## Util

#### The standard is maximizing expected well-being.

#### 1] Only pleasure and pain are intrinsically valuable – all other frameworks collapse.

Moen 16 [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281] TDI

Let us start by observing, empirically, that a widely shared judgment about intrinsic value and disvalue is that **pleasure is intrinsically valuable and pain is intrinsically disvaluable**. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for **there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels**, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative.2 **The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values.** If you tell me that you are heading for the convenience store, I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the **pleasure is not good for anything further**; it is simply that for which going to the convenience store and buying the soda is good.3 As Aristotle observes: “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that **pleasure and pain are both places where we reach the end of the line in matters of value.**

#### 2] Extinction first --- moral uncertainty.

**Bostrom 12** [(Nick Bostrom, Faculty of Philosophy & Oxford Martin School University of Oxford) “Existential Risk Prevention as Global Priority.” Global Policy, 2012] TDI

These reflections on moral uncertainty suggest an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate. **Our** present **understanding** of axiology **might** well **be confused**. We may not now know — at least not in concrete detail — what outcomes would count as a big win for humanity; we might not even yet be able to imagine the best ends of our journey. **If we are** indeed profoundly **uncertain about our** ultimate aims, **then we should** recognize that there is a great option **value** in preserving — and ideally improving — **our ability to** recognize value and to **steer the future accordingly. Ensuring** that there will be **a future** version **of humanity** with great powers and a propensity to use them wisely is plausibly the best way available to us to increase the probability that the future will contain a lot of value. To do this, **we must prevent any existential catastrophe**.

#### 3] Actor specificity: A] Governments must aggregate since every policy benefit some and harms others, which also means side constraints freeze action. B] States lack wills or intentions since policies are collective actions. C] Actor-specificity comes first since different agents have different ethical standings.

#### Social contract as a contract procedurally ow – every other contract is based upon the social contract, meaning if we win the neg is coherent to the social contract vote neg regardless of the aff because consequences matter to the social contract which other contracts are based on

#### 4] Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first.

## Millitary PIC

#### COUNTERPLAN – A just government ought to recognize an unconditional right for non-military workers to strike

#### Armed forces can’t strike now

LII 6 [Cornell Legal Information Institute, 2006, "10 U.S. Code § 976," Cornell Legal Information Institute, https://www.law.cornell.edu/uscode/text/10/976]/Kankee

