# AV21 R2 AC

#### ****I affirm the resolution Resolved: A just government ought to recognize an unconditional right of workers to strike.****

#### Starting with definitions

#### Just government:

Davis 18

Davis, Ben. “Home.” *Mvorganizing.org*, 18 Oct. 2018, [www.mvorganizing.org/what-does-a-just-government-mean/](http://www.mvorganizing.org/what-does-a-just-government-mean/)

**A just government is fair to all people that it governs**. This includes not only the governed, but also the governors. Subjecting the governors to the same laws as the governed will help to ensure that no one group’s interests are served at the expense of others.

#### Merriam-Webster defines unconditional as:

<https://www.merriam-webster.com/dictionary/unconditional>

**not conditional or limited**

#### Labor strikes defined by FindLaw:

FindLaw’s team of legal writers and editors, May 02, 2017, “Labor Strike FAQs”, https://www.findlaw.com/employment/wages-and-benefits/labor-strike-faqs.html

**A**[**labor strike**](https://dictionary.findlaw.com/definition/strike.html)**occurs when workers collectively agree to stop working in order to gain a concession from an employer**. This usually happens after contract negotiations have broken down, and a majority of workers in the bargaining unit have voted for the strike. Both strikes and picketing are protected activities under the [National Labor Relations Act](https://www.nlrb.gov/strikes) ("NLRA") under certain conditions and to varying degrees.

## Fwk

#### I value the alterity of the other

1. **Every individual experiences the world while a multitude of perspectives surrounds them, which can simply be defined as not-mine, and therefore each individual has the obligation to respect the other and the other’s perspectives. I cannot justify anything else since the nature of the other is always beyond my experience.**

1. **The obligation to the Other is a moral imperative, it functions on the same level as the “ought” in the resolution.**

**Jun 8** - Jun F. On Lévinas's Ethics. Journal Of Chinese Philosophy [serial online]. December 1, 2008;35(4):549-560. Available from: Philosopher's Index, Ipswich, MA. Accessed September 14, 2014.

Second, **the face [of the other] bears a request and a need**, in which resides the vulnerability of the face. The face is an open hand that seeks compensation. It needs something, and asks me for something. This means that the other needs me and anticipates me. The other is poor, which is more severe than being weak. Being poor is the superlative of being weak. **The other** is so weak that he [they] makes demands on me. Third, the face is [also] a command and an authority. Therefore, the face **bears an obligation and a moral value**. The face is **a moral imperative that holds one from committing crimes**, for example, “Thou shalt not kill.” The question is, if the face is an authority and a command, why do people often engage in immoral activities against this command? Does the act of violence mean that this command is unacknowledged? Lévinas replies, “The face is not a force. It is an authority. Authority is often without force.”10 It is commonly said that God is incomparably powerful. He issues orders. If one disobeys, he will punish one. Lévinas considers this to be a modern view. In contrast, the earliest view that cannot be forgotten is that God cannot do anything. “He is not a force but an authority.” 11 Authority without force: this is a paradox of authority and of morality. An authority can make demands on one and request one to behave in the proper way. However, he cannot force one to act in this way. **This is the character of “ought” in morality, which can only provide the value one requests**. Nevertheless, it is a law and thus is too impoverished to punish one

**3. A subject can only exist after it’s named by the Other, so my opponent is already obligated to the framework.**

**Nealon 95** - Nealon, Jeffrey Thomas. "'Junk'and the Other: Burroughs and Levinas on Drugs." Postmodern Culture 6.1 (1995).

