulty is not noticed, since the general is thought about not with passion but only with comfortable superficiality. The exception, on the other hand, thinks the general with intense passion." (Politische Theologie, pp. 19-22) ¶ It is not by chance that in defining the exception Schmitt refers to the work of a theologian (who is none other than S0ren Kierke­ gaard). Giambattista Vico had, to be sure, armed the superiority ¶ of the exception, which he called "the ultimate configuration of facts," over positive law in a way which was not so dissimilar: '' esteemed jurist is, therefore, not someone who, with the help of a good memory, masters positive law [or the general complex of laws], but rather someone who, with sharp judgment, knows how to look into cases and see the ultimate circumstances off acts that merit equitable consideration and exceptions from general rules" (De antiquissima, chap. 2). Yet nowhere in the realm of the juridical sciences can one nd a theory that grants such a high position to the exception. For what is at issue in the sovereign exception is, according to Schmitt, the very condition of possibility of juridical rule and, along with it, the very meaning of State authority. **Through the state of exception, the sovereign** "creates and **guarantees the situation**" **that the law needs for its own validity**. But **what is this "situation**," what is its structure, **such that it consists in nothing other than the suspension of the rule**? ¶ X The Vichian opposition between positive law (ius theticum) and exception well expresses the particular status of the exception. The exception is an element in law that transcends positive law in the form of its suspension. The exception is to positive law what negative theology is to positive theology. While the latter a rms and predicates determinate qualities of God, negative (or mystical) theology, with its "neither . . . nor . . . ," negates and suspends the attribution to God of any predicate whatsoever. Yet negative theology is not outside theology and can actually be shown to function as the principle grounding the possibility in general of anything like a theology. Only because it has been negatively presupposed as what subsists outside any possible predicate can divinity become the subject of a predication. Analogously, only because its validity is suspended in the state of exception can positive law define the normal case as the realm of its own validity. ¶ r.2. The exception is a kind of exclusion. **What is excluded from the general rule is an individual case**. But the most proper characteristic of the exception is that what is excluded in it is not, on account of being excluded, absolutely without relation to the rule. On the contrary, **what is excluded in the exception** **maintains itself** ¶ **in relation to the rule in the form of the rule's suspension**. The rule applies to the exception in no nger app ing, in withdrawing om it. **The state of exception** **is** thus **not the chaos that** **precedes order but rather the situation that results from its suspension**. In this sense, the exception is truly, according to its etymological root, taken outsi (ex-capere), and not simply excluded. ¶ It has o en been observed that the juridico-political order has the structure ofan inclusion of what is simultaneously pushed outside. Gilles Deleuze and Felix Guattari were thus able to write, "Sovereignty only rules over what it is capable of interiorizing" (Deleuze and Guattari, Mil p teaux, p. 5); and, concerning the "great confinement" described by Foucault in his Madness and Civilition, Maurice Blanchot spoke of society's attempt to "confine the outside" (en rmer le dehors), that is, to constitute it in an "interiority of expectation or of exception." Confronted with an excess, the system interiorizes what exceeds it through an interdiction and in this way "designates itself as exterior to itself" (L ntretien in ni, p. 292) . The exception that defines the structure of sovereignty is, however, even more complex. **Here what is outside is included not simply by means of an interdiction or an internment**, **but** rather **by means of the suspension of the juridical order's** **validity-by letting the juridical order**, that is, **withdraw from the exception** and aban­ don it. The exception does not subtract itself from the rule; rather, the rule, **suspending itself, gives rise to the** **exception** and, maintaining itself in relation to the exception, rst constitutes itself as a rule. The particular "force" of law consists in this capacity of law to maintain itself in relation to an exteriority. We shall give the name relation of exception to the extreme form of relation by which something is included solely through its exclusion. ¶ **The situation created in the exception has the peculiar characteristic that it cannot be defined** either as a situation of fact or as a situation of right, but instead institutes a paradoxical threshold of indistinction between the two. It is not a fact, since **it is only created through the suspension of the rule**. But for the same reason, it is not even a juridical case in point, even if it opens the possibility ¶ of the force of law. **This is the ultimate meaning** of the paradox that Schmitt formulates when he writes **that the sovereign[s] decision "proves itself not to need law to create law."** What is at issue in the sovereign exception is **not so much the control or neutralization of** an **excess as the creation and definition of the very space in which the juridico-political order can have validity.** In this sense, **the sovereign exception is the** fundamental **localization** (Ortung), **which does not limit itself to distinguishing what is inside from** what is **outside but** instead **traces a threshold** (the state of exception) **between the two, on** the basis of which outside and inside, **the normal situation and chaos**, enter into those complex topological relations that make the validity of the juridical order possible. ¶ The "ordering of space" that is, according to Schmitt, constitu­ tive of the sovereign nomos is therefore not only a "taking of land" (Landesnahme)-the determination of a juridical and a territorial ordering (of an Ordnung and an Ortung)-but above all a "taking of the outside," an exception (Ausnahme). ¶