(a)In this section: (1)The term “member of the armed forces” means (A) a member of the armed forces who is serving on active duty, (B) a member of the National Guard who is serving on full-time National Guard duty, or (C) a member of a Reserve component while performing inactive-duty training. (2)The term “military labor organization” means any organization that engages in or attempts to engage in— (A)negotiating or bargaining with any civilian officer or employee, or with any member of the armed forces, on behalf of members of the armed forces, concerning the terms or conditions of military service of such members in the armed forces; (B)representing individual members of the armed forces before any civilian officer or employee, or any member of the armed forces, in connection with any grievance or complaint of any such member arising out of the terms or conditions of military service of such member in the armed forces; or (C)striking, picketing, marching, demonstrating, or any other similar form of concerted action which is directed against the Government of the United States and which is intended to induce any civilian officer or employee, or any member of the armed forces, to— (i)negotiate or bargain with any person concerning the terms or conditions of military service of any member of the armed forces, (ii)recognize any organization as a representative of individual members of the armed forces in connection with complaints and grievances of such members arising out of the terms or conditions of military service of such members in the armed forces, or (iii)make any change with respect to the terms or conditions of military service of individual members of the armed forces. (3)The term “civilian officer or employee” means an employee, as such term is defined in section 2105 of title 5. (b)It shall be unlawful for a member of the armed forces, knowing of the activities or objectives of a particular military labor organization— (1)to join or maintain membership in such organization; or (2)to attempt to enroll any other member of the armed forces as a member of such organization. (c)It shall be unlawful for any person— (1)to enroll in a military labor organization any member of the armed forces or to solicit or accept dues or fees for such an organization from any member of the armed forces; or (2)to negotiate or bargain, or attempt through any coercive act to negotiate or bargain, with any civilian officer or employee, or any member of the armed forces, on behalf of members of the armed forces, concerning the terms or conditions of service of such members; (3)to organize or attempt to organize, or participate in, any strike, picketing, march, demonstration, or other similar form of concerted action involving members of the armed forces that is directed against the Government of the United States and that is intended to induce any civilian officer or employee, or any member of the armed forces, to— (A)negotiate or bargain with any person concerning the terms or conditions of service of any member of the armed forces, (B)recognize any military labor organization as a representative of individual members of the armed forces in connection with any complaint or grievance of any such member arising out of the terms or conditions of service of such member in the armed forces, or (C)make any change with respect to the terms or conditions of service in the armed forces of individual members of the armed forces; or (4)to use any military installation, facility, reservation, vessel, or other property of the United States for any meeting, march, picketing, demonstration, or other similar activity for the purpose of engaging in any activity prohibited by this subsection or by subsection (b) or (d). (d)It shall be unlawful for any military labor organization to represent, or attempt to represent, any member of the armed forces before any civilian officer or employee, or any member of the armed forces, in connection with any grievance or complaint of any such member arising out of the terms or conditions of service of such member in the armed forces. (e)No member of the armed forces, and no civilian officer or employee, may— (1)negotiate or bargain on behalf of the United States concerning the terms or conditions of military service of members of the armed forces with any person who represents or purports to represent members of the armed forces, or (2)permit or authorize the use of any military installation, facility, reservation, vessel, or other property of the United States for any meeting, march, picketing, demonstration, or other similar activity which is for the purpose of engaging in any activity prohibited by subsection (b), (c), or (d). Nothing in this subsection shall prevent commanders or supervisors from giving consideration to the views of any member of the armed forces presented individually or as a result of participation on command-sponsored or authorized advisory councils, committees, or organizations. (f)Whoever violates subsection (b), (c), or (d) shall be fined under title 18 or imprisoned not more than 5 years, or both, except that, in the case of an organization (as defined in section 18 of such title), the fine shall not be less than $25,000. (g)Nothing in this section shall limit the right of any member of the armed forces— (1)to join or maintain membership in any organization or association not constituting a “military labor organization” as defined in subsection (a)(2) of this section; (2)to present complaints or grievances concerning the terms or conditions of the service of such member in the armed forces in accordance with established military procedures; (3)to seek or receive information or counseling from any source; (4)to be represented by counsel in any legal or quasi-legal proceeding, in accordance with applicable laws and regulations; (5)to petition the Congress for redress of grievances; or (6)to take such other administrative action to seek such administrative or judicial relief, as is authorized by applicable laws and regulations.

Amendments 1997—Subsec. (f). Pub. L. 105–85 substituted “shall be fined under title 18 or imprisoned not more than 5 years, or both, except that, in the case of an organization (as defined in section 18 of such title), the fine shall not be less than $25,000.” for “shall, in the case of an individual, be fined not more than $10,000 or imprisoned not more than five years, or both, and in the case of an organization or association, be fined not less than $25,000 and not more than $250,000.” 1987—Subsec. (a)(1) to (3). Pub. L. 100–26 inserted “The term” after each par. designation and struck out uppercase letter of first word after first quotation marks in each paragraph and substituted lowercase letter. 1986—Subsec. (a)(1). Pub. L. 99–661 struck out the second of two commas before “(B)”. 1984—Subsec. (a)(1). Pub. L. 98–525 added cl. (B) and redesignated existing cl. (B) as (C). Findings; Purpose Pub. L. 95–610, § 1, Nov. 8, 1978, 92 Stat. 3085, provided that: “(a)The Congress makes the following findings: “(1)Members of the armed forces of the United States must be prepared to fight and, if necessary, to die to protect the welfare, security, and liberty of the United States and of their fellow citizens. “(2)Discipline and prompt obedience to lawful orders of superior officers are essential and time-honored elements of the American military tradition and have been reinforced from the earliest articles of war by laws and regulations prohibiting conduct detrimental to the military chain of command and lawful military authority. “(3)The processes of conventional collective bargaining and labor-management negotiation cannot and should not be applied to the relationships between members of the armed forces and their military and civilian superiors. “(4)Strikes, slowdowns, picketing, and other traditional forms of job action have no place in the armed forces. “(5)Unionization of the armed forces would be incompatible with the military chain of command, would undermine the role, authority, and position of the commander, and would impair the morale and readiness of the armed forces. “(6)The circumstances which could constitute a threat to the ability of the armed forces to perform their mission are not comparable to the circumstances which could constitute a threat to the ability of Federal civilian agencies to perform their functions and should be viewed in light of the need for effective performance of duty by each member of the armed forces. “(b)The purpose of this Act [enacting this section] is to promote the readiness of the armed forces to defend the United States.”

