Novice AFF

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

# My value is human dignity

Family Education. “What Does Dignity Mean?” Family Education. May 15, 2019. Web. October= 12, 2021. <https://www.familyeducation.com/instilling-values/what-does-dignitymean>.

(Family Education 19) “Dignity is one of the most important things to the human spirit. It means being valued and respected for what you are, what you believe in, and how you live your life. Treating other people with dignity means treating them the way we’d like to be treated ourselves. Every human has the right to lead a dignified life and fulfill his or her potential. Young, old, rich, poor – all over the world we all share the right to be treated with dignity. We treat others with dignity each time we lend a helping hand, stick up for a friend, or recognize the qualities and talents that make each of us special. Only with dignity are people able to achieve things like being good in school, finding friends, leading a happy life, and maybe even making a difference in the world.” Having dignity means being treated with respect AND treating others with respect.

# The criterion is protecting human rights

## 1: Dignity is tied explicitly with human rights

Slade, Harvey. “What Is Dignity And What Does It Have To Do With Our Rights?” Each Other. August 07, 2017. Web. October 12, 2021. <https://eachother.org.uk/what-is-dignityand-what-does-it-have-to-do-with-our-rights/>.

(Slade 17) “The Universal Declaration links this with our “reason and conscience”, something which is part and parcel of being human. It’s not quite that clear cut though – we still say that people have dignity where they are unable to exercise reason. In the recent Charlie Gard case, for example, people talked about the right to “die with dignity” even though the eleven-month old was unable to reason in the same way that an adult would. It applies to all of us. In fact, “dignity is so tied to our conceptions of humanity, that we use terms like “inhuman treatment” to describe acts that breach our human rights. There’s a sense that treating someone humanely means behaving towards them in a way that’s consistent with their humanity and dignity. Everyone agrees we have it – and we’re born with it Well, most people anyway. Dignity is a unifying value, regardless of religious beliefs.” The Universal Declaration was made with the input of people from many different cultures. Of course, these people might not necessarily agree about where dignity comes from. The Universal Declaration says that we are “born…equal in dignity and rights”. But there’s still the question about if we have dignity before we’re born? Some people believe it’s arbitrary to say that we have dignity the moment we’re born, but not while we’re in the womb the day before. So when do we attain dignity? There’s no easy answer to this question, but currently, unborn children do not have separate legal recognition under the Human Rights Convention or in the common law of England and Wales, or the law in Scotland.

## 2: Ethical decision making must come first

Lee, Laura. “The Benefits Of Teaching Ethical Dilemmas.” edutopia. July 18, 2019. Web. October 12, 2021. <https://www.edutopia.org/article/benefits-teaching-ethical-dilemmas>.

(Lee 19) “Ethical decision-making is a crucial part of comprehensive education, but few schools teach ethics, writes Linda Flanagan, advisory board member for the The Ethics Institute at Kent Place School, in a recent KQED Mindshift piece. Introducing ethical dilemmas in the classroom can open up opportunities not only for debate and critical thinking, but also for personal growth, empathy for other viewpoints, and self-reflection”. Effective ethics instruction is about more than distributing a list of moral guidelines; it requires teaching students how to navigate their own moral decision-making. Students learn “to search for and evaluate their assumptions, to excavate the reasons behind those assumptions, to examine without prejudice another’s opinion and to make a thoughtful decision with confidence,” says Jana M. Lone, director of the University of Washington’s Center for Philosophy for Children. At the Kent Place Institute in Summit, New Jersey, training begins in fifth grade with an introduction to the most basic concepts, like right-versus-right: Students are presented with two seemingly good choices that are in conflict with each other. As kids age into middle and then high school, the lessons become more nuanced and complex.

# Contention 1: Human dignity and the right to strike

## Subpoint A: The right to work and strike is the most important thing to dignity and human rights.

ESCR Net. “The Right To Work And Workers Rights.” Web. October 12, 2021. <https://www.escr-net.org/rights/work>.

(ESCR 21) Everyone has the right to work. The right to work is a foundation for the realization of other human rights and for life with dignity. It includes the opportunity to earn a livelihood by work freely chosen or accepted. In progressively releasing this right, States are obliged to ensure the availability of technical and vocational guidance, and take appropriate measures to develop an enabling environment for productive employment opportunities. States must ensure nondiscrimination in relation to all aspects of work. Forced labour is prohibited under international law. Closely connected with the right to work are the right to just and favourable conditions of work, and trade union-related rights. States are obliged to ensure fair wages, equal pay for equal work, and equal remuneration for work of equal value. Workers should be guaranteed a minimum wage that allows for a decent living for themselves and their families. Working conditions must be safe, healthy, and not demeaning to human dignity. Employees must be provided with reasonable work hours, adequate rest and leisure time, as well as periodic, paid holidays. Workers have the right to associate with one another and bargain collectively for improved working conditions and living standards. They have the right to form and join a trade union of their choice, and trade unions have the right to form national or international groupings. Workers have the right to strike, as long as it is in conformity with national laws. Collective worker rights cannot be subject to restrictions by States other than those prescribed by law and necessary in a democratic society in accordance with national security interests, public order, or for the protection of the rights and freedoms of others.