For Levinas, on the other hand, if one is to be an ethical subject, one must escape the dark, anonymous rumbling of Being; in order for there to be a subjectivity responsive to the other, there must be a hypostasis that lifts the subject out of its wallowing in the Solipsistic raw Materiality of the il y a. Out of the “there is” of anonymous being, there must rise a “Here I Am.” [me voici] that nonetheless retains the trace of the hesitation and debt -- what Levinas will call the "passivity" -- characteristic of the il y a's impossibility. As he writes, hypostasis is subject-production, the introduction of space or place into the anonymous murmur of being: "to be conscious is to be torn away from the there is" (E&E, p. 60/98). Subjectivity is torn away from the anonymity of the there is by a responding to the other that is not reducible to any simple rule-governed or universalizing code; **the ethical subject is**, in other words, **a responding, site-specific performative that is irreducible to an ontological or transhistorical substantive**. As Levinas writes, “the body is the very advent of consciousness. It is nowise a thing -- not only because a soul inhabits it, but because its being belongs to the order of events and not to that of substantives. It is not posited; it is a position. It is not situated in space given beforehand; it is the irruption in anonymous being of localization itself. . . . The body as subjectivity does not express an event; it is itself this Event. (E&E, pp. 71,72/122,124)” This is perhaps the most concise statement of Levinas's understanding of a subjectivity that rises out of the il y a through hypostasis: **the subject comes about through** **a** performative **response to the** call of the **other**, through the bodily taking up of a "position," "the irruption in anonymous being of localization itself." However, **this** hypostasis is not the intentional act of a subject; it **is**, rather, **subjection** in and **through** the face-to-face **encounter with the other** person. As Levinas writes, "the localization of consciousness is not subjective; it is the subjectivization of the subject" (E&E, p. 69/118). Thus, "here I am" rises out of the there is as an accusative, where I am the object rather than the subject of the statement, where I am responding to a call from the face of the other. As Jan de Greef writes, "for Levinas **the movement of subjectivity does not go from me to the other but from the other to me** . . . . “Here I Am” (me voici) -- the unconditional of the hostage -- can only be said in response to an 'appeal' or a 'preliminary citation.' Convocation precedes invocation."16 It is to-the-other that one responds in the hypostasis that lifts the subject out of the il y a the face of the other, and its call for response-as-subjection, is the only thing that can break the subject's imprisonment in the anonymous il y a and open the space of continuing response to alterity. As Levinas sums up the project of his Existence and Existents, "it sets out to approach the idea of Being in general in its impersonality so as to then be able to analyze the notion of the present and of position, in which a being, a subject, an existent, arises in impersonal Being, through a hypostasis" (p. 19/18). As the evasion of the "impersonal being" that is the il y a hypostasis (as the concrete performative response to the face or voice of the other person) is the birth of the ethical Levinasian subject. **Such a subjection to the other** [which] makes or **produces a subject** at the same time that it unmakes any chance for the subject to remain an alienated or free monad. As Levinas writes, "**The subject is inseparable from this appeal or this election, which cannot be declined**" (OTB, p. 53/68), so the subject cannot be thematized in terms of alienation from some prior state of wholeness; in Levinasian subjectivity, there is an originary interpellating appeal of expropriation, not an originary loss of the ability to appropriate.

**Moral agency is meaningless without the Other. Ethics and morality are incomprehensible in a world in which your body and mind is the entirety of the universe. In such a situation any sort of ethical framing you undergo will become the only objective framework of ethics that exists.**

**Therefore my criterion is alleviating precarity**

#### 1.Conditions of precarity are socially and politically induced and arise from an institutional failure to prevent that precarity.

**BUTLER 15** (Judith Butler, “Notes Toward a Performative Theory of Assembly,” Harvard University Press, Introduction, p. 26, 27, 2015)

As I began to clarify in *Frames of War*, **precarity** is not simply an existential truth—each of us could find ourselves subject to deprivation, injury, illness, debilitation, or death by virtue of events or processes outside of our control. We are all unknowing and exposed to what may happen, and our not knowing is a sign that we do not, cannot, control all the conditions that constitute our lives. However invariable such an general truth may be, it **is lived differentially**, since expose to injury at work, or faltering social services clearly affects workers and the unemployed much more than others. On the one hand, **everyone is dependent on** social relations and enduring **infrastructure** in order **to maintain a livable life**, so there is no getting rid of that dependency. On the other hand, that dependency, though not the same as a condition of subjugation, can easily become one. The **dependency** of human creatures on sustaining and supporting infrastructural life **shows that** **the organization of infrastructure is intimately tied with an enduring sense of individual** life; how life is endured, and with what degree of suffering, livability, or hope. In other words, **no one person suffers a lack of shelter without there being a social failure to organize shelter in such a way that it is accessible to each and every person.** And **no one person suffers unemployment without there being a system or a political economy that fails to safeguard against that possibility**. This means that in some of **our most vulnerable experiences** of social economic deprivation, what is **revealed** is not only our precariousness as individual persons—though that may well be revealed—but also the **failures and inequalities of socioeconomic and political institutions**. In our individual vulnerability to a **precarity** that **is socially induced**, each “I” potentially sees how its unique sense of anxiety and failure has been implicated all along in a broader social world. **This initiates the possibility of taking apart** that **individualizing** and maddening form of responsibility **in favor of** an ethos of **solidarity that would affirm mutual dependency**, dependency on workable infrastructures and social networks, **and open the way to** a form of improvisation in the course of devising collective and institutional ways of **addressing induced precarity**.

