### 1

#### The role of the ballot is to determine whether the resolution is a true or false statement – anything else moots 7 minutes of the nc and exacerbates the fact that they get infinite pre-round prep since I should be able to compensate by choosing – their framing collapses since you must say it is true that a world is better than another before you adopt it.

#### They justify substantive skews since there will always be a more correct side of the issue but we compensate for flaws in the lit.

#### Most educational since otherwise we wouldn’t use math or logic to approach topics. Scalar methods like comparison increases intervention – the persuasion of certain DA or advantages sway decisions – T/F binary is descriptive and technical.

#### a priori’s 1st – even worlds framing requires ethics that begin from a priori principles like reason or pleasure so we control the internal link to functional debates.

#### The ballot says vote aff or neg based on a topic – five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true which means it’s constitutive and jurisdictional. I denied the truth of the resolution by disagreeing with the aff which means I’ve met my burden.

### 2

#### Negate –

#### 1] just[[3]](#footnote-3) means “very recently; in the immediate past” so the rez has already passed.

#### 2] of[[4]](#footnote-4) is to “expressing an age” but the rez doesn’t delineate a length of time.

#### 3] recognize[[5]](#footnote-5) is to “Officially regard (a qualification) as valid or proper” but a right isn’t a qualification.

#### 4] to[[6]](#footnote-6) is to “expressing motion in the direction of (a particular location)” but the rez doesn’t have a location.

#### 5] right[[7]](#footnote-7) is to “conforming to facts or truth” rez doesn’t specify what workers are right about.

**6] Strike[[8]](#footnote-8) is defined as** to delete something rez doesn’t spec what to delete.

#### 7] Workers[[9]](#footnote-9) is defined as a “any of the sexually underdeveloped and usually sterile members of a colony of social ants, bees, wasps, or termites that perform most of the labor and protective duties of the colony” you can’t give a right to insects nor can we know if they are correct.

### 3

#### Presumption and permissibility negates – a) statements are more often false than true since I can prove something false in infinite ways b) real world policies require positive justification before being adopted c) the aff has to prove an obligation which means lack of that obligation negates d) resolved in the resolution indicates they proactively did something, to negate that means that they aren’t resolved

#### The meta-ethic is procedural moral realism - substantive realism holds that moral truths exist independently of that in the empirical world. Prefer procedural realism –

#### [1] Uncertainty – our experiences are inaccessible to others which allows people to say they don’t experience the same, however a priori principles are universally applied to all agents.

#### [2] Naturalistic fallacy – experience only tells us what is since we can only perceive what is, not what ought to be, this means experience may be generally useful but should not be the basis for ethical action.

#### Practical Reason is that procedure. To ask for why we should be reasoners concedes its authority since it uses reason – anything else is nonbinding.

#### Moral law must be universal—any non-universalizable norm justifies someone’s ability to impede on your ends.

#### Thus, the standard is consistency with liberty.

#### Prefer –

#### 1] freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place.

#### 2] Negs get Contention Choice- It’s key to robust philosophy debates rather than arbitrary contention debates which o/w since phil is unique to LD. It also prevents splitting the debate allowing for in depth clash and 2ar judge psychology spins on the contention level.

#### 3] Neg definition choice - The aff should have defined ought in the 1ac as their value, by not doing so they have forfeited their right to read a new definition – kills 1NC strategy since I premised my engagement on a lack of your definition.

#### I contend that recognizing a right to strike violates liberty –

#### 1] The 1AC’s offense is bogus – it conflates “right to strike” with “right to quit” – striking is not a legitimate right and is fundamentally unfair.

**Gourevitch, 16** **(Alex Gourevitch, associate professor of political science at Brown University, 6-13-2016, accessed on 10-12-2021, *Perspectives on Politics*, "Quitting Work but Not the Job: Liberty and the Right to Strike",** [**https://sci-hub.se/10.1017/S1537592716000049**](https://sci-hub.se/10.1017/S1537592716000049)**) \*brackets in original //D.Ying**

The right to strike is peculiar. It is not a right to quit. The right to quit is part of freedom of contract and the mirror of employment-at-will. Workers may quit when they no longer wish to work for an employer; employers may fire their employees when they no longer want to employ them. Either of those acts severs the contractual relationship and the two parties are no longer assumed to be in any relationship at all. The right to strike, however, assumes the continuity of the very relationship that is suspended. Workers on strike refuse to work but do not claim to have left the job. After all, the whole point of a strike is that it is a collective work stoppage, not a collective quitting of the job. This is the feature of the strike that has marked it out from other forms of social action. 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. 16 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 strikers.… Strikers … withdraw from the performance of their jobs, but in the only relevant sense they do not withdraw their labour. The jobs from which they have withdrawn performance belong to them, they maintain. 17 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 man a living, but it does owe every man an opportunity to make a living.” 18 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.” 19 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. 20