#### Implications:

#### 1] You negate since the state can never limit its own authority since under a state of exception, the sovereign has complete control. The fed can always undermine their recognition of an absolute right to strike by creating exceptions

## Case

#### Strikes kill the economy – Engineering News 18

Reporter, Creamer Media. “Strikes And Their Economic Consequences.” Engineering News, 2018, www.engineeringnews.co.za/article/strikes-and-their-economic-consequences-2018-10-01/rep\_id:4136#:~:text=Strike%20action%20results%20in%20less,or%20to%20lost%20production%20time. // LHP PS

**After conducting intensive research\* into the topic of strikes and labour unrest, the Mandela Initiative came to several conclusions**. One of these was that the right to strike is made up of a delicate balance between the [power](https://www.engineeringnews.co.za/topic/power) of firms and the rights of employees, and is considered a sign of a healthy democracy “Whilst there are potential benefits from strikes (e.g. better work morale, lower absenteeism, or improved labour productivity), **strike action also brings about numerous direct and indirect economic costs that can be high, depending on duration, number of workers involved and divisions affected,” the Initiative confirmed.** According to labour expert Suleyman Alley, there are seven key causes of labour unrest: [health](https://www.engineeringnews.co.za/topic/health) hazards in the workplace; excessive working hours; low wages; demand for leave with pay; discrimination; inadequate working tools; and aggressive behaviour of managers towards employees. While several activities can be taken in an effort to prevent strikes from occurring or escalating, in the South African context, the tendency towards violent outbursts seems to outweigh reasonable action**. “Strikes and labour unrest have marked negative impacts on the employees themselves, the employers and their stakeholders, the government, consumers, and the economy,” advises Jacki Condon**, Managing Director of Apache [Security](https://www.engineeringnews.co.za/topic/security) [Services](https://www.engineeringnews.co.za/topic/services). “The negative effects on international trade include the hinderance of economic development, creating great economic uncertainty – especially as the global media continues to share details, images and videos of violence, damage to property and ferocious clashes between strikers and [security](https://www.engineeringnews.co.za/topic/security).” **Strike action results in less productivity, which in turn means less profits. Labour Law expert, Ivan Israelstam confirms that; “The employer is likely to lose money due to delayed**[**service**](https://www.engineeringnews.co.za/topic/service)**to clients or to lost production time. The employees will lose their pay due to the no work, no pay principle. If the strikers are dismissed they will lose their livelihoods altogether.”** This year alone, Eskom, Prasa, various [manufacturing](https://www.engineeringnews.co.za/topic/manufacturing) plants, Sasol and the Post Office have faced crippling strikes – to name but a few. Condon argues that there are more immediate consequences to consider than loss of income. “**As the socio-economic issues continue to affect South Africans across the board, tensions are constantly rising,**” states Condon. “Businesses must protect themselves, their assets, [business](https://www.engineeringnews.co.za/topic/business) property, and their non-striking employees from violence and intimidation.” Condon believes that this requires the deft hand of well-trained and highly qualified close protection operatives. These operatives provide not only protection, but video evidence as well, ensuring those responsible for damage can be held to account. “The key is to create a strategic partnership with a reliable [security](https://www.engineeringnews.co.za/topic/security) provider. Plans must be put into place to protect businesses against vandalism, physical assault, property invasion and intimidation during labour unrest,” concludes Condon.