## Subpoint B: Restrictions on the right to strike prevent many strikes from succeeding, regardless of frequency levels.

Tucker, Eric. “Can Worker Voice Strike Back? Law And The Decline And Uncertain Future Of

Strikes.” Osgoode Hall Law School, York University, Research Paper Series. 2013. Web. October 12, 2021. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1300&context=clpe>.

(Tucker 13) There are three dimensions of labour law that are most directly involved in this analysis. First, there is the freedom to strike, which refers to whether and in what circumstances strikes are legally permissible. Second, there is the right to strike, which refers to provisions in the law that protect the exercise of the freedom to strike, such as protection against dismissal or a right to reinstatement. 34 Finally, there is the law of industrial action that determines what actions striking workers can take to make their strike effective. In the section that follows, I offer a brief and preliminary assessment of the ways in which the law regulating strikes has operated as a mediating variables in the countries covered by this project. Canada It is important to note that most collective bargaining is governed by provincial law and so there are many collective bargaining statutes, although at least with private sector all legislation is based on “the Wagner Act model, which imposes significant restrictions on the freedom to strike. Most notably, recognition and mid-term strikes are prohibited and replaced by an administrative recognition procedure and binding grievance arbitration respectively. Generally, strikes are only legal after recognition when no collective agreement is in force. But even then, there are procedural requirements that must be met, including completion of a conciliation process and the taking of a strike vote. Unlawful strikes can result in serious penalties for both the union and participating members.35 Apart from restrictions on the freedom to strike, the law also protects striking workers in two ways. First, it provides that strikers retain their status as employees for the purposes of labour statutes and, second, workers have a right to return to their jobs within a certain time (e.g. six months). Only Quebec and British Columbia ban temporary replacement workers.36 Finally, the law of picketing has become somewhat less restrictive over the last thirty years or so as some provinces have limited the availability of labour injunctions and the Supreme Court of Canada altered the common law so that secondary action is not per se tortious.37 The major change to private sector collective bargaining legislation has been the abolition of card-count certifications in most provinces, resulting in a near exclusive reliance on certification elections. While this change does not directly affect the freedom to strike, studies have demonstrated that it has contributed to a decline in union density, which would undermine bargaining strength and make unions more reluctant to strike. Dachis and Hebdon found that the introduction of mandatory secret ballots results in a decrease in strike frequency, but that the effect is weakly statistically significant and so at best would explain only a small part of the decline.38 More generally, it is fair to conclude that changes to private collective bargaining law have not been a significant cause of the decline in private sector strike activity, but that in the context of less favourable structural conditions private sectors workers are less able to successfully use the limited freedom and right to strike and picket that the law provides”

# Contention 2: Strikes and oppression

## Subpoint A: The right to strike is key to resisting oppression.

Lim, Woojin. “The Right To Strike.” The Harvard Crimson. December 11, 2019. Web. October 13, 2021. <https://www.thecrimson.com/article/2019/12/11/lim-right-to-strike/>.

