

**I affirm.**

**I value justice because of the word just in the resolution. Just is modified by government meaning that the resolution is looking at just governments. In order to define just governments we need to understand that just governments function through laws to create justice for their citizens.** Moseley writes:

Alexander **Moseley**, PhD in philosophy and writer of several books, "John Locke: Political Philosophy." Internet Encyclopedia of Philosophy. No Date. <https://www.iep.utm.edu/locke-po/#H6>

So why leave this idyllic state? Locke falls back on the fears of his time — **the absence of power produces "inconveniences" and the fear of civil tumult, and where there is no common set of laws and impartial adjudicators, the advantages of "perfect freedom and equality" are offset by the worries of aggression.** **Three inconveniences arise: a lack of knowledge of known laws, which creates informational costs** involved in action **if agents do not know, or disagree on, the particularities of the laws** of nature that legislation seeks to reflect; **secondly, the absence of power to execute laws, and hence the vulnerability of small groups or individuals being violated by aggressive, more numerous groups; thirdly, in the state of nature, the agent judges his own case and** for Locke, **people cannot be trusted to judge impartially** and hence require a government to adjudicate.

**Therefore we need to follow a clear law code. Any other interpretation is arbitrary because it does not prescribe ground clearly given in the resolution and is thus unfair. The best international law code is Halacha or Jewish law. Thus the criterion is adherence to Jewish Law. Prefer this criterion for 4 reasons:**

**First, Halacha is the oldest continuously updating law code. Halacha has been around for 5000 years and is still updated to this day for changing conditions. That means that Halacha is the best at adapting and the ability to be applied in new contexts. There is no other law code that exists that has the breadth, depth, and scope of Halacha making it the best way to reach decisions.**

**Second, all common law codes are based on Halacha. Jewish law is the oldest common law system and the root of US law:**

Jeffrey P. **Gale**, South Florida based law firm committed to the judicial system and to representing and obtaining justice for individuals — the poor, the injured, the forgotten, the voiceless, the defenseless and the damned, and to protecting the rights of such people from corporate and government oppression. "Mosaic Law and American Jurisprudence." Florida Injury Attorney Blawg. November 27, 2011. <https://www.floridainjuryattorneyblawg.com/2011/11/influence-of-mosaic-law-on-ame.html>. (Brackets inserted for gender) J.L.H.

**America's civil and criminal justice systems are grounded on the Mosaic Code. The Law, contained in the Torah's Books of Exodus, Leviticus, Numbers, and Deuteronomy, pre-dates Roman laws and is the first to incorporate humanism and the democratic spirit into a written Judicial code.** Four centuries before Christ, **the Jews devised a legal system based on the dignity of [hu]man and individual equality before the law. Individuals accused of crimes were considered innocent until proven guilty, had the right to confront their accusers, were allowed to testify in their own behalf, were not subject to double jeopardy, and could appeal convictions.**

**AND we should look to things that are core of other things. The core is always simplest and most direct route to find truth and what is most simple is most real. Thus, we need to prefer Halacha as it is the root of common law.**

Lloyd **Gerson**, Neoplatonist historian and philosopher, writer for the Stanford Encyclopedia of Philosophy, "Plotinus", The Stanford Encyclopedia of Philosophy (Summer 2014 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/sum2014/entries/plotinus/>>. JLH.

**The One is the absolutely simple first principle of all. It is both 'self-caused' and the cause of being for everything else in the universe. There are,** according to Plotinus, **various ways of showing the necessity of positing such a principle.**

These are all rooted in the Pre-Socratic philosophical/scientific tradition. **A central axiom** of that tradition **was the connecting of explanation with** reductionism or **the derivation of the complex from the simple.** That is, **ultimate explanations of phenomena and of contingent entities can only rest in what itself requires no explanation. If what is actually sought is the explanation for something that is in one way or another complex, what grounds the explanation will be simple relative to the observed complexity.** Thus, what grounds an explanation must be different from the sorts of things explained by it. According to this line of reasoning, **explanantia that are themselves complex,** perhaps in some way different from the sort of complexity of the explananda, **will be in need of other types of explanation. In addition, a plethora of explanatory principles will themselves be in need of explanation. Taken to its logical conclusion, the explanatory path must finally lead to that which is unique and absolutely uncomplex.**

### **Third, Jewish Law is the best at respecting rights**

Asher **Maoz**, dean of the Peres Academic Center Law School in Rehovot, "The Impact of Jewish Law on Contemporary Legal Systems with Special Reference to Human Rights." OLIR. November 2004.