#### 2] Strikes violate fundamental rights.

**Gourevitch, 16** **(Alex Gourevitch, associate professor of political science at Brown University, 6-13-2016, accessed on 10-12-2021, *Perspectives on Politics*, "Quitting Work but Not the Job: Liberty and the Right to Strike", https://sci-hub.se/10.1017/S1537592716000049) //D.Ying**

Yet there is more. The standard strike potentially threatens the fundamental freedoms of three specific groups. • Freedom of contract. It conflicts with the freedom of contract of those replacement workers who would be willing to take the job on terms that strikers will not. Note that this is not a possible conflict but a necessary one. Strikers claim the job is theirs, which means replacements have no right to it. But replacements claim everyone should have the equal freedom to contract with an employer for a job. • Property rights. A strike seriously interferes with the employer’s property rights. The point of a strike is to stop production. But the point of a property right is that, at least in the owner’s core area of activity, nobody else has the right to interfere with his use of that property. The strikers, by claiming that the employer has no right to hire replacements and thus no way of employing his property profitably, effectively render the employer unfree to use his property as he sees fit. To be clear, strikers claim the right not just to block replacement workers, but to prevent the employer from putting his property to work without their permission. For instance, New Deal “sit-down” strikes made it impossible to operate factories, which was one reason why the courts claimed it violated employer property rights. 24 Similarly, during the Seattle general strike in 1919, the General Strike Committee forced owners to ask permission to engage in certain productive activities—permission it often denied. 25 • Freedom of association. Though the conceptual issues here are complicated, a strike can seriously constrain a worker’s freedom of association. It does so most seriously when the strike is a group right, in which only authorized representatives of the union may call a strike. In this case, the right to strike is not the individual’s right in the same way that, say, the freedom to join a church or volunteer organization is. Moreover, the strike can be coercively imposed even on dissenting members, especially when the dissenters work in closed or union shops. That is because refusal to follow the strike leads to dismissal from the union, which would mean loss of the job in union or closed shops. The threat of losing a job is usually considered a coercive threat. So not only might workers be forced to join unions—depending on the law—but also they might be forced to go along with one of the union’s riskiest collective actions. Note that each one of these concerns follows directly from the nature of the right to strike itself. Interference with freedom of contract, property rights, and the freedom of association are all part and parcel of defending the right that striking workers claim to “their” jobs. These are difficult forms of coercive interference to justify on their own terms and they appear to rest on a claim without foundation. Just what right do workers have to jobs that they refuse to perform?

#### 3] Promise breaking – employees sign a contract with their employer and promise to work – striking is a unilateral violation of that.

### Framing

### Case

#### Vote negative on presumption – the aff only fiats that the government recognizes ability to strike, however they have no substantial evidence that states that recognition means more strikes or a lack of recognition means no strikes which means the aff doesn’t fiat anything

#### Workers don’t care about legality – strikes are on the rise absent the aff.

Notes 19 [Labor Notes; Media and organizing project that has been the voice of union activists who want to put the movement back in the labor movement since 1979; “Why Strikes Matter,” LN; 10/17/19; <https://labornotes.org/2019/10/why-strikes-matter>]//SJWen

“Why do you rob banks?” a reporter once asked Willie Sutton. “Because that’s where the money is,” the infamous thief replied. Why go on strike? Because that’s where our power is. Teachers in West Virginia showed it in 2018 when they walked out, in a strike that bubbled up from below, surprising even their statewide union leaders. No one seemed concerned that public sector strikes were unlawful in West Virginia. “What are they going to do, fire us all?” said Jay O’Neal, treasurer for the Kanawha County local. “Who would they get to replace us?” Already the state had 700 teaching vacancies, thanks to the rock-bottom pay the strikers were protesting. After 13 days out, the teachers declared victory and returned to their classrooms with a 5 percent raise. They had also backed off corporate education “reformers” on a host of other issues. The biggest lesson: “Our labor is ours first,” West Virginia teacher Nicole McCormick told the crowd at the Labor Notes Conference that spring. “It is up to us to give our labor, or to withhold it.” That’s the fundamental truth on which the labor movement was built. Strikes by unorganized workers led to the founding of unions. Strikes won the first union contracts. Strikes over the years won bigger paychecks, vacations, seniority rights, and the right to tell the foreman “that’s not my job.” Without strikes we would have no labor movement, no unions, no contracts, and a far worse working and living situation. In short, strikes are the strongest tool in workers’ toolbox—our power not just to ask, but to force our employers to concede something. DISCOVER YOUR POWER The key word is “force.” A strike is not just a symbolic protest. It works because we withhold something that the employer needs—its production, its good public image, its profits, and above all its control over us. As one union slogan has it, “this university works because we do”—or this company, or this city. A strike reveals something that employers would prefer we not notice: they need us. Workplaces are typically run as dictatorships. The discovery that your boss does not have absolute power over you—and that in fact, you and your co-workers can exert power over him—is a revelation. There’s no feeling like it. Going on strike changes you, personally and as a union. “Walking into work the first day back chanting ‘one day longer, one day stronger’ was the best morning I’ve ever had at Verizon,” said Pam Galpern, a field tech and mobilizer with Communication Workers Local 1101, after workers beat the corporate giant in a 45-day strike in 2016. “There was such a tremendous feeling of accomplishment. People were smiling and happy. It was like a complete 180-degree difference from before the strike,” when supervisors had been micromanaging and writing workers up for the smallest infractions. In a good strike, everyone has a meaningful role. Strikers develop new skills and a deeper sense that they own and run their union. New leaders emerge from the ranks and go on to become stewards. New friendships are formed; workers who didn’t know or trust one another before forge bonds of solidarity. A few stubborn co-workers finally see why the union matters and sign on as members. Allies from faith groups, neighborhood groups, or other unions adopt your cause. You and your co-workers lose some fear of the boss—and the boss gains some fear of you. In all these ways and more—not to mention the contract gains you may win—a strike can be a tremendous union-building activity.