#### Strikes skyrockets unemployment rates – kills the econ – empirically proven – Tenza 20

Tenza, Mlungisi. “The Effects of Violent Strikes on the Economy of a Developing Country: a Case of South Africa.” Obiter, Nelson Mandela University, 2020, www.scielo.org.za/scielo.php?script=sci\_arttext&amp;pid=S1682-58532020000300004.

**Generally, South Africa's economy is on a downward scale. First, it fails to create employment opportunities for its people. The recent statistics on unemployment levels indicate that unemployment has increased from 26.5% to 27.2%.****[28](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000300004" \l "back_fn28) The most prominent strike which nearly brought the platinum industries to its knees was the strike convened by AMCU in 2014. The strike started on 23 January 2014 and ended on 24 June 2014. It affected the three big platinum producers in the Republic, which are the Anglo American Platinum, Lonmin Plc and Impala Platinum**. It was the longest strike since the dawn of democracy in 1994. As a result of this strike, **the platinum industries lost billions of rands.**[29](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000300004" \l "back_fn29) According to the report by Economic Research Southern Africa, **the platinum group metals industry is South Africa's second-largest export earner behind gold and contributes just over 2% of the country's Gross Domestic Product** (GDP).[30](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000300004" \l "back_fn30) The overall metal ores in the mining industry which include platinum sells about 70% of its output to the export market while sales to local manufacturers of basic metals, fabricated metal products and various other metal equipment and machinery make up to 20%.[31](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000300004" \l "back_fn31) **The** research indicates that the **overall impact of the strike** in 2014 **was driven by a reduction in productive capita**l in the mining sector, **accompanied by a decrease in labour available to the economy**. This resulted in a sharp increase in the price of the output by 5.8% with a GDP declined by 0.72 and 0.78%.[32](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000300004" \l "back_fn32) South Africa's primary source of income is through employment; the state relies heavily on the income taxes it collects from employed people**. The implication is that unemployment has a negative effect on the state while if more people are employed, their income tax will add to the government's coffers. Unemployment means that people are unable to support themselves and their families, conversely the state has an obligation of ensuring that such people sustainable means in the form of social assistance.****[33](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000300004" \l "back_fn33) The state, together with the private sector, bears the responsibility of alleviating poverty in society.** Unemployment is a real contributor to poverty. Other factors that contribute to poverty include a general lack of education, lack of relevant skills in certain areas such as science, inequality, inherited past practices and structural problems such as low wages supporting big families, low domestic savings, the ongoing electricity shortage from 2013 to 2015 threatening investors, low levels of business confidence, severe drought, reduced fiscal capacity, and the growing risk of stagflation. In **addition, a lengthy strike comes with a threat of job losses in vulnerable sectors such as mining, metals and agriculture**. It is also believed that protracted strikes contribute towards weakening the country's local currency (the South African rand). All these factors put a strain on the already struggling economy of South Africa.

#### Econ decline results in nuclear war which cause extinction from a nuke winter. Tønnesson 15

Tønnesson Tønnesson, Stein [Tønnesson is a research professor at the Peace Research Institute Oslo (PRIO) in Norway and the leader of the East Asia Peace program at Uppsala University in Sweden.] “Deterrence, interdependence and Sino–US peace.” International Area Studies Review, *Vol. 18, pgs. 297-311*, 2015