#### Military unions wreck civilian military relations and US hegemony

Caforio 18 [Giuseppe Caforio, Brigadier General with degrees in law, political science, and strategic studies (FYI, the author died ~2015, but this was republished in 2018 in an anthology book), 5-20-2018, "Unionisation of the Military: Representation of the Interests of Military Personnel," SpringerLink, https://link.springer.com/chapter/10.1007/978-3-319-71602-2\_19]/Kankee

THE OPPOSITION TO UNIONIZATION OF THE ARMED FORCES But if a convergence between the military establishment and civil society is in progress and has brought the two areas of life and work much closer together, why is there a unionization issue for the armed forces? Why is there opposition to a collective bargaining system for military personnel? The fundamental reason must be sought in the specificity of the military, which is summarized thusly by David R. Segal: Because of its unique social function—the legitimate management of violence—the military requires of its personnel a degree of commitment that differs from that required by other modern organizations. Military personnel, unlike their civilian counterparts, enter into a contract of unlimited liability with their employer. They cannot unilaterally terminate their employment any time they wish. They are subject to moving and working in any environment where the service decides they are needed. They are required to place the needs of service above the needs of their families, and must frequently endure long periods of separation. They are often called upon to work more than an eight-hour day, for which they receive no additional compensation. And in time of war, they must face prolonged danger, and may even forfeit their lives. Obviously, the man on the firing line is required to make a commitment of a different order from that made by the worker on the assembly line. (D. Segal and Kramer, 1977, p. 28). Bernhard Boene, in a study devoted to a different research topic (Boene, 1990), is both precise and efficacious in differentiating military "work" from civilian work. Military specificity, writes Boene, does not lie only in the area of the risks to which one supposes the combatant is exposed, but also in the limits of application of common rationality in combat and in the situation of habitual transgression of social norms that it entails. This implies a particular type of socialization. Notwithstanding partial analogies, according to Boene, civil emergencies belong to a different reality than military ones do. An officer, in particular, is not an ordinary civil servant: he must respond to a "call," consisting of a particular interest in military things, dedication to the common welfare, acceptance of risking his life, and submission to a series of obligations that are peculiar to the military profession. SOME THEORETICAL POSITIONS ON THE ISSUE Discussing a sample survey, David Segal observes that in the United States, in the absence of a union for military personnel, there is a considerable "misfit" between soldiers' perception of the characteristics of their role and the preferred characteristics, while in an analogous sample of civilian manpower this misfit is much smaller. In examining the attempted remedies, Segal states: "Any change to be achieved through organizational interventions, however, is likely to be incremental, and not to resolve the discrepancy between the characteristics that military personnel would like in their jobs and the characteristics that they perceived their jobs to have" (D. Segal and Kramer, 1977, p. 46). According to Segal, unionization can solve this problem, but it presents two dangers that must be carefully weighed: the first is that it tends to extend its influence also to aspects of management and direction of the military apparatus; the second is that it involves a politicisation of the personnel. Gwyn Harries Jenkins examines the consequences that unionisation would have on the operational efficiency of the armed forces and identifies three fundamental ones: 1. The creation of a dual authority structure: Since there has been a change in the basis of authority and discipline in the military establishment and a shift from authoritarian domination to greater reliance on manipulation, persuasion and group consensus, unionization extends the boundaries of these changes: it brings into armed forces the full effects of the organizational revolution which pervades contemporary society, creating a dual authority structure while modifying the traditional basis of compliance. (H. Jenkins, 1977, p. 70) 2. A much greater resemblance of the style of military command to that of civilian management. The new tasks and the introduction of unionization would require commanders to possess skills and orientations more and more like those of civilian managers. 