#### 2.Alleviating precarity is an a priori requirement to all other ethical demands as it obstructs our obligation to the other.

**BUTLER 2**(Judith Butler, “Notes Toward a Performative Theory of Assembly,” Harvard University Press, Introduction, p. 26, 27, 2015)

This relation precedes individuation, and when I act ethically, I am undone as a bounded being. I come apart. I find that I am my relation to the “you” whose life I seek to preserve and without that relation, this “I” makes no sense and has lost its mooring in this ethics that is always prior to the ontology of the ego. Another way to put this point is that the “I” becomes undone in its ethical relation to the “you,” which means that there is a very specific mode of being dispossessed that makes ethical relationality possible. If I possess myself too firmly or too rigidly, I cannot be in an ethical relation. The ethical relation means ceding a certain egological perspective for one that is structured fundamentally by a mode of address: you call upon me, and I answer. But if I answer, it is only because I was already answerable; that is, this susceptibility and vulnerability constitutes me at the most fundamental level and is there, we might say, prior to any deliberate decision to answer the call. In other words, one has to be already capable of receiving the call before actually answering it. In this sense, ethical responsibility presupposes ethical responsiveness.

#### 3.Social policies are key to alleviating precarity. This makes my framework inevitably intertwined with the resolution, since the right to strike is intertwined with social policy.

**Butler 3**

[Judith Butler](https://www.versobooks.com/blogs?post_author=38137)“Judith Butler: Precariousness and Grievability-When Is Life Grievable?” 16 November 2015. *Versobooks.com*, www.versobooks.com/blogs/2339-judith-butler-precariousness-and-grievability-when-is-life-grievable

To say that a life is precarious requires not only that a life be apprehended as a life, but also that precariousness be an aspect of what is apprehended in what is living. Normatively construed, I am arguing that **there ought to be a more inclusive and egalitarian way of recognizing precariousness**, and that **this should take form as concrete social policy regarding such issues as shelter, work, food, medical care, and legal status**. And yet, I am also insisting, in a way that might seem initially paradoxical, that precariousness itself cannot be properly *recognized*. It can be apprehended, taken in, encountered, and it can be presupposed by certain norms of recognition just as it can be refused by such norms. Indeed, there ought to be recognition of precariousness as a shared condition of human life (indeed, as a condition that links human and non-human animals), but we ought not to think that the recognition of precariousness masters or captures or even fully cognizes what it recognizes. So although I would (and will) argue that norms of recognition ought to be based on an apprehension of precariousness, I do not think that precariousness is a function or effect of recognition, nor that recognition is the only or the best way to register precariousness.

#### Grievability is a necessary good that is necessary to alleviate precarity.

**Varman et al 20**

Varman, R., Skålén, P., Belk, R.W. *et al.* Normative Violence in Domestic Service: A Study of Exploitation, Status, and Grievability. *J Bus Ethics* (2020). https://doi.org/10.1007/s10551-020-04444-1

We understand violence as the use of force against an individual or the denial of rights of personhood (Galtung [1990](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR41)) and is an unethical behavior (Gubler et al. [2018](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR112)). Our attention to normative violence helps to develop an understanding of consumer ethics that attends to how consumer/consumption norms establish a social order within which violent exploitation is normalized or unfolds as normal without moral compunctions. We draw upon Butler to attend to normative violence, the ethics of grievability, and derealization to understand normalized exploitation of service providers. According to Butler ([2009](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR16), p. 15) a grievable life means, “a life that can be regarded as a life, and be sustained by that regard. **Without grievability, there is no life, or rather, there is something living that is other than life**…sustained by no regard, no testimony, and ungrieved when lost.” Therefore, grievability allows an individual to **gain a subject position and to be regarded as a human.** In its absence, we are derealized or made less human and can be inflicted with violence without perceiving any ethical dilemmas and moral condemnation. Butler’s ([2004a](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR13)) idea of normative violence suggests that norms can both be violent in themselves and be used to normalize violence against those who are derealized (Joy et al. [2015](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR56); Varman et al. [2018](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR94)). We find that service interactions are characterized by violence inflicted on kajer lok by their higher status clients as they follow their normatively prescribed codes of consumption without questioning them. By drawing on Butler ([2004a](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR13), [2009](https://link.springer.com/article/10.1007/s10551-020-04444-1#ref-CR16)) we cast in sharp relief how the status-based consumption that takes place in domestic service produces ungrievability of service providers. We show that domestic service encodes specific status-based norms of consumption for clients and service providers and constitutes them as consuming/serving subjects with clear boundaries of what is permissible and what is not. In doing so, we add to the literature on status-based consumption, exploitation, and coercion in consumer ethics by identifying the norms of consumption that normalize violence by making lives of kajer lok ungrievable. In the following sections, we elaborate on these issues to broaden our understanding of how violent exploitation unfolds without ethical dilemmas and moral compunctions.