Several recent works on China and Sino–US relations have made substantial contributions to the current understanding of how and under what circumstances **a combination of nuclear deterrence and economic** **interdependence may reduce the risk of war between major powers**. At least four conclusions can be drawn from the review above: first, those who say that interdependence may both inhibit and drive conflict are right. Interdependence raises the cost of conflict for all sides but asymmetrical or unbalanced dependencies and negative trade expectations may generate tensions leading to trade wars among inter-dependent states that in turn increase the risk of military conflict **(**Copeland, 2015: 1, 14, 437; Roach, 2014).The risk may increase if one of the interdependent countries is governed by an inward-looking socio-economic coalition(Solingen, 2015);second, the risk of war between China and the US should not just be analysed bilaterally but include their allies and partners. Third party countries could drag China or the US into confrontation; third, in this context it is of some comfort that the three main economic powers in Northeast Asia(China, Japan and South Korea)are all deeply integrated economically through production networks within a global system of trade and finance(Ravenhill, 2014; Yoshimatsu, 2014: 576); andfourth, decisions for war and peace are taken by very few people, who act on the basis of their future expectations.International relations theory must be supplemented by foreign policy analysis in order to assess the value attributed by national decision-makers to economic development and their assessments of risks and opportunities**. If leaders** **on either side of the** **Atlantic begin to seriously fear or** **anticipate their own nation’s decline** **then** **they** **may** **blame** **this on** **external dependence**, **appeal to anti-foreign sentiments**, **contemplate** **the use of** **force to gain** **respect or** **credibility**, **adopt protectionist policies, and** **ultimately** **refuse to be deterred by** **either** **nuclear arms or prospects of socioeconomic calamities. Such** **a dangerous shift could happen abruptly, i.e. under the instigation of actions by a third party – or against a third party.** Yet as long as there is both nuclear deterrence and interdependence, the tensions in East Asia are unlikely to escalate to war. As Chan (2013) says, all states in the region are aware that they cannot count on support from either China or the US if they make provocative moves. **The greatest** **risk is not that a territorial dispute leads to war under present circumstances but** **that changes in** t**he world economy alter those circumstances in ways that render inter-state peace more precarious. If China and the US fail to rebalance their financial and trading relations** (Roach, 2014) **then a trade war could result, interrupting transnational production networks, provoking social distress, and exacerbating nationalist emotions. This could have** **unforeseen consequences** **in the field of security,** **with nuclear deterrence remaining the only factor to protect** **the world from Armageddon, and unreliably so. Deterrence could lose its credibility: one of the two great powers might gamble that the other yield in a cyber-war or conventional limited war, or third party countries might engage in conflict with each other, with a view to obliging Washington or Beijing to intervene.**

#### Democracy stuff - When you strike you keep your job but refuse to work, arbitrarily limiting the freedom of others who need a job to get one.

#### Gourevitch summarizes in 2016,

Gourevitch, A.. “Quitting Work but Not the Job: Liberty and the Right to Strike.” Perspectives on Politics 14 (2016): 307 - 323. //LHP AV Accessed 7/4/21