3. An abdication by the officer of his traditional image. Indeed, if the officer "wishes to retain his self-image and ideas of honor, then the introduction of trade unions into the military creates a conflict situation with substantial dysfunctional consequences" (H.Jenkins, 1977, p. 71). Harries Jenkins concludes, however, by affirming that, as a radical criticism of the existing military system, "the unionization of the armed forces can only result in an improvement to an otherwise defective situation" (H. Jenkins, 1977, p. 69). According to William Taylor and Roger Arango (Taylor et al., 1977b), many reasons offered in the United States for or against the unionization of military personnel appear to be rhetorical and not sufficiently investigated. Those who take a negative critical stance, for example, contend that unionization would lead to a breakdown in discipline; threaten the chain of command; and, especially, undermine the military's ability to carry out its assigned mission. Through a concrete field analysis, these authors believe they can shed light on the advantages and disadvantages of this process. Among the advantages are the acquisition of a greater sense of individual security, a valorization of the dignity of individuals, improved social communication, and greater competitiveness with other occupations and professions in recruiting personnel. The real drawbacks would essentially be reduced to two: a risk of divisiveness within units, due to acquired strife between personnel categories; and an increase in personnel costs. Carlo Jean (Jean, 1981) states that in itself, the creation of unions would inevitably produce increased confrontation; without it, the union representatives would have neither prestige nor credibility. He does not believe, however, that the biggest drawback that would derive from it would be that of undermining the internal cohesiveness of the armed forces and their operational capacity. According to this author military leaders would align themselves with the union's demands out of necessity to avoid internal breakup. An unacceptable corporative force would be produced that sooner or later would inevitably oppose it to the political power. The danger that a union of military personnel involves for civil society is, in his opinion, much greater than its negative implications on the efficiency of the military itself. Along the same line is the fear expressed by Sen. Thurmond (reported by David Cortright, cited essay) that unionization might reinforce the military establishment and increase its influence over society at large, decreasing the capacity for political control. This issue had already been treated by Cortright in another essay (Cortright and Thurmond, 1977b), where on the one hand he argued that unionization in the armed forces would help to prevent any form of separateness from civil society while noting on the other that little attention was given to the possibility that unionization substantially strengthens the military's ability to wield influence. Thurmond, again, judges the European experience negatively and asks himself how unionized troops would respond in battle. However, to remain faithful to his position, Thurmond conceives the armed forces as a separate body from civil society, argues that military personnel are not comparable to other labor force categories, and advances the fear that union representation of the interests of military personnel would bring the defence budget to unacceptable levels. Of the countries included in our study, unions for military personnel exist in Denmark, Sweden, Norway, Finland, Germany, Switzerland, Austria, Belgium, and The Netherlands. Unionization is prohibited in England, the United States, Canada, France, Portugal, Turkey, and Greece. Strikes are allowed only in Austria and Sweden. ANALYSIS OF HISTORICAL EXPERIENCES THROUGH THE THOUGHT OF VARIOUS AUTHORS

#### Turns aff a) current laws prove the aff is illegal b) military members engage in a contract to protect and serve that strikes violate

# Case

## TT

#### I stand in negation of the resolution – met my burden

#### Strike is defined as https://www.merriam-webster.com/dictionary/strike

to aim and usually deliver a blow, stroke, or thrust (as with the hand, a weapon, or a tool)

#### makes the res incoherant

## Framing

#### Gauthier is indefensibly ableist and their philosophy concludes the same.

**Pfeiffer 01** [David Pfeiffer, 1-11-2001, "'Disabled Lives' commentary," No Publication, [http://www.raggededgemagazine.com/0901/0901pfeiffer.htm //](http://www.raggededgemagazine.com/0901/0901pfeiffer.htm%20//) JB]

