## 1

#### Interpretation: The affirmative must not defend the resolution a general principle.

#### Violation: They do – that was on the advocacy said cps don’t engate and thesis.

#### Standards:

#### 1 – Topic Education – General principle moots topic education because it allows debaters to recycle generic arguments which deny the truth of everything.

#### 2 – Reciprocal burdens – General principle forces the negative into having to disprove the aff in all instances. Our model solves because it eschews the idea that either side unilaterally carries the burden of proof, and requires both debaters to give an account of why their world is more desirable not principle.

#### 3 – Ground: It gives them the ability to shift out of all CPs by saying they don’t disprove the general principle of the AFF which is bad – Good policymaking requires making comparisons between similar courses of action – saying that CPs are bad doesn’t answer this because we should have to opportunity to argue that in round. CPs teach us to find the best policy possible – debate should teach us to be better decisionmakers because it’s the only transferable skill to the rest of our lives, also controls the I/L to ground because they get infinite advocacies but I only get one.

#### Fairness is a voter because the judge needs to evaluate the better debater

#### Drop the debater to deter future abuse since it’s the most severe form of punishment

#### No RVIs

#### 1) its illogical you don’t win by proving that you’re fair

#### 2) encourages theory baiting where good theory debaters bait the RVI to win

#### Use competing interps it creates a race to the top where we set the best norms

#### NC theory first –

#### a] I was only abusive because you were first and prevented me from creating a fair strat

#### b] Norming – more time

## 2

#### Interpretation: Debaters must specify how they enforce the unconditional right of workers to strike.

#### 1] Topic lit – enforcement is the core question of the topic and there's no consensus on normal means so you must spec. Weiss

Marley S. Weiss [Professor of Law, University of Maryland School of Law], 2000, “The Right To Strike In Essential Services Under United States Labor Law”, https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=2189&context=fac\_pubs

2. Strikes, Lockouts, and Other Lawful Primary Weapons under the NLRA The parties, both labor and management, are under a duty to bargain in good faith with each other, “but such obligation does not compel either party to agree to a proposal or require the making of a concession”. The essential idea here is that both sides must genuinely try to reach mutual agreement. However, this simple concept is extremely difficult to enforce, and employers too often resort to bad faith bargaining, bargaining on the surface with no real intention of concluding an agreement, as part of a strategy to eliminate union representation from the workplace. In addition, the duty to bargain is limited to matters falling within the Section 8(d) statutory phrase, “wages, hours, and other terms and conditions of employment”, and the right to strike is similarly limited to issues falling within the scope of mandatory bargaining as defined by that phrase. Although the phrase has been broadly construed in many respects, as to certain issues, the contrary has been the case. Capital redeployment, that is, relocation of operations, disinvestment in unionized plants, subcontracting, and plant closure decisions, provide employers with a potent set of weapons against unions. While bargaining over the effects of such decisions is plainly mandatory, the extent to which bargaining is required over the decisions themselves have been hotly contested.

#### This acts as a resolvability standard. Debate has to make sense and be comparable for the judge to make a decision which means it's an independent voter and outweighs.

#### 2] Stable advocacy – 1AR clarification delinks neg positions that prove why enforcement in a certain instance is bad by saying it isn't their method of enforcement – wrecks neg ballot access and kills in depth clash – CX doesn't check a] it kills 1NC construction pre-round since I don't know what you spec till in round, b] judges do not flow cross ex so its not verifiable, c] debaters will be shifty and lie.

#### 3] Prep skew – I don't know what they will be willing to clarify until CX which means I could go 6 minutes planning to read a disad and then get screwed over in CX when they spec something else.

## 3

#### CP Text: A just government ought to recognize the right to strike however not unconditionally, intermittent strikes should be illegal, all other types of strikes the AC recognizes should be.

#### Intermittent strikes violate labor peace, Theodore 19

[Mark Theodore, 7-30-2019, "Employer’s Discipline of Employees Engaging In “Intermittent Strikes” Lawful: NLRB Majority", Labor Relations Update, https://www.laborrelationsupdate.com/nlra/employers-discipline-of-employees-engaging-in-intermittent-strikes-lawful-nlrb-majority/, date accessed 10-24-2021] //Lex AT

The Board also explained why intermittent strikes are unprotected: such conduct undermines the purpose of the Act – i.e., to promote overall labor peace – by allowing employees to leave work at times particularly harmful to the employer while still being able to return to work before losing their jobs to permanent replacements.  The Board determined that, unlike a genuine strike, such a tactic was never contemplated or condoned by Congress in crafting the Act and therefore does not warrant protected status.

#### Unconditional means,

https://www.google.com/search?q=unconditional+definition&oq=unconditional+definition&aqs=chrome..69i57j0i512l3j0i22i30l6.2119j0j9&sourceid=chrome&ie=UTF-8

**not subject to any conditions.**

#### Takes out general principle bc it means general principle still defends all stirkes since exceptions are ocnditions.