#### Every empiric flows neg.

Greenhouse 18 [Steven; Editor at NYT, author of a book about history of labor unions; "Making Teachers’ Strikes Illegal Won’t Stop Them,” The New York Times; 5/9/18; <https://www.nytimes.com/2018/05/09/opinion/teacher-strikes-illegal-arizona-carolina.html>]//SJWen

In the five states where teachers have gone on strike this year, teachers complain about many of the same things: low salaries, an education funding squeeze and teacher shortages. They have something else in common. In four of the five — Arizona, Kentucky, Oklahoma and West Virginia — these strikes are illegal under state law. (Colorado, the fifth state where teachers walked out, allows them.)

While private-sector workers generally have a right to strike under federal law, state law governs whether teachers and other state and local government workers can strike. Three dozen states have laws prohibiting teachers from striking. Clearly, making teacher strikes illegal will not necessarily prevent them.

In the states where teachers walked out, many teachers felt they had to beg their state legislatures to approve raises and the funding to pay for them. But their pleas were largely ignored. Joseph McCartin, a labor historian at Georgetown University, says that when workers feel they are at a dead end in negotiating raises, militant outbursts — such as illegal walkouts — are inevitable. “When collective bargaining isn’t allowed or doesn’t work, that doesn’t mean collective action isn’t possible,” he said.

Labor’s most potent weapon is the strike, even when it’s illegal. Workers will often risk engaging in an illegal strike, even though it could mean getting fined, fired and conceivably jailed. In a legal strike, workers typically lose just a few days’ or weeks’ pay.

Explosions of worker militancy have been a recurring pattern throughout American history. West Virginia teachers, for example, said their walkout was inspired by their state’s coal miners, who were part of a historic miners’ strike during World War II.

Ten days after Pearl Harbor was attacked in 1941, President Franklin D. Roosevelt summoned labor and business leaders to a conference where unions pledged not to strike during the war. The National War Labor Board, which included labor representatives, dictated a nationwide formula that capped how large a raise unions could obtain in bargaining. But the raises often failed to keep up with inflation, angering millions of workers.

As a result, there were dozens of short wildcat strikes — strikes without union authorization — in defiance of Roosevelt and union leaders. The biggest confrontation came in 1943, when the United Mine Workers’ brilliant but bullheaded president, John L. Lewis, gave 500,000 coal miners a wink and a nod, tacit approval for a walkout.

Roosevelt implored the miners to return to work. “Every idle miner directly and individually is obstructing the war effort,” he said in a fireside chat. He had the federal government seize the mines and ordered miners back to work, but eager to restore labor peace, he figured out a way to meet most of their pay demands.

In 1962, President John F. Kennedy issued an executive order giving most federal employees the right to bargain collectively over some working conditions, but not wages, and he barred them from striking. For years, postal workers seethed about low pay, and their frustration boiled over after members of Congress received a 41 percent raise in 1969.

On March 18, 1970, letter carriers walked out in New York City, and within days, more than 150,000 of the nation’s 600,000 postal workers had joined the illegal strike. One letter carrier boasted that the strikers were “standing 10 feet tall, instead of groveling in the dust.”

During the 1970 postal workers’ strike, military personnel sorted mail at New York City’s main post office.

President Richard M. Nixon denounced the strike, but he didn’t seek to fire or jail the strikers. He mobilized 24,000 military personnel to deliver the mail — not very successfully — and reached a deal that ended the strike after eight days. The postal workers won an initial 6 percent raise, and when Nixon signed the Postal Reorganization Act that summer, they received an additional 8 percent.