**5764**[https://www.olir.it/areetematiche/73/documents/maoz\\_milano2003.pdf](https://www.olir.it/areetematiche/73/documents/maoz_milano2003.pdf) JLH.

The fact that **Judaism is not merely a religious system dealing solely with the relations between man and God** may account for the fact that **even non-religious people accept its teachings and norms**. However, further explanation is needed for the thesis that Judaism has and continues to serve as a valuable source of human rights. **The explanation is found in the fact that the civil and ethical tenets of Judaism**, not less than its 'religious' aspects, stem from divinity. **The Ten Commandments include** religious norms, such as the forbidding of idolatry; **ethical principles, such as the commandment to respect one's parents; social values, exemplified by the universal day of rest; moral rules as in the prohibition of adultery and legal provisions, such as the prohibition against false testimony. All these norms were given by God on Mount Sinai and are equally binding.** From a religious point of view there is no distinction between the religious and civil norms of Halacha. It might seem surprising that Jewish law, being a religious legal system, incorporates principles of human rights. Prima facie, such values and principles contradict a religious normative system in which the ultimate task of the individual is to serve God. This is especially so since Judaism does not propound a concept of rights but adheres to a concept of duties, not only in the relationship between man and God, but also in the relationship between [hu]man and [hu]man. Indeed, even the term 'human rights' is absent in Jewish classic texts, as is the term 'rights' in general. Yet while 'Jewish law... postulates a system of duties rather than a system of rights', the protection of these rights might actually be more effective under such a system. Thus, the suggestion that "[t]he absence of an explicit vocabulary of human rights in the Bible" ought to lead to "the conclusion that the search for this concept in biblical literature is a futile, anachronistic exercise", has been rejected. Instead, explained Brichio, "the interpretation of biblical thought requires the translation of concepts rather than of words." Likewise, explained Daube: "There is no rubric human rights in rabbinic literature or in Philo, yet the documentation bearing on the topic constitutes a veritable embarrass de richesses."

## **This is proven through the right to life**

Asher **Maoz**, dean of the Peres Academic Center Law School in Rehovot, "The Impact of Jewish Law on Contemporary Legal Systems with Special Reference to Human Rights." OLIR.

[https://www.olir.it/areetematiche/73/documents/maoz\\_milano2003.pdf](https://www.olir.it/areetematiche/73/documents/maoz_milano2003.pdf) JLH. **5764**

Evidence of this may be found in relation to **the right to life**. This right **is paramount in Western civilization, nonetheless, an American court stated** a century ago **that failing to rescue a two-year old baby seen on a railroad track would not constitute a breach of the law**. The bystander 'may be styled a ruthless savage and a moral monster', the learned judge tells us, 'but he is not liable in damages for the child's injury, or indictable under the statute for his death'. **'With purely moral obligations'**, the court noted, **'the law does not deal'**. Similarly, a contemporary writer refers to a person, who while sitting in a lounge chair next to a swimming pool, sees a child drowning in the pool. All he has to do in order to save the child "is put down my drink, reach down, grab him by the trunks, and pull him out", all this "without even getting out of my seat". Nevertheless, "[I]f I do not save him I violate no rights... but would still reveal myself as a piece of moral slime properly to be shunned by all decent people". Possibly, this is not the most extreme formulation of the rule, for several **writers share the view that to lend active aid in order to prevent harm from others** "confers a mere gratuitous benefit, and therefore **cannot have been required by duty**, not even by moral duty." It has, moreover, been noted that "[o]fficial sources of American law have done their best to discourage Good Samaritans." No 'right to life', as such, exists in Jewish law, **yet the Torah commands** us: **'Neither shalt thou stand against the blood of thy neighbour'. This duty takes precedence** over almost every other commandment. Maimonides summarized this rule as follows: **If one person is able to save another and does not save him, he transgresses the commandment**, neither shalt thou stand idly by the blood of thy neighbour. Similarly, **if one person sees another drowning in the sea**, or being attacked by bandits, or being attacked by wild animals, **and, although able to rescue him alone or by hiring others, does not rescue him**; or if one hears heathens or informers plotting evil against another or laying a trap for him and does not