#### That negates under the AC framework –

#### 1] Promise breaking – the original NLRA act that explains the right to strike made them illegal bc they violated the purpose of genuine strikes. ow on perfect duties. SPECIFICALLY not arbitrary.

#### 2] Solves aff offense none of it is specific to an unconditional right

#### 3] contradiction in conception – if everyone always stirked for no reason stikres would have no purpose

#### Yes CPs negate - Good and bad are attributive adjectives which don’t make sense in a vacuum i.e. you can’t say this burger is really good without comparing it to alternative burgers.

## 4

#### Permissibility and presumption Negate,

#### 1] Text – Ought is defined as expressing obligation[[1]](#footnote-1) which means absent a proactive obligation you vote neg since the aff can’t prove an obligation. O/W since text is the only thing we have access to prior to the round.

#### 2] Safety – It’s ethically safer to presume the squo since we know what the squo is but we can’t know whether the aff will be good or not if ethics are incoherent.

#### 3] Real world – Policymakers don’t pass policies they aren’t sure about, they shelve them for later.

#### The meta-ethic is constructivism, or the idea that there is no a priori truth independent of human conceptual schemes.

#### Prefer:

#### [1] Rule-following paradox—innate moral rules can be interpreted in an infinite number of ways, ethics and religion proves. That means they can’t guide action since A) they aren’t binding B) they lead to contradictory interpertations.

#### [2] Epistemology—experience frames knowledge – the reason why a tree is a tree and not a rock is because we experience what a tree is and relate the word to the object.

#### Next, every time someone acts, they have a corresponding goal—that means action necessitates imposing meaning on the world. The state of nature necessitates infinite violence between conflicting world views:

#### [1] Arbitrariness—under the state of nature, people will impose their own goals on each other with no restrictions which justifies infinite violations of rights and makes meaning creation impossible.

#### [2] Resource Wars—a finite amount of material resources creates conflict between different people who want it which means we control the root cause of the aff.

#### There is no objective solution to this conflict because truth is relative. Instead, conflict requires the creation of the sovereign, to resolve disputes. In exchange for their safety, subjects agree to give up their claims to meaning to the sovereign.

Parrish 04 [Parrish, Rick, [Rick Parrish teaches at Loyola University New Orleans. His current research is focused on the play of violence and respect within justice.] "Derrida’S Economy Of Violence In Hobbes’ Social Contract" Theory &amp; Event, Vol. 7 No. 4, 2005, 2005, http://muse.jhu.edu/article/244119#back, DOA:6-30-2018 // WWBW]

All of the foregoing points to the conclusion that in the commonwealth **the sovereign's** first and **most fundamental job is to be the ultimate definer**. Several other commentators have also reached this conclusion. By way of elaborating upon the importance of the moderation of individuality in Hobbes' theory of government, Richard Flathman claims that peace "is possible only if the ambiguity and disagreement that pervade general thinking and acting are eliminated by the stipulations of a sovereign."57 Pursuant to debunking the perennial misinterpretation of Hobbes' mention of people as wolves, Paul Johnson argues that "**one of the primary functions of the sovereign** is to provide the necessary unity of meaning and reference for the primary terms in which men try to conduct their social lives."58 "The whole raison d'être of sovereign helmsmanship **lies** squarely **in the chronic defusing of interpretive clashes**,"59 **without which** **humans would** "fly off in all directions"60 and **fall inevitably into the violence of the natural condition.** 26. It is not surprising that so many noted students of Hobbes have reached this conclusion, given how prominently he himself makes this claim. According to Hobbes, "in the state of nature, where every man is his own judge, and differeth from others concerning the names and appellations of things, and from those differences arise quarrels and breach of peace, it was necessary there should be a common measure of all things, that might fall in controversy."61 The main categories of the sovereign's tasks are "to make and abrogate laws, to determine war and peace, [and] to know and judge of all controversies,"62 but each of these duties is a subspecies of its ultimate duty to be the sole and ultimate definer in matters of public importance. **It is only through the sovereign's effective continued accomplishment of this duty that the people of a commonwealth avoid the definitional problems that typify the state of nature.** 27. Judging controversies, which Hobbes lists as the third main task of the sovereign, is the duty most obviously about being the ultimate definer. In fact, Hobbes declares it a law of nature that "in every controversy, the parties thereto ought mutually to agree upon an arbitrator, whom they both trust; and mutually to covenant to stand to the sentence he shall give therein."63 As I repeatedly alluded to above, this agreement to abide by the decision of a third party arbitrator, **a sovereign** in the commonwealth, **is necessary because of the fundamentally perspectival and relative nature of persons' imputations of meaning and value into the situations they construct.** Hobbes understands this problem, as evidenced by his claim that "seeing right reason is not existent, the reason of some man or men must supply the place thereof; and that man or men, is he or they, that have the sovereign power"64 to dictate meanings that will be followed by all. The sovereign is even protected from potential democratic impulses, by which a 'true' meaning would be that agreed upon by the greatest number of people. Because "no one man's reason, nor the reason of any one number of men, makes the certainty," they will still "come to blows . . . for want of a right reason constituted by nature"65 unless both the majority and the minority agree to abide by the meanings promulgated by the sovereign. 28. These meanings are usually created and promulgated by the sovereign in the form of laws, another of the tasks with which Hobbes charges it. In one of his clearest explanations of the law, Hobbes writes that "it belongs to the same chief power to make some common rules for all men, and to declare them publicly, by which every man may know what may be called his, what another's, what just, what unjust, what ho nest, what dishonest, what good, what evil; that is summarily, what is to be done, what to be avoided in our common course of life."66 The civil law is the set of the sovereign's definitions for ownership, justice, good, evil, and all other concepts that are important for the maintenance of peace in the commonwealth. When everyone follows the law (that is, when everyone follows the sovereign's definitions) there are far fewer conflicts among persons because everyone appeals to the same meanings. This means that people know what meanings others will use to evaluate the actions of themselves and others, so the state of nature's security dilemmas and attempts to force one's own meanings upon others are overcome. 29. **There is to be no question of the truth or falsity of the sovereign's definitions because "there are no authentical doctrines concerning right and wrong**, good and evil, **besides the constituted laws in each realm and government."**67 In fact, Hobbes specifically says that one of the "diseases of a commonwealth" is that "every private man is judge of good and evil actions."68 **Only when individual persons agree to follow the meanings promulgated by the sovereign, which of course includes refraining from trying to impose their own meanings on others, can persons live together in peace -- when they take it upon themselves to impose meaning on situations of public import, they descend into violence again.**