If **a right to strike** is not a right to quit what is it? It **is the right that workers claim to refuse to perform work they have agreed to do while retaining a right to the job**. Most of what is peculiar, not to mention fraught, about a strike is contained in that latter clause. Yet, surprisingly, few commentators recognize just how central and yet peculiar this claim is (Locke 1984).2 Opponents of the right to strike are sometimes more alive to its distinctive features than defenders. One critic, for instance, makes the distinction between quitting and striking the basis of his entire argument: **the unqualified right to withdraw labour, which is a clear right of free men, does not describe the behaviour of striker**s...**Strikers**...**withdraw from the performance of their jobs, but in the only relevant sense they do not withdraw their labour**. The 2 Don Locke is one of the few to note both how central the claim to ‘keeping the job’ is and how hard it is to ground this claim. “So what is distinctive about **a strike is**....**the refusal to do a particular job, combined with the insistence that the job is none the less still yours.”** Locke 1984, 181. jobs from which they have withdrawn performance belong to them, they maintain. (Shenfield 1986, 10-11) On what possible grounds may workers claim a right to a job they refuse to perform? While many say that every able-bodied person should have a right to work, and they might say that the state therefore has an obligation to provide everyone with a job, **the argument for full employment never amounts to saying that workers have rights to specific jobs from specific private employers.** For instance, in 1945, at the height of the push for federally guaranteed full employment, the Senate committee considering the issue took care to argue that, “**the right to work has occasionally been misinterpreted as a right to specific jobs of some specific type and status.” After labeling this a “misinterpretation,” the committee’s report cited the following words from one of the bill’s leading advocates:** “It is not the aim of the bill to provide specific jobs for specific individuals. **Our economic system of free enterprise must have free opportunities for jobs for all who are able and want to work**. **Our American system owes no [person] ~~man~~ a living, but it does owe every man an opportunity to make a living**.” (Senator Murray, quoted in United States, Wagner, and Radcliffe 1945, 8). These sentences remind us how puzzling, even alarming, the right to ‘specific jobs’ can sound. In fact, **in a liberal society, the whole point is that claims on specific jobs are a relic of feudal thinking.** In status-based societies, specific groups had rights to specific jobs in the name of corporate privilege. Occupations were tied to birth or guild membership, but not available to all equally. **Liberal society, based on freedom of contract, was designed to destroy just that kind of unfair and oppressive status-based hierarchy**. A common argument against striking workers is that they are latter day guilds, protecting their sectional interests by refusing to let anyone else perform ‘their jobs’ (e.g. Hayek 2011, 384-404). As one critic puts it, the strikers’ demand for an inalienable right to, and property in, a particular job cannot be made conformable to the principles of liberty under law for all...the endowment of the employee with some kind of property right in a job, [is a] prime example of this reversion to the governance of status. (Shenfield 1986, 13) If such criticisms fundamentally misunderstand the entirely modern basis for the right to strike, we still need an account of how anyone could claim something like a property right in a job she not only never acquired but that she then refuses to perform.

#### Best data proves union strike victories statistically cause stock market crash.

Lee and Mas 12 [David; Princeton University and National Bureau of Economic Research; Alexandre; Princeton University and National Bureau of Economic Research; “Long-Run Impacts of Unions on Firms: New Evidence from Financial Markets, 1961–1999,” The Quarterly Journal Of Economics; February 2012; <https://academic.oup.com/qje/article-abstract/127/1/333/1834007?redirectedFrom=fulltext>] Justin

We begin analyzing the stock market reaction to union victories using event-study methodologies. The most distinctive feature of our data—crucial for our research design—is the long panel (up to 48 months before and after the election) of high frequency data on stock market returns for each firm. This feature allows us to use the pre-event data to test the adequacy of the benchmarks used to predict the counterfactual returns in the postevent period. The long panel also allows us to examine returns several months beyond the event, so as to capture the long-run expected effects of new unions, without having to rely heavily on the assumption that the stock price immediately and instantaneously adjusts to capture the expected presence of the unions.9 Our event-study analysis reveals substantial losses in market value following a union election victory—about a 10% decline in market value, equivalent to about $40,500 per unionized worker. According to our calculations, if unionization represented a one-to-one transfer from investors to workers through higher wages, this magnitude would be in line with a union wage premium of 10%. Because the total loss of market value represents the sum of transfers to workers and any other productivity impacts of unionization this implies, for example, that if the true union compensation premium were greater than 10%, there would be positive productivity effects of unions. The evidence supporting our event-study estimates is compelling: we find that these firms’ average returns are quite close to the benchmark returns every month leading up to the election, but precisely at the time of the election, the actual and benchmark returns diverge. The results for these firms are robust to a number of different specifications. In the sample of firms where we know that the union is a small fraction of the workforce, we donot find a similar divergence of returns from the benchmark. Importantly, we find that the effect takes 15 to 18 months to fully materialize, a somewhat slow market reaction. As we discuss, this short-run mispricing can persist if exploiting the slow reaction is not sufficiently profitable to arbitrageurs. Indeed, our own analysis shows that strategies designed to exploit the mispricing entail a significant degree of fundamental risk. The fact that union victories are sufficiently rare and spread throughout time prevents the necessary diversification that could generate an attractive arbitrage opportunity. For example, our analysis suggests that attempts to exploit the short-lived mispricing would lead to a portfolio that would be dominated by simple buy-and hold strategies The event-study estimate appears to average a great deal of heterogeneity in the effects. We additionally employ a regression discontinuity (RD) design, implicitly comparing close union victories to close union losses, and consistent with DiNardo and Lee (2004), we find little evidence of a significant discontinuous relationship between the vote share and market returns. If anything, the RD point estimates show a 4% positive (though statistically insignificant) effect of union certification (vis-`a-vis union defeat). The event-study estimates vary systematically by the observed vote share, with the largest negative abnormal returns for cases where the union won the election by a large margin.