Yet many **non-disabled people** would **describe me as** severely **disabled** and dependent, solely **because I use a wheelchair**. That is what ethicist Martha Nussbaum seems to be doing in her ["Disabled Lives: Who Cares?"](http://www.nybooks.com/articles/13956) in the January 11, 2001, issue of The New York Review of Books, which Cal Montgomery dissected so powerfully in her ["Critic of the Dawn"](http://www.raggededgemagazine.com/0501/0501cov.htm) piece (Ragged Edge, May). Nussbaum's discussion of people she calls "severely disabled" reinforces the widespread belief that all people with disabilities are very dependent upon non-disabled people. Some of us are, it's true; but **non-disabled persons are dependent on others as well. Nondisabled people receive "care," too** -- sometimes quite a lot of it. If you doubt that, just consider the level of services -- "care" -- which professional athletes receive. If the reader does not know that professional athletes receive services paid for by **tax dollars**, please take a look at the football and baseball fields and basketball courts built with tax money on which high school and college athletes prepare to become professionals. Pay attention to the amount of tax forgiveness municipalities give professional athletic teams for locating there. The state of Hawaii gives the National Football League two million dollars a year to stage the Pro Bowl here. Perhaps from ignorance, Nussbaum perpetuates a number of common misunderstandings about people with disabilities. While she notes that many elderly persons do not receive care which "shows respect for their dignity," she fails to note that many persons with disabilities do not receive services which show them respect, either. Nussbaum's discussion of "the burdens on people who provide care for dependents" reinforces the idea that people with disabilities are burdens, with little understanding that the "burden" is caused by the inequality of services, not by the person who's disabled. **This same prejudiced attitude is the basis for philosopher David Gauthier's assertion** (noted by Nussbaum) that **people who have "unusual" needs -- as they define unusual" -- cannot be a party to any moral relationship and thus cannot be equal to others**. It also underlies philosopher John Rawls' statement (also noted by Nussbaum) that society is only for people who can act to one another's mutual advantage. **Both Gauthier's and Rawls' reasoning leads one to conclude is that persons with disabilities cannot be free, equal, and independent.** **Although one can observe** that people with **disabilities are neither free, equal, nor allowed to be independent, there is a clear difference between observing our situation and justifying our segregation and forced dependency. None** of the three **ever note this distinction**; they seem not to question the rightness of the status-quo. **Gauthier**, Rawls and Nussbaum are all **making moral judgments about people with disabilities: we have no place in society so we should not exist.** Nussbaum makes an extraordinary statement: "We learn to ignore the fact that disease, old age, and accident impede the moral and rational functions, just as they impede mobility and dexterity." What? Because I had polio 58 years ago when I was nine years old and have used crutches, a cane, and now a wheelchair, "disease" and "age" "impede my moral and rational functions?" Holding a Ph.D. in political science (focusing on public choice), entering my 40th year as a university professor, having over 190 publications to my credit, being a policy analyst specializing in disability issues in the Center on Disability Studies at the University of Hawaii at Manoa, being a past president of the Society for Disability Studies, and now the editor of Disability Studies Quarterly, I would suggest that neither my moral nor my rational functions have been "impeded." I would argue that they have been heightened. It seems Nussbaum thinks people with disabilities are basically -- fundamentally -- different from people without disabilities. "We forget that the usual human life cycle brings with it periods of extreme dependency, in which our functioning is similar to that of the mentally or physically handicapped throughout their lives," she writes. To Nussbaum, it seems, there are independent people and there are dependent people -- with all people with disabilities being the dependent ones. Yet many non- disabled people I know are quite dependent, in ways many people with disabilities I know never are. At one point Nussbaum seems to be speaking directly to me: "Take two people, one in a wheelchair and one not. If they are to have a similar level of mobility, a lot more will have to be spent on helping the person in the wheelchair." Hah! I challenge Nussbaum to a five-mile race on the nearest track. Unless she is a marathoner, I shall finish the five miles well ahead of her. Her statement is pure ableism: she assumes that the status-quo lack of access is "natural" and "right." The present lack of access in our buildings is due to nothing more than policy choices, enacted in today's building codes. If access requirements had originally been included in the building codes, nothing would need to be spent to correct the prejudicial aspects of those buildings which were built to code and made inaccessible in the process. At one time slavery was "natural" and "right." Later segregation was considered "right." At one time the wife was considered the husband's chattel, his possession. Having made some (but not much) progress in overcoming those prejudicial attitudes today, we are left with Nussbaum's ableism -- that the status-quo of lack of access is "natural" and "right." Elderly persons should receive care because of their earlier periods of productivity, writes Nussbaum, **citing Gauthier; people with disabilities have not had earlier years of productivity to justify services, she and Gauthier both say**. Both simply accept as a given that people with disabilities are not economically productive. Yet **this is not true. We are not simply consumers; we are also producers**. I know many people with disabilities who work hard, earn good salaries, who contribute to the economy and to society. I know just as many people without disabilities who do not work hard, barely earn any income, and make questionable contributions to the economy and to society. And there are many people without disabilities who are quite rich and make no contribution to either the economy or to society -- people who are themselves economic and social liabilities. None of this has anything to do with being a person with or without a disability. It has to do with bigotry.