## C1: Striking Provides a Voice

#### 1.The right to strike is essentially the right to have a voice. It is crucial in self defense and in empowering the worker. The employee will always be the Other to the employee; thus this mode of communication is necessary for the employer to view the Other as grievable.

Waas 12

<https://www.islssl.org/wp-content/uploads/2013/01/Strike-Waas.pdf>

Second, entirely different attitudes exist towards strikes. In some countries, strikes are considered “a right to self-defence” which is not necessarily directed at the employer; in other countries, the area of admissible industrial action may be necessarily congruent with the relationship between employers and employees. In yet other countries, s, trikes are seen as acts of “self-empowerment” which have very little to do with a legal order granting certain powers or rights. Finally, in some countries, the right to strike is viewed as being firmly rooted in human dignity, granted to each individual worker and not waivable by him or her, and in others, the perspective may be more “technical” with a considerable power to dispose of the right to strike.

#### This means that regardless of the impact of the strike, they are absolutely necessary. Hearing the Other means that we are forced to face the Other, which means we would be forced to view the Other as a human, and thus grievable. This is an independent reason to vote aff.

#### 2.Strikes are successful methods of communication. They provide workers with a meaningful voice to use against oppressive conditions. Silencing this crucial mode of communication is a threat against the other.

NPR 10/21

The Associated Press. “Workers Go on Strike against Kellogg's U.S. Cereal Plants.” *NPR*, NPR, 5 Oct. 2021, [www.npr.org/2021/10/05/1043511226/kelloggs-cereal-plants-workers-plan-to-strike](http://www.npr.org/2021/10/05/1043511226/kelloggs-cereal-plants-workers-plan-to-strike)

Earlier this summer, more than 600 workers at a [Frito-Lay](https://www.npr.org/2021/07/21/1018634768/frito-lay-workers-are-in-the-third-week-of-a-strike-over-wages-and-working-condi) plant in Topeka, Kansas, walked off the job to protest working conditions during the pandemic, including forced overtime. **That strike ended** in July **when workers ratified a new contract**. Workers at Nabisco plants in five states went on strike in August to protest plans by [Nabisco](https://www.npr.org/2021/09/26/1040779728/pokemon-oreo-cookies-ebay-pikachu-mew)'s parent, Mondelez International, to move some work to Mexico, among other issues, according to the Bakery, Confectionary, Tobacco Workers and Grain Millers International Union, which also represents the Kellogg's workers. **That strike ended last month when workers ratified a new contract.**

#### In each of these cases, the Other was able to achieve grievability—the employer had to face the Other and recognize the experience of the Other. As a result, their precarity was alleviated.

## C2: Determining Validity Undermines the Other

#### 1.Determining the validity of a strike undermines the Other. I cannot decide when the Other should be allowed to strike and when they should not when I cannot fully understand the Other. This means the right to strike must be unconditional. This is another independent voter.