(Lim 19) On April 9, 1969, roughly 500 student activists took over University Hall to protest Harvard’s role in the Vietnam War. City and state police armed with riot gear, clubs, and mace were called to remove all protesters who had vowed nonviolent resistance. In the early morning hours of April 10, over 400 police officers stormed University Hall, between 250 and 300 arrests were made, and 75 students were injured. In response, by April 11, thousands of Harvard students, teaching fellows, and faculty had gathered in Harvard Stadium to strike. Fifty years later, the Harvard Graduate Students Union-United Automobile Workers declared a strike, fighting for increased compensation, health benefits, and neutral third-party arbitration for sexual harassment and discrimination. On December 3, over 500 demonstrators, wearing on their shoulders large blue-and-white “UAW on Strike” placards, marched routes throughout the Yard. In the strike of 1969, strikers fought for social justice; in the HGSU-UAW strike of 2019, strikers press on the fight for fair wages and working conditions. The right to strike is a right to resist oppression. The strike (and the credible threat of a strike) is an indispensable part of the collective bargaining procedure. Collective bargaining (or “agreement-making”) provides workers and employees with the opportunity to influence the establishment of workplace rules that govern a large portion of their lives. The concerted withdrawal of labor allows workers to promote and defend their unprotected economic and social interests from employers’ unilateral decisions, and provide employers with pressure and incentives to make reasonable concessions. Functionally, strikes provide workers with the bargaining power to drive fair and meaningful negotiations, offsetting the inherent inequalities of bargaining power in the employer-employee relationship. The right to strike is essential in preserving and winning rights. Any curtailment of this right involves the risk of weakening the very basis of collective bargaining. Strikes are not only a means of demanding and achieving an adequate provision of basic liberties but also are themselves intrinsic, self-determined expressions of freedom and human rights. The exercise of the power to strike affirms a quintessential corpus of values akin to liberal democracies, notably those of dignity, liberty, and autonomy. In acts of collective defiance, strikers assert their freedoms of speech, association, and assembly. Acts of striking, marching, and picketing command the attention of the media and prompt public forums of discussion and dialogue. The question of civic obligations, however, remains at stake. Perhaps those disgruntled with the strike might claim on a whiff that the strike impedes upon their own freedom of movement, educational rights, privacy, and so forth. Do strikers, in virtue of expressing their own freedoms, shirk valid civic norms of reciprocity they owe to members of the community, for instance, to students? No. The right to strike stems from the premise of an unjust flaw in the social order, that is, the recognition that the benefits from shouldering the burdens of social cooperation are not fairly distributed. Strikes and protests publicize this recognition and demand reform. No doubt, work stoppages from teaching fellows, course assistants, and graduate research assistants — no sections, no office hours, no labs, no grades — may pose inconvenience and perhaps hardship in our present lives. Strikes may also impose a serious financial cost on both the employer and the employees. These costs and inconveniences, however, should not be ridiculed as outrageous, for they rightfully invite disruption. The possible hazards that arise from a strike must be weighed against the workers’ welfare and just rewards and to the community. For instance, current graduate students who struggle in financials and mental health may be troubled with juggling teaching obligations. If graduate students are provided with pay security and adequate dental, mental health, and specialist coverage, their quality of teaching and research may improve in the long run. There are dangers to bystanders and neutrals when a strike occurs, but such considerations also arise when one lays down the right to strike. That said, if we should defend the right to strike, it must be meaningful. Both parties involved should strive to strike a deal — no pun intended — in good faith, and not merely act upon purposeless forms of virtue-signaling or anger-venting on chaotic impulse. Nonetheless, provided the facts of injustice and repression, affected members should not only be permitted but highly encouraged (and obliged) to uptake the call of justice to restore broken institutions — be that through joining the pickets or standing in solidarity.

## Subpoint B: Some workers are currently not allowed to strike.

Campbell, Alexia. “5 Questions About Labor Strikes That You Were Too Embarrassed To Ask.” Vox. September 20, 2019. Web. October 13, 2021. <https://www.vox.com/policy-andpolitics/2019/9/20/20873867/worker-strike-walkout-stoppage-firing-job>.

(Campbell 19) 1) Am I allowed to strike? If you work in the private sector, definitely. It doesn’t matter if you are part of a labor union or not. For government workers, though, it depends. The National Labor Relations Act of 1935 enshrined the right to strike into law. At the time, workers were reeling from the Great Depression and President Franklin D. Roosevelt’s pro-labor administration saw collective bargaining as a fundamental right. But the law only covered workers in the private sector, as they were more at risk of being exploited. The NLRA reversed years of federal opposition to organized labor and guaranteed the right of employees to organize, form unions, and bargain collectively with their employers. Striking was considered the most powerful tool in collective bargaining, so it was given special emphasis in the NLRA. “The law protects the right to strike, no question,” Ruben Garcia, co-director of the Workplace Law Program at the University of Nevada Las Vegas, said to me, regarding employees in the private sector. “You don’t have to give any notice or any reason for walking.” But this doesn’t apply to all workers. The NLRA doesn’t cover certain transportation workers, agricultural laborers, or public employees. Government employees — state, local, and federal — do not have a right to strike under the federal law. That said, eight states allow most government employees to strike. Illinois and California, for example, allow teachers to strike. Yet it’s illegal for police and firefighters to walk off the job in any state.

# Contention 3: Income Inequality

## Subpoint A: Greater strike frequency reduces income inequality, with spillover effects that unions without the strike can't achieve.

Rubin, Beth. “Inequality In The Working Class: The Unanticipated Consequences Of Union Organization And Strikes.” ILR Review 41:4. July, 1988. Web. October 12, 2021. <https://www.jstor.org/stable/2523590?seq=1#metadata\_info\_tab\_contents>.