This is a reason to drop them – it kills accessibility to disabled people. Their author was also ableist which means they can’t cross apply the theory to defend itself because it’s whats indicted. Accessibillity first – other args presume you can access the space in the first place whereas their aff makes it violent

#### [1] Is Ought Fallacy- Social contract commits the is-ought fallacy. Just because descriptively states are formed by social contract doesn’t mean prescriptively states ought to follow it.

#### [2] False- Citizenship doesn’t equal consent to the contract because (a) moving to a new state if you don’t consent isn’t economically feasible, and (b) the market of nations is limited. Every state will have some laws that citizens don’t consent to.

#### [3] False- they beg the question of morality. If we don’t already have a moral system, there’s no reason to follow the contract.

#### [4] False- Contracts create a contradiction because we could agree to a contract to break contracts.

#### [5] False- Contractarianism can’t account for altruistic actions. Double Bind Either A. reject the ethical framework because the assumption that people are 6] rationally egoistic are false or B. it is a non-falsifiable claim without a warrant because we can always assert that an altruist is acting in self-interest.

#### [6] Infinite Regress- The outcomes of rational bargaining are unpredictable because there are infinite possible sets of mutual expectations between individuals. Contractarianism is self-defeating because it means that establishing or predicting norms is impossible.

#### [7] Collapses on itself- It may be in our best interest to make and then break contracts, so the notion of contract setting doesn’t follow from the notion that individuals are self-interested, and Contractarianism doesn’t account for the nuances of individual self-interest. We don’t necessarily have to follow the state contracts under our interests.

#### [8] Verifiability – Contractarianism is non-normative because it doesn’t tell us what to do when contracts conflict. It is an unverifiable claim to say that there is no risk of this occurring. So, prefer my ethical theory as it can always guide actions.

## Offense

#### Strikes inhibit the ability to create contracts, create power imbalances, and violate individual contracts.

Levine 1, Peter. "The Libertarian Critique of Labor Unions." Philosophy and Public Policy Quarterly 21.4 (2001): 17-24. (Peter Levine is the Associate Dean for Research and Lincoln Filene Professor of Citizenship & Public Affairs in Tufts University’s Jonathan Tisch College of Civic Life. He has secondary appointments in the Tufts Philosophy Department and the Tufts Clinical and Translational Sciences Institute. He was the founding deputy director (2001-6) and then the second director (2006-15) of Tisch College’s CIRCLE, The Center for Information and Research on Civic Learning and Engagement, which he continues to oversee as an associate dean.) JG

