## 1NC

### 1 – TT

#### 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 – NCM

#### Interpretation: All debater’s theory shells must operate through NCM, or the norm-setting model, not the abuse model. To clarify, an interpretation under NCM necessitates that a proposed interpretation would produce better norms for debate than the mutually exclusive counter-interp and that those norms should be endorsed. Massa

#### The interpretation generates standards offense – so meeting the standards is nonsense if they don’t meet the interp.

#### A violation says the rule is not a set norm in the debate community. This is done by showing the opposing debater is in violation of the norm. But, showing the opponent’s action is in violation of the rule is unnecessary if the proposed rule is not a set norm in debate.

#### Violation – It’s preemptive and reactive.

#### And, people’s theory shells currently do not operate under NCM – which is proven by judge paradigms that say theory is only legit if it applies in-round.

#### Vote Neg –

#### 1] Norming – NCM means endorsement of the debater who promotes the best competitive norm, but punishment models of theory do not necessitate comparative models that are evaluated equally as initial interpretations. NCM forces debaters to commit to their theory norm which increases the quality of norms because no one would defend a norm that would get crushed and warrant a loss. Norming outweighs and is a voter – Massa

#### A] Forces both debaters to engage in the issue and debate both sides which is an extension of your interpretation and means any reason why IRA is good is a reason to prefer NCM.

#### B] All voters beg the question of what norms or interpretations are consistent with their impacts. For example, fairness and education are nonsensical without a norm that constitutes it.

#### C] Resolvability – Specifying the exact norm gives judges a delineation of what advocacies to compare and if each debater is consistent with that norm. Otherwise it’s intervention which is an infinite in-round violation because it takes the round of the debater’s hands.

#### D] It’s constitutive of the voter – to make appeals to fairness requires the debate space ought to defend it as a norm.

#### Voters – If you win that my model of debate is bad, the counter-interpretation would not be an RVI. Abuse models imply that you vote for a debater who broke a rule. Proving that you may engage in some practice is insufficient under that model as there is no proactive violation to a rule sufficient to warrant a ballot. Reasonability is also our violation because it does not necessitate comparative norms. Dropping the debater is implied by our interp because you would vote us up for endorsing the better model of debate.

### 3 – Definitions

#### 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.

### 4 – Condo NC

#### Presumption and permissibility negates – a) statements are more often false than true since I can prove something false in infinite ways o/w on probability 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.

#### I negate: A just government ought to recognize an unconditional right of workers to strike.

#### The resolution specifies that the right to strike must be unconditional—this means it cannot be contingent on any authority or have any exceptions.

Magnell 11 [Thomas Magnell, Quals: Philosopher, Department of Philosophy, Drew University, Madison, NJ, The Correlativity of Rights and Duties, J Value Inquiry (2011) 45:1–12]//BA PB