Discussion and Conclusions This paper has examined the effects of union density and strike frequency on the distribution of income in the United States during the post-World War II period. Previous research has generated contradictory conclusions about the relationships between unions and income inequality. Some studies have found evidence that unions serve to equalize the distribution of economic rewards (for example, Freeman and Medoff 1984). Others have found that unions increase inequality in the working class (see Form 1985). The research presented here suggests that both conclusions contain some truth. Most generally, the findings indicate that the impact of union density on income inequality is ambiguous and the impact of strikes is progressive. More specifically, these data suggest that although unions decrease inequality in total income, their impact on earned income is mixed: wage and salary gains due to increased union density accrue both to workers who are already among the most prosperous and to those who are at the lowest end of the income distribution (see Table 3). These gains are at the expense of workers who are in the middle of the income distribution, many of whom are probably not unionized (see Table 1). The different observed effects of union density on total and earned income may, in part, reflect the influence of variables (for example, firm size and business failure rate) that were excluded from the analysis because of collinearity problems; during depressed economic periods the government may play a greater role in redistributing resources. Strikes, on the other hand, decrease inequality generally and appear to damage the economic standing of those workers who occupy the most privileged positions within the working class and to benefit those who are less well off. The finding of a differential impact of unions and strikes on income distribution is consistent with the argument, and the finding of some past research (Rubin 1986), that these are analytically distinct working-class behaviors, and it also raises questions that this study cannot answer. The data here do not permit identification of the specific groups represented by strikers or union members, information that would help in explaining the discrepancy between the union and strike effects. What the data do tell us is that those workers who “win” from increased unionization are not the same workers who “win” from strikes. It may well be that strong, highly institutionalized unions with a highly skilled membership are able to extract greater economic gains from their employers than can either other unions or non unionized labor (Form 1985). Strong unions may also be better able both to influence political actors to increase com- ponents of the citizen wage (see Table 2) and generally to raise the wage floor through threat and spillover effects (see Freeman and Medoff's 1984 summary). The workers in such unions may differ greatly from those who strike to improve their economic position. In short, different actors may well reap different rewards from different actions. The data in this study do not speak directly to this issue, they only whisper of it.

## Subpoint B: Income inequality harms economic growth.

The Equality Trust (UK). ““Economic”.” Home Page - About Inequality - Impacts. 2014. Web.

October 12, 2021. <https://equalitytrust.org.uk/economic>.

There is a growing body of evidence indicating that high levels of income inequality increase instability, debt and inflation which are damaging for a developed economy in the long term. There is, however, no consensus on the relationship between income inequality and growth. Some key research findings are: Sustainability, Crisis, Debt and Inflation Increased inequality can lead to financial crises[1]. High levels of income inequality are associated with economic instability and crises, whereas more equal societies tend to have longer periods of sustained growth[2]. High levels of income inequality lead to higher levels of personal and institutional debt[3]. There is substantial evidence to suggest that increased inequality was at least partially responsible for the increase in debt that precipitated the US financial crisis[4]. Inequality may have played a role in the UK financial crisis by increasing debt and over-consumption, but these effects could also have been small[5]. Increased inequality may increase rates of inflation[6]. Growth The evidence on the relationship between inequality and economic growth is mixed. There is no link between inequality and growth when rates are compared between countries[7]. Some studies have found inequality leads to increased growth[8]. Others found no link or a strong link suggesting inequality reduces growth[9] [10] [11]. Some research has found that economic growth is lower and periods of growth are shorter in countries that have high inequality[12]. Research suggests that small alterations to methodology can change the relationship. This research has suggested that there may not be a straightforward relationship between inequality and growth[13]. Rent Seeking People at the top of the income spectrum use their position to increase their personal gains beyond the amount needed to sustain their employment. This is called rent seeking; and it creates inefficiency in the economy. For example, due to the composition and structure of the US healthcare system people and insurance companies pay more for medical treatments that would cost much less in other countries. As this increases personal benefit but decreases social benefit, this is a classic example of rent seeking. This, and other market distortions, occur due to the increased power of those at the top of the income spectrum, and their ability to influence political debate through lobbying and ownership of media outlets. Another effect of this influence is that it leads to deregulation which increases instability[14]. Some have suggested that it is not inequality that reduces growth but only the inequality consisting of income concentration at the top of the spectrum which causes rent seeking[15]. Decreased Productivity Research suggests that lowering the wage of a low-paid worker decreases their productivity by a greater amount than increasing the wage of a high paid worker increases theirs[16]. This would suggest increases in wage inequality decrease productivity. Employees’ productivity is also affected by whether they believe their pay to be fair, hence excessive executive pay that workers see as unfair decreases their productivity and makes them less committed[17]. An employee’s productivity is further lowered if their pay is low enough that they are struggling to afford their basic expenses. This happens because people living with scarcity devote a portion of their mental energy on dealing with this, which they could otherwise use to work[18]. “Keeping up with the Joneses”[19] Income inequality is thought to lead to status competition[20], which drives increases in consumption as people across the income spectrum spend more attempting to keep their living standards and respectability level with their peer group. Low-income households feel forced to borrow to maintain high levels of consumption. This results in higher levels of debt[21].

For these reasons I affirm and stand open for cross-X