call it to the other's attention and let him know; or if one knows that a heathen or a violent person is going to attack another and although able to appease him on behalf of the other and make him change his mind, he does not do so; or if one acts in any similar way - **he transgresses the commandment**, neither shalt thou stand idly by the blood of thy neighbour. **Failure to save human life is tantamount to actively shedding blood**. Maimonides goes on and explains that though a breach of this commandment, being an act of nonfeasance, is not punishable in court, **"the offence is most serious"**. To emphasize this point he quotes the Mishna Asserting that "whoever destroys one human life is deemed by Scriptures to have destroyed the whole universe and if a man saves a single soul, Scriptures regards him as having saved the whole world". A rabbinical source of the 15th century even stated: "If he can save him and does not do so, it is as if he himself killed him." Failure to save human life is tantamount to actively shedding blood. Kirschenbaum summarizes the attitude of Jewish Law in this matter as follows: It would be misleading... to interpret the lack of judicial punishment in Jewish law for the innocent bystander who fails in his duty to come to the rescue of his fellow-man in distress as indicating that the duty is merely moral. Rather, **Jewish law views such failure as nonfeasance, a formal offence of inaction** (delictum mere omissivum) **where action is a duty required by law."**

#### **Fourth, Judaism does not require belief in God. Only in following the Law faithfully.**

Daniel **Septimus**, Executive director of Sefaria. Previously, he served as CEO and editor-in-chief of My Jewish Learning. "Must a Jew Believe in God?" My Jewish Learning. No Date. <https://www.myjewishlearning.com/article/must-a-jew-believe-in-god/> JLH.

Rabbinic **Judaism demanded** action—**the fulfillment of the commandments—not the assertion of specific beliefs**. Perhaps the most striking example of this position is a commentary on the verse in Jeremiah, which states: "[They] have forsaken me and have not kept my Torah." To which the Pesikta D'Rav Kahana, a 5th- to 7th-century midrash, glosses: "If only they had forsaken me and kept my Torah." Rabbinic **Judaism**, as well as biblical Judaism, **has a concept of belief, but not—**many would argue—**in the sense of affirming propositions, e.g. asserting that God exists**. Scholar Menachem Kellner, for one, points out that **the biblical word emunah, "belief" or "faith" connotes trust, belief in, as opposed to the affirmation of propositions**. Of course, one might argue that trusting in something implies that that something exists, but **the distinction between belief in and belief that helps in understanding the priorities and emphases of the rabbinic worldview.**

**Thus, Judaism does not worry about whether God exists but only in following Halacha. This means all arguments about God's existence are irrelevant to Jewish Law.**

**Contention 1: Jewish law recognizes the unconditional right to strike, and it's key to advancing society.**

**Under Jewish Law workers can quit at any time.**

**Perry 5764**

Michael S. Perry, Executive Director of the Jewish Labor Committee. "LABOR RIGHTS IN THE JEWISH TRADITION." Jewish Labor Committee. 1993. <http://www.jewishlaborcommittee.org/LaborRightsInTheJewishTradition.pdf>

A second set of **Talmudic laws relates to the right of workers to cease their labor at any time.** The principle at stake is that **a free worker may not be enslaved, and since the contracting of labor involves the temporary surrender of independence, day laborers may reassert their independence at any time by quitting. This right is derived from the Biblical verse, "For unto Me the children of Israel are servants"; to which the Talmud adds the phrase, "but not servants to servants."** (Since contract workers work at their discretion, they have more individual freedom than day laborers and are generally not permitted to renege on a labor agreement.)

**The unconditional right to strike is an extension of the unconditional right to quit. The Talmud implicitly recognizes this right and says it's a good thing**

### **Perry 5764**

Michael S. Perry, Executive Director of the Jewish Labor Committee. "LABOR RIGHTS IN THE JEWISH TRADITION." Jewish Labor Committee. 1993. <http://www.jewishlaborcommittee.org/LaborRightsInTheJewishTradition.pdf>

In what is certainly one of the first recorded strikes in history, **the Talmud describes job actions taken by craftspeople** associated with the Temple. The family that baked ceremonial bread was dismissed after it refused to teach its secret methods to others. When replacements were found wanting, **the family refused to return unless its wages were doubled. The Talmud notes without comment that the community agreed to the doubling of the wages;** the main issue discussed was whether the family would agree to share its secrets with other workers. The Talmud eventually accepted the family's refusal to share its secrets once it was proved that family members had not used the ceremonial bread for their own purposes and that the family's concern was for the maintenance of high standards of their craft. (Families engaged in other crafts who withheld secrets, however, were condemned, presumably because they could not convince Talmudic authorities that they shared this concern for craftsmanship or that they had not abused the privileges of their office.) Jewish communal workers as a rule have extra responsibilities and concomitantly fewer rights than "private sector" workers, since they are serving the community as a whole, often for a religious purpose. Interestingly, the description of the dispute over the baking of the ceremonial bread is contained in the section of the Talmud dealing with Yom Kippur, the Day of Atonement, the most sacred day of the Jewish calendar. **The fact that the Talmud, in a section relating to Yom Kippur, permitted a strike for higher wages by communal workers** against no less than the Temple itself **implies that strikes to improve wages and conditions are consistent with Jewish law. The Talmud's attitude in this instance is consistent, of course, with the rulings** discussed above **that permit day laborers to retract the labor contract at any time** without penalty. Talmudic scholars reasoned that **since day laborers cannot be enslaved, and since the contracting of labor involves a temporary surrender of independence, day laborers may reassert their independence at any time by quitting. The ability to engage in collective bargaining and to strike is a logical extension of this right.**