Unconditional rights may be either absolutely unconditional or relatively unconditional. An absolutely unconditional right is a right which every right-holder enjoys as something capable of having rights. These are the most fundamental of all rights. As rights which all right-holders have simply as right-holders, they are common to all people, institutions, corporations, societies, and at least some nonhuman animals. They do not need to be acquired. Because they are held unconditionally, they cannot be overruled. For the same reason, they are as minimal as can be. To draw anything more than the most minimal rights from right-holders as such is almost surely a mistake. The flights of fancy of natural rights theorists led Bentham to shout: ‘‘Natural Rights is simple nonsense: natural and imprescriptible rights, rhetorical nonsense,—nonsense upon stilts.’’12 Still, notwithstanding Bentham’s finest flourish of phrasing, there may be some, for example, the right of a right-holder not to be subject to a wanton disregard of its interests. This would seem to be a right that at least some animals have as well as people taken individually or in groups. It is not a particularly robust right. An awful lot of harm can be inflicted upon a right-holder without showing a wanton disregard for the right holder’s interests. Even so, as minimal as it is, it is not a right that is always respected, as National Socialists and International Socialists showed in concentration camps and the Gulag. A relatively unconditional right is a right which all right-holders of a certain kind enjoy without qualification. This gives a clear sense to the much abused term ‘‘human rights,’’ though there may be others. In the strictest sense, human rights are relatively unconditional rights. They are rights which human beings have simply as human beings, or perhaps more precisely as persons, if not all human beings are accounted persons, whatever their role or situation within or apart from a society. A better term for them would be ‘‘person rights,’’ but here the common term is unlikely to be allowed to give way. Human rights are not acquired, though if personhood is a characteristic that human beings can come to have and come to lose, human rights may be gained or lost along with it. Some other right-holders may have the same rights unconditionally, but not all. Narrower on the one hand than absolutely unconditional rights, broader on the other than conditional rights, human rights cannot be conferred by declarations or political manifestos on non-human animals or people: not on non-human animals because non-human animals cannot have them, and not on people because people already have them. In the strictest sense, many of the rights that have come to be labeled as human rights in the fairly recent past, such as the supposed rights to a certain level of income or to a certain level of education are not human rights at all, however politically popular it may be to say that they are. If they are rights in any sense, they are civil rights, acquired rights that are conferred by some civil authority. Human rights in the strictest sense have a more philosophical tone. One notable human right is that of entering into obligations, the right, odd as it sounds, to bear duties. Another is the human right to freedom, the relatively unconditional right that people who are capable of acting autonomously have as such beings. We have a right to liberty without the need for the right to be conferred, while other beings, such as non-human animals that may have the broader absolutely unconditional rights, lack this relatively unconditional right. This is why liberty is intimately tied with human dignity, even as it is demonstrably allied with human prosperity. All other rights that have correlative duties are conditional rights, rights of only some right-holders. They are acquired rights. Their acquisition is conditional on meeting certain qualifications. Someone has a right to have a promise kept only if he meets the qualifications of being the promisee. Someone has a right to receive charity only if he meets the qualification of being in need. From this it should be evident that conditional rights may be either conditioned-rights or unconditionedrights. What makes a right conditioned is a condition of the right itself, that of the correlative duty, an imperfect duty, not being conferred on other qualified rightholders. What makes a right conditional is a condition for acquiring the right in the first place.

#### The right to strike is a conditional right, so viewing it as unconditional is impossible. Fiat doesn’t solve because its intrinsic to the nature of the principle and the aff is a binding policy, not just view X as Y.

#### [1] The right to strike is conditional on the government existing and enforcing it: A] The Sqou proves that without the state, the right doesn’t exist, which means turning the NC non-uniques the aff B] State of nature would just mean people could take the action, not that they have a guaranteed right to do so.

#### [2] The right is conditional on the existence of certain social institutions: IE a workplace and employer to strike against, and a job to stop doing. This doesn’t apply to unconditional rights like freedom or life, since they are intrinsic to human nature not social constructs.

#### [3] Unconditional rights cannot conflict with each other, as otherwise neither would be absolute, but the right to strike conflicts with 1] The right to life of those deprived of stuff like medicine, which is fundamental to every human action, and 2] is intrinsically violent as when enforcing it you must know everything about a particular situation, and you must act immediately in the face of a violation, otherwise you allow injustice to occur. But these are simultaneously impossible since a) we cannot know everything about a particular situation and b) there is not infinite time to make an ethical decision. Given that there must be deliberation over any moral decision to ensure its correctness in relation to the situation, the very act of deliberation is violence, as you allow the injustice to continue, but if you were to act immediately you would act without proper knowledge to correctly address the injustice.

#### [4] Weighing: A] Even if the aff proves that an unconditional right such the right to life or right to freedom entails the right to strike, this doesn’t prove that it is unconditional since it is contingent on another right, and is therefore not sufficient to affirm B] Unconditional rights are unconditionally good and lack exceptions, so one instance where the right is wrong is sufficient to prove it is conditional too that particular circumstance.

### Underview

#### 1] We get new framing issues, paradigm issues and in the 2nr since the 1ac didn’t take a stance on whether they got 1ar theory – anything else justifies infinite 1ar abuse.