#### Thus, the standard is consistency with the will of the sovereign.

#### Now Negate --

#### [1] Inherency proves the sovereign doesn’t want to grant the unconditional right to strike. Otherwise negate on presumption if theres no inherency.

#### [2] Unconditional striking violates the NLRB.

NLRB National Labor Relations Board. “The Right to Strike.” *The Right to Strike | National Labor Relations Board*, www.nlrb.gov/strikes. SJEP

Strikes unlawful because of timing—Effect of no-strike contract. A strike that violates a no-strike provision of a contract is not protected by the Act, and the striking employees can be discharged or otherwise disciplined, unless the strike is called to protest certain kinds of unfair labor practices committed by the employer. It should be noted that not all refusals to work are considered strikes and thus violations of no-strike provisions. A walkout because of conditions abnormally dangerous to health, such as a defective ventilation system in a spray-painting shop, has been held not to violate a no-strike provision. Same—Strikes at end of contract period.Section 8(d) provides that when either party desires to terminate or change an existing contract, it must comply with certain conditions. If these requirements are not met, a strike to terminate or change a contract is unlawful and participating strikers lose their status as employees of the employer engaged in the labor dispute. If the strike was caused by the unfair labor practice of the employer, however, the strikers are classified as unfair labor practice strikers and their status is not affected by failure to follow the required procedure.

#### [3] A worker has the ability to choose their employer and thus their contract. Therefore, there is no reason a worker can strike against a contract they have agreed to previously.

## Case

### Framing

#### [1] No Apriori Knowledge – it is just definitional knowledge humans have invented to understand the world e.g. we understand all bachelors are unmarried males but there could be a different conception where all bachelors are married womxn.

#### [2] Hijack – subjects are deterministic, biological creatures – reason is only instrumental to survival.

Chung [Hun (Professor of Philosophy at the Rochester Institute of Technology). “Understanding Rationality in Hobbes and Hume.” Filozofia, Number 8, pg. 693, 2014, <http://www.klemens.sav.sk/fiusav/doc/filozofia/2014/8/687-696.pdf>. 8/14/18]

To this, one might object that the fact that the laws of nature aim for self-preservation and that these laws are discovered by right reason does not, strictly speaking, imply that it is the proper role of reason and rationality to direct one’s ends. Rather, “the laws of nature” is a perfect example that shows how the basic role of reason and rationality is confined to the instrumental role described in clause (b). That is, according to this interpretation, the laws of nature**,** which are discovered by right reason, merely tell people the most effective means to achieve what they most basically want: namely, their own self-preservation.

### Offense

#### Legal alternatives check i.e. regular right to strike, overadhering to the rules, union bargaining, messaging local representative, using media, etc.. distinctions arbtirayr and consequntialist

#### If in order for a government to be just it must recognize the unconditional right of workers to strike, then any aff that is inherent is not currently a just government which means it doesn’t prove the truth of the resolution.

1. <https://www.merriam-webster.com/dictionary/ought> [↑](#footnote-ref-1)