**Every modern major rabbinical authority has recognized the unconditional right to strike** (Brackets in original text)

### **Rabbi Jacobs 5772**

**Virtually every major modern Jewish legal authority who has written about unions has supported the right of workers to organize and** of unions to **strike. Rabbi** Ben-Tzion Meir Chai **Uziel,** the Sephardi chief rabbi of Palestine/Israel from 1939 until 1953, **ruled: The law allows [unions], so that the individual worker will not be left on his own,** to the point that he hires himself out for a low wage in order to satisfy his hunger and that of his family with a bit of bread and water and with a dark and dingy home. ... **Therefore, the**

**Torah gave the Jewish people the full and legal right to organize** these, even though it is possible that [such unions] will result in a financial loss for the employers. (Mishpetei Uziel, Choshen Mishpat 52:6) **Rabbi Ovadia Yosef declared that unions may "make use of strikes in order to raise wages, or to ease work conditions, or other such things"** (Yechaveh Da'at 4:58). **Rabbi Moshe Feinstein**, a preeminent 20th-century American rabbi, even **concluded that if a majority of workers goes out on strike, the minority may not cross the picket line to work. Furthermore,** he wrote, **the company may not hire non-union replacement workers.** He based this decision on the principle of "ka paskat lei l'hiyuti" -- one person (the replacement) may not take away the livelihood of another (the striker) (Igg'rot Moshe Choshen Mishpat 59).

## Implementation of this RTS ensures economic and societal advantages through union improvements.

**Myall, James.** "Right To Strike Would Level The Playing Field For Public Workers, With Benefits For All Of Us." Maine Center for Economic Policy. April 17, 2019. Web. October 12, 2021. <<https://www.mecp.org/blog/right-to-strike-would-level-the-playing-field-for-public-workers-with-benefits-for-all-of-us/>>. **5780**

**The right of workers to** organize and **bargain with their employer** benefits all Mainers. Collective bargaining **leads to better wages, safer workplaces, and a fairer and more robust economy for everyone — not just union members.** The right to strike is critical to collective organizing and bargaining. Without it, Maine's public employees are unable to negotiate on a level playing field. Maine's Legislature is considering a bill that would give public-sector workers the right to strike. MECEP supports the legislation, and is urging legislators to enact it. The right to strike would enable fairer negotiations between public workers and the government. All of us have reason to support that outcome. Research shows that **union negotiations set the bar for working conditions with other employers.** And as the largest employer in Maine, **the state's treatment of its workers has a big impact on working conditions in the private sector. Unions support a fairer economy. Periods of high union membership are associated with lower levels of income inequality,** both nationally and in Maine. Strong unions, including public-sector unions, have a critical role to play in rebuilding a strong middle class. Unions help combat inequities within work places. **Women and people of color in unions face less wage discrimination** than those in nonunion workplaces. On average, wages for nonunionized white women in Maine are 18 percent less than of those of white men. Among unionized workers, that inequality shrinks to just 9 percent. Similarly, women of color earn 26 percent less than men in nonunionized jobs; for unionized women of color, the wage gap shrinks to 17 percent.[i] All of us have a stake in the success of collective bargaining. But a union without the right to strike loses much of its negotiating power. The right to withdraw your labor is the foundation of collective worker action. When state employees or teachers are sitting across the negotiating table from their employers, how much leverage do they really have when they can be made to work without a contract? It's like negotiating the price of a car when the salesman knows you're going to have to buy it — whatever the final price is. Research confirms that public-sector unions are less effective without the right to strike. Public employees with a right to strike earn between 2 percent and 5 percent more than those without it.[ii] While that's a meaningful increase for those workers, it also should assuage any fears that a right to strike would lead to excessive pay increases or employees abusing their new right. LD 900, "An Act to Expand the Rights of Public Employees Under the Maine Labor Laws," ensures that Maine's public-sector workers will have the same collective bargaining rights as other employees in Maine. The bill would strengthen the ability of Maine's public-sector workers to negotiate, resulting in higher wages, a more level playing field, and a fairer economy for all of us.