#### Crashes lead to a great depression.

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Why will the downturn that you see be so harsh?

The only reason the 2008 downturn didn’t turn into a depression was that they turned on the monetary spigots so hard and blew us out of it, which kept the bubble going. They kept printing money and put it off. Now we’ve got a bigger bubble. This downturn is going to be the Great Depression that the deep recession of 2008 was [falling into]. How long do you think the depression will last? If the economy finally falls apart after this much stimulus, economists will flip from being endlessly bullish to endlessly bearish. They’ll say, “Now we’re in a decade-long-plus depression, like the 1930s.” But I’ll say, “Nope, this thing will be hell: It’s going to do its work very fast. By 2024, it will be over.” By 2023 or 2024, we’re going to be coming out of it into what I call the next Spring Boom. Right now, you favor investing in Treasury bonds. What’s your strategy? Man, what’s better than sleeping with 30-year Treasury bonds — the safest investment in the reserve currency of a country that’s in big trouble — but not as much as Europe and Japan are in and nowhere near as much as China is in. We’re in the best house in a bad neighborhood. What will happen to the 30-year Treasury bond during the massive crash you foresee? It’s going to fall to half a percent and maybe zero. It will expand your money 30%, 40%, 50%, while stocks are crashing 70%, 80%, 90%. Real estate will go down 30%, 40%, 50%. Commodities are already down 50% and are going down another 30% or 40%. Everything is going to default. Cash will preserve your money. The 30-year Treasury will magnify your money. So, do you think 50% of an investment portfolio should be in Treasurys? If you’re willing to take more risk, you’ll have one bucket in long-term U.S. Treasury bonds and maybe in a few other good governments, like Sweden or Australia. Triple-A corporates could go in there too. Then you’ll have another bucket — of short stocks, not leveraged. Stocks are very volatile on the way down. You can also be in REITs that are in very solid areas, like multi-family housing in affordable cities and medical facilities because those will hold up the best. There’s a discernable euphoria now among investors. But John Templeton, the renowned investor and fund manager, famously said that “bull markets die on euphoria.” Do you agree with that? Yes. And Jeremy Grantham [GMO co-founder] said [on Jan. 5] this level of euphoria means you’re within months — not years — of a major bubble peak. You’re at the end. Wil cryptocurrency be part of that huge crash? Yes. I think Bitcoin is the big thing long term and that crypto and blockchain is a big trend. It’s like the internet of finance — money and assets — instead of information. So it’s a big deal — but in its early stages. Bitcoin is going to go to 58 [thousand], 60, 80 — and then end up back at 3,000 to 4,000. I would buy it long term, a couple of years from now. I wouldn’t touch it between now and then. What are your expectations for the economy once the pandemic substantially fades? Some industries are never going to come back. We’re not back to where we were before COVID — by GDP or any other major indicator. Everybody is acting like “When we get over COVID, we’ll be back better than ever.” The stock market is already anticipating that. But it’s wrong. The only reason people are spending is because the government handed businesses and consumers tons of money. But it will get to a point where it’s not going to matter how much money

is printed — and then you’ll have an avalanche. A huge collapse is coming. What specifically will cause it? There’s is no way you can [keep] having fake earnings, fake GDP, fake interest rates and super-high valuations. Financial assets have to come down to reality. What are the implications? Loans will fail by the boatload. Then money disappears. That causes bank and business failures. We have to get all the financial leverage, financial assets and debt out of our economy. Twenty percent of public companies are zombies. They can’t even pay their debt service in a growth economy. They’re already dead. We’ve just keeping them alive with embalming.