H. R. Haldeman, Nixon’s chief of staff, acknowledged a big obstacle to punishing these unlawful strikers. “The mailman is a family friend, so you can’t hurt him,” Haldeman said.

State officials unhappy about the recent strikes have realized the same thing: They can’t really punish or replace the teachers. They’re too popular, there are too many to replace, and if state officials try to jail a few ringleaders, that might spur new strikes.

Not every illegal walkout ends well for workers. When air traffic controllers went on strike in 1981, President Ronald Reagan fired 11,345 controllers and rallied the public against their union, the Professional Air Traffic Controllers Organization, emphasizing that every controller had taken a no-strike pledge upon being hired. Reagan also lambasted the union for rejecting the 11 percent raise his administration was offering, about twice what other federal employees had received at the time.

With the end of the Arizona teachers’ walkout last Thursday, there are rumblings about which state might be next. In North Carolina, educators are angry that teacher salaries and per-pupil spending have not kept up with inflation. Even though teacher strikes are illegal in North Carolina, teachers there say they will walk out next Wednesday, the day that the state legislature opens. Lawmakers should take them seriously. Teachers have so far managed to win gains and skirt the law without any penalty because public opinion — and a lot of history — seems to be on their side.

#### NLRB *appointments* and other labor *executives*

Lanard 17 [Noah Lanard, editorial fellow. Donald Trump just took another swipe at the labor unions that helped elect him, Mother Jones, 7-19-2017, Accessible Online at http://www.motherjones.com/politics/2017/07/trumps-labor-board-appointments-are-another-blow-for-unions/] 7-30-2017

Trump’s NLRB nominees are expected to create further challenges for workers seeking to unionize. Emanuel is a shareholder and longtime lawyer at Littler, the world’s largest management-side employment law firm. Sen. Elizabeth Warren (D-Mass.) has called it is one of the nation’s “most ruthless” union-busters. Emanuel’s clients include Uber and other companies accused of violating workers’ rights, according to his ethics disclosure form.

Outside of his legal practice, Emanuel has decried California’s “terrible climate for job creation,” citing the state’s generous overtime and break requirements for employees.

Kaplan was previously an attorney for the House education and labor committee. In that role, he drafted a bill to reverse an NLRB rule, dubbed the “ambush election rule” by conservative critics, that allowed workers to vote on unionization as soon as 11 days after a petition was submitted. The bill, which did not pass, would have also reversed the board’s recognition of micro-unions.

At Emanuel and Kaplan’s nomination hearing last week, Sens. Al Franken (D-Minn.) and Warren were particularly concerned by Emanuel’s record of defending the mandatory arbitration agreements that Carlson and many others have signed. Pressed by Franken, Emanuel declined to criticize arbitration agreements that prevent women who are sexually harassed from suing their employers in court. In theory, the legality of the arbitration agreements is now in the Supreme Court’s hands. But Ronald Meisburg, a former NLRB board member, has said it’s possible the NLRB could revisit the decision before the court decides. Emanuel told Warren he does not expect to recuse himself if the issue comes up.

The committee’s approval of both nominees along party lines on Wednesday follows other moves under Trump that are less than friendly to labor. Trump’s nominee for deputy labor secretary, Patrick Pizzella, was criticized last week for working with disgraced lobbyist Jack Abramoff to advocate for what was compared to sweatshop labor in the Northern Mariana Islands, a US commonwealth, in the early 2000s. The goods, which were often made by Chinese and Filipino workers, had the advantage of being stamped “Made in the USA.”

Neil Gorsuch, whom Trump appointed to the Supreme Court, has a long record of siding with employers in labor disputes. In the court’s upcoming term, Gorsuch will hear arguments in a case that will decide whether mandatory arbitration agreements violate the National Labor Relations Act.

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

1. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-1)
2. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-2)
3. <https://www.lexico.com/en/definition/just> //Lex VM [↑](#footnote-ref-3)
4. <https://www.google.com/search?q=of+definition&rlz=1C1CHBF_enUS877US877&oq=of+definition&aqs=chrome.0.69i59j69i61l3.1473j0j7&sourceid=chrome&ie=UTF-8> //Lex VM [↑](#footnote-ref-4)
5. <https://www.lexico.com/en/definition/recognize> //Lex VM [↑](#footnote-ref-5)
6. <https://www.google.com/search?q=to+definition&rlz=1C1CHBF_enUS877US877&oq=to+definition&aqs=chrome..69i57j69i60l3.1415j0j7&sourceid=chrome&ie=UTF-8> //Lex VM [↑](#footnote-ref-6)
7. <https://www.merriam-webster.com/dictionary/right> //Lex VM

   [↑](#footnote-ref-7)
8. <https://www.merriam-webster.com/dictionary/strike> //Lex VM [↑](#footnote-ref-8)
9. <https://www.merriam-webster.com/dictionary/worker> //Lex VM [↑](#footnote-ref-9)