### Framing

#### Util justifies death good:

#### 1] Death is a net better state of existence since existers suffer pain and pleasure, but the non-existent don’t feel either. Thus, it follows that non-existence is a net better state since the absence of pain is morally good even if it isn’t experience by anyone while the absence of pleasure is neither good or bad. Even if live can be pleasurable, you still negate since non existence is always good while pleasure in life is variable.

#### 2] An obligation to maximize happiness causes infinite pain since no matter how much happiness one has, there is always a moral obligation to acquire more which A] Prevents that pleasure from being utilized and B] is cruelly optimistic because you are chasing an insatiable desire. Only death offers a final escape.

#### 3] Reject aff answers, they are contaminated by psychological bias.

David Benatar, Professor of Phil at University of Cape Town, Better Never to Have Been: The Harm of Coming into Existence, pub Oxford University Press, USA, Year: 2006, ISBN: 0199296421 ///AHS PB

Most people deny that their lives, all things considered, are bad (and they certainly deny that their lives are so bad as to make never existing preferable). Indeed, most people think that their lives go quite well. Such widespread blithe self-assessments of well-being, it is often thought, constitute a refutation of the view that life is bad. How, it is asked, can life be bad if most of those who live it deny that it is? How can it be a harm to come into existence if most of those who have come into existence are pleased that they did? In fact, however, there is very good reason to doubt that these self-assessments are a reliable indicator of a life’s quality. There are a number of well-known features of human psychology that can account for the favourable assessment people usually make of their own life’s quality. It is these psychological phenomena rather than the actual quality of a life that explain (the extent of) the positive assessment. The first, most general and most influential of these psychological phenomena is what some have called the Pollyanna Principle,⁷ a tendency towards optimism.⁸ This manifests in many ways. First, there is an inclination to recall positive rather than negative experiences. For example, when asked to recall events from throughout their lives, subjects in a number of studies listed a much greater number of positive than negative experiences.⁹ This selective recall distorts our judgement of how well our lives have gone so far. It is not only assessments of our past that are biased, but also our projections or expectations about the future. We tend to have an exaggerated view of how good things will be.¹⁰ The Pollyannaism typical of recall and projection is also characteristic of subjective judgements about current and overall well-being. Many studies have consistently shown that self-assessments of well-being are markedly skewed toward the positive end of the spectrum.¹¹ For instance, very few people describe themselves as ‘not too happy’. Instead, the overwhelming majority claims to be either ‘pretty happy’ or ‘very happy’.¹² Indeed, most people believe that they are better off than most others or than the average person.¹³ Most of the factors that plausibly improve the quality of a person’s life do not commensurately influence self-assessments of that quality (where they influence them at all). For example, although there is a correlation between people’s own rankings of their health and their subjective assessments of well-being, objective assessments of people’s health, judging by physical symptoms, are not as good a predictor of peoples’ subjective evaluations of their well-being.¹⁴ Even among those whose dissatisfaction with their health does lead to lower self-reported well-being, most report levels of satisfaction toward the positive end of the spectrum.¹⁵ Within any given country,¹⁶ the poor are nearly (but not quite) as happy as the rich are. Nor do education and occupation make much (even though they do make some) difference.¹⁷ Although there is some disagreement about how much each of the above and other factors affect subjective assessments of well-being, it is clear that even the sorts of events that one would have thought would make people ‘very unhappy’ have this effect on only a very small proportion of people.¹⁸

#### 4] Even if killing people is bad, death good outweighs since the pain caused by 8 billion deaths is less than infinite future lives. Additionally, extinction is inevitable, so extinction first doesn’t matter since this debate is just a question of whether or not we should go extinct sooner or later.

#### 5] Reps voters against the NC are a reason to drop the aff since 1] If the NC is violent, I only read it since you read the aff so its your fault and 2] my argument is conditional on util being true, so if death good is morally repugnant that’s a reason since why you should lose since your arguments justify it.

### 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

### 1NC – Non-Unique

#### 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.

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)