Libertarians strongly defend freedom of choice and association. Thus, when workers choose to act collectively, negotiate together, or voluntarily walk off the job, libertarians have no reasonable complaint--even if other people are harmed--because they support the right to make and exit voluntary partnerships. But unions gain strength **by overriding private rights.** They routinely block anyone from working **under a non-union contract**, and they prevent employers from making offers--even advantageous ones--to individual workers unless the union is informed and consents. Unions declare strikes and establish picket lines to prevent **customers and workers** from **entering company property**; they may **fine employees who cross these lines.** They also extract fees from all workers who are covered by their contracts. Although covered workers may avoid paying for certain union functions (such as lobbying) that are not germane to contract issues, they must pay for strikes and other activities that some of them oppose. The great libertarian theorist Friedrich Hayek concluded that unions “are the one institution where government has signally failed in its first task, that of preventing coercion of men by other men--and by coercion I do not mean primarily the coercion of employers but the coercion of workers by their fellow workers.” Hayek may have been thinking mainly of corrupt and unaccountable union leaders. But even a completely democratic union sometimes supplants private rights. As libertarians like Morgan O. Reynolds point out, majorities within a union are able to ignore minorities’ preferences.

#### Low wages inevitable and structural---labor monopsony, non-compete agreements and no unions

Smith 6-11-2018 – PhD, former assistant professor of finance at Stony Brook University (Noah, “Commentary: A job market this tight should deliver bigger raises,” *Chicago Tribune*, <http://www.chicagotribune.com/business/columnists/ct-biz-job-market-raises-20180611-story.html)//BB>

With the economy strong and unemployment low, why is wage growth so sluggish? Lots of economists and pundits are debating this vexing question. When the labor market gets tight, wages are supposed to rise faster. Instead, median wage growth is slower than it was back in 2016: The most benign explanation is that there's no mystery here -- total compensation, which includes both wages and benefits, may be accelerating: The first quarter of 2018 did see substantial compensation increases -- an annualized rate of almost 4 percent. But one quarter doesn't make a trend. In 2017, compensation growth was running at about 2.5 percent. That's lower than in the early 2000s, even though more prime-age Americans are at work now than then. Another benign explanation is that despite extremely low unemployment, the economy still isn't really at full employment yet. The Great Recession lasted so long that many workers simply gave up looking for jobs -- these people were classified not as unemployed, but as out of the labor force altogether. Some argue that when we take this shadow unemployment into account, the recovery -- and the associated wage growth -- are right on track. However, even in this picture, 2017 looks a bit weak. Also, using total compensation instead of wages might not be a good idea, because benefits might be increasing due to factors unrelated to the business cycle, such the rapid rise in health-care costs. If this is the case, then the disparity between now and the early 2000s increases -- wage growth in early 2018 has been equal to or lower than the trough of the early 2000s business cycle. There's also a possibility that some of the people who dropped out of the labor force during the Great Recession weren't really unemployed, but were just people who decided not to have formal jobs anymore by working under the table or in the black market. If that's true, then using prime-age employment overstates the unemployment rate, meaning that wage growth is even slower than it ought to be at this point in the cycle. So perhaps things aren't OK. It's possible that structural forces, unrelated to the business cycle, may be putting long-term downward pressure on wages. One such factor might be what economists call monopsony, or concentrated market power. Evidence is piling up that employers in the U.S. are able to hold down wages because it's hard for workers to find new jobs at higher pay in the area. If this power is greater now than in past years, it could be restraining wages, as Nobel economist Paul Krugman explains in an excellent blog post. Other structural factors -- increased use of noncompete agreements, and the continued decline of unions -- might be increasing employers' power to avoid raising pay. The idea that employer power is holding down wages is becoming more popular.

#### 1] Aff is insufficient to resolve power imbalances, eventually all strikes end and only minimal progress is made if any

#### 2] Strikes flip power dynamic to workers explicitly forcing employees to do something which is unjustified under the AC

#### 3] Their law is only contextual to the US, and only for some workers, IF IT IS TRUE VOTE NEG ON PRESUMPTION, proves that the aff is not inherent, conceded aff is not different from squo – in which case hack neg