**Freire 15** (Freire, Paulo. “Chapter 1.” Pedagogy of the Oppressed, Bloomsbury, 2015.)

**Critical and liberating dialogue**, which presupposes action, **must be carried on with the oppressed at whatever the stage of their struggle for liberation**.[24]The **content** of that dialogue can and **should var**y in accordance **with historical conditions and the level at which the oppressed perceive reality.** But to substitute monologue, slogans, and communiques for dialogue is to attempt to liberate the oppressed with the instruments of domestication. **Attempting to liberate the oppressed without their reflective participation in the act of liberation is to treat them as objects** which must be saved from a burning building; it is to lead them into the populist pitfall and transform them into masses **which can be manipulated.** At all stages of their liberation, the oppressed must see themselves as women and men engaged in the ontological and historical vocation of becoming more fully human. Reflection and action become imperative when one does not erroneously attempt to dichotomize the content of humanity from its historical forms. The insistence that the oppressed engage in reflection on their concrete situation is not a call to armchair revolution. On the contrary reflection — true reflection — leads to action. On the other hand, when the situation calls for action, that action will constitute an authentic praxis only if its consequences become the object of critical reflection. In this sense, the praxis is the new raison d’être of the oppressed; and the revolution, which inaugurates the historical moment of this raison d’être, is not viable apart from their concomitant conscious involvement. Otherwise, action is pure activism. To achieve this praxis, however; **it is necessary to trust in the oppressed and in their ability to reason.** Whoever lacks this trust will fail to initiate (or will abandon) dialogue, reflection, and communication, and will fall into using slogans, communiques, monologues, and instructions. Superficial conversions to the cause of liberation carry this danger. Political action on the side of the oppressed must be pedagogical action in the authentic sense of the word, and, therefore, action with the oppressed. **Those who work for liberation must not take advantage of** the emotional **dependence of the oppressed** — dependence that is the fruit of the concrete situation of domination which surrounds them and which engendered their unauthentic view of the world. Using their dependence to create still greater dependence is an oppressor tactic. Libertarian action must recognize this dependence as a weak point and must attempt through reflection and action to transform it into independence. However, not even the best- intentioned leadership can bestow independence as a gift. The liberation of the oppressed is a liberation of women and men, not things. Accordingly while no one liberates himself by his own efforts alone, neither is he liberated by others. Liberation, a human phenomenon, cannot be achieved by semihumans. **Any attempt to treat people as semihumans only dehumanizes them.** When people are already dehumanized, due to the oppression they suffer; the process of their liberation must not employ the methods of dehumanization. The correct method for a revolutionary leadership to employ in the task of liberation is, therefore, not “libertarian propaganda.” Nor can the leadership merely “implant” in the oppressed a belief in freedom, thus thinking to win their trust. The correct method lies in dialogue. The conviction of the oppressed that they must fight for their liberation is not a gift bestowed by the revolutionary leadership, but the result of their own conscientizacao. The revolutionary leaders must realize that their own conviction of the necessity for struggle (an indispensable dimension of revolutionary wisdom) was not given to them by anyone else — if it is authentic. This conviction cannot be packaged and sold; it is reached, rather, by means of a totality of reflection and action. Only the leaders’ own involvement in reality; within an historical situation, led them to criticize this situation and to wish to change it. Likewise, the oppressed (who do not commit themselves to the struggle unless they are convinced, and who, if they do not make such a commitment, withhold the indispensable conditions for this struggle) must reach this conviction as Subjects, not as objects. They also must intervene critically in the situation which surrounds them and whose mark they bear; propaganda cannot achieve this. While the conviction of the necessity for struggle (without which the struggle is unfeasible) is indispensable to the revolutionary leadership (indeed, it was this conviction which constituted that leadership), it is also necessary for the oppressed. It is necessary; that is, unless one intends to carry out the transformation for the oppressed rather than with them. It is my belief that only the latter form of transformation is valid.[25] The object in presenting these considerations is to defend the eminently pedagogical character of the revolution. The revolutionary leaders of every epoch who have affirmed that the oppressed must accept the struggle for their liberation — an obvious point — have also thereby implicitly recognized the pedagogical aspect of this struggle. Many of these leaders, however (perhaps due to natural and understandable biases against pedagogy), have ended up using the “educational” methods employed by the oppressor. They deny pedagogical action in the liberation process, but they use propaganda to convince. It is essential for the oppressed to realize that when they accept the struggle for humanization they also accept, from that moment, their total responsibility for the struggle. They must realize that they are fighting not merely for freedom from hunger, but for ... freedom to create and to construct, to wonder and to venture. Such freedom requires that the individual be active and responsible, not a slave or a well-fed cog in the machine. ... It is not enough that men are not slaves; if social conditions further the existence of automatons, the result will not be love of life, but love of death.[26] The oppressed, who have been shaped by the death-affirming climate of oppression, must find through their struggle the way to life-affirming humanization, which does not lie simply in having more to eat (although it does involve having more to eat and cannot fail to include this aspect). The oppressed have been destroyed precisely because their situation has reduced them to things. In order to regain their humanity they must cease to be things and fight as men and women. This is a radical requirement. **They cannot enter the struggle as objects in order later to become human beings.**

#### 2.Placing conditions on strikes would put the Other in an increased state of precarity. Deciding when the Other should or shouldn’t have a voice means we decide when they are and are not grievable. Placing conditions on the right to strike is essentially creating preconditions to grievability.