## 1

#### Interpretation: the affirmative must defend that only just governments ought to recognize the right to strike

#### Just governments respect liberties

Dorn 12 James A. Dorn, Cato Journal, "The Scope of Government in a Free Society", Fall 2012, https://www.cato.org/sites/cato.org/files/serials/files/cato-journal/2012/12/v32n3-10.pdf

If laws are just, liberty and property are secure. The most certain test of justice is negative—that is, justice occurs when injustice (the violation of natural rights to life, liberty, and property) is prevented. The emphasis here is on what Hayek (1967) called “just rules of conduct,” not on the fairness of outcomes. No one has stated the negative concept of justice better than the 19th century French classical liberal Frederic Bastiat ([1850] 1964: 65): When law and force confine a man within the bounds of justice, they do not impose anything on him but a mere negation. They impose on him only the obligation to refrain from injuring others. They do not infringe on his personality, or his liberty or his property. They merely safeguard the personality, the liberty, and the property of others. They stand on the defensive; they defend the equal rights of all. They fulfill a mission whose harmlessness is evident, whose utility is palpable, and whose legitimacy is uncontested. In short, the purpose of a just government is not to do good with other people’s money, but to prevent injustice by protecting property and securing liberty.

#### The US commits human rights violations and thus isn’t just.

HRW 20 Human Rights Watch, 5-31-2020, "World Report 2021: Rights Trends in United States," https://www.hrw.org/world-report/2021/country-chapters/united-states/SJKS

Important human rights failings of the United States were laid bare in 2020. The grossly disproportionate impact of Covid-19 on Black, brown, and Native people, connected to longstanding disparities in health, education, and economic status, revealed the enduring effects of past overtly racist laws and policies and continuing impediments to equality. The police killing of George Floyd in May, and a series of other police killings of Black people, sparked massive and largely peaceful protests, which in many instances were met with brutality by local and federal law enforcement agents. The administration of President Donald Trump continued to dismantle the United States asylum system, limit access to women’s health care, undermine consumer protections against predatory lenders and abusive debt collectors, and weaken regulations that reduce pollution and address climate change. After election officials across the US tallied the votes for the presidential election, determining that Joe Biden was the president-elect, Trump made baseless allegations of voter fraud. In its foreign policy, the United States worked on several fronts to undermine multilateral institutions, including through the use of sanctions to attack the International Criminal Court. It flouted international human rights law as it partnered with abusive governments—though it did sanction a number of individuals and governments for committing human rights abuses.

#### Prefer –

#### 1] Precision — anything else justifies the aff arbitrarily jettisoning words in the resolution at their whim which decks negative ground and preparation because the aff is no longer bounded by the resolution.

#### 2] Limits – there are 200 governments in the world – letting them pick an unjust ones explodes limits via infinite permutations of governments

#### 3] Phil ed – 1AR will claim no government is just but that just means that we defend ideal theory. That’s good –

#### A] forces philosophical contestation which can uniquely happen in LD debate whereas you can util debate on any topic

#### B] outweighs – framework debate allows to identify injustice which is a prereq to any other theory voter because they’re all philosophically grounded

Education is a voter since it’s the reason schools fund debate

No rvis – chilling effect

## 2

#### Interpretation – The affirmative may not specify a subset of workers because “workers” is a generic bare plural.

#### The upward entailment and adverb quantification determine whether a bare plural is generic or existential

Leslie and Lerner 16 [Sarah-Jane, PhD Princeton director of the Program in Linguistics, and Adam, Postgraduate Research Associate in the Department of Philosophy at Princeton] "Generic Generalizations (Stanford Encyclopedia of Philosophy)," No Publication, https://plato.stanford.edu/entries/generics/ 4-24-2016 RE

Consider the following pairs of sentences:

(1) a. Tigers are striped.

b. Tigers are on the front lawn.

(2) a. A tiger is striped.

b. A tiger is on the front lawn.

(3) a. The tiger is striped.

b. The tiger is on the front lawn.

The sentence pairs above are prima facie syntactically parallel—both are subject-predicate sentences whose subjects consist of the same common noun coupled with the same, or no, article. However, the interpretation of first sentence of each pair is intuitively quite different from the interpretation of the second sentence in the pair. In the second sentences, we are talking about some particular tigers: a group of tigers in (1b), some individual tiger in (2b), and some unique salient or familiar tiger in (3b)—a beloved pet, perhaps. In the first sentences, however, we are saying something general. There is/are no particular tiger or tigers that we are talking about.

The second sentences of the pairs receive what is called an existential interpretation. The hallmark of the existential interpretation of a sentence containing a bare plural or an indefinite singular is that it may be paraphrased with “some” with little or no change in meaning; hence the terminology “existential reading”. The application of the term “existential interpretation” is perhaps less appropriate when applied to the definite singular, but it is intended there to cover interpretation of the definite singular as referring to a unique contextually salient/familiar particular individual, not to a kind.

There are some tests that are helpful in distinguishing these two readings. For example, the existential interpretation is upward entailing, meaning that the statement will always remain true if we replace the subject term with a more inclusive term. Consider our examples above. In (1b), we can replace “tiger” with “animal” salva veritate, but in (1a) we cannot. If “tigers are on the lawn” is true, then “animals are on the lawn” must be true. However, “tigers are striped” is true, yet “animals are striped” is false. (1a) does not entail that animals are striped, but (1b) entails that animals are on the front lawn (Lawler 1973; Laca 1990; Krifka et al. 1995).

Another test concerns whether we can insert an adverb of quantification with minimal change of meaning (Krifka et al. 1995). For example, inserting “usually” in the sentences in (1a) (e.g., “tigers are usually striped”) produces only a small change in meaning, while inserting “usually” in (1b) dramatically alters the meaning of the sentence (e.g., “tigers are usually on the front lawn”). (For generics such as “mosquitoes carry malaria”, the adverb “sometimes” is perhaps better used than “usually” to mark off the generic reading.)

#### It applies to workers:

#### Upward entailment test – spec fails the upward entailment test because saying that governments ought to recognize a right for one type of workers does not entail that those governments ought to recognize the right for all workers

#### Adverb test – adding “usually” to the res doesn’t substantially change its meaning because a recognition is universal and permanent

#### Vote Neg –

#### Precision – Arbitrarily jettisoning words in the resolution makes negative preparation impossible because the resolution is the only predictable stasis for preround research and controls the biggest internal link to clash

#### Limits – Their interpretation incentivizes endless worker of the week affs that overstretch negative preparation

#### PICs don’t apply – 1] General advantages the inequality advantage prove PICs don’t solve strategic affs 2] Specification is worse – Forces the neg into worse generics like process counterplans or the k 3] No offense – Theory and infinite aff prep check 4] Outweighs – PICs can be answered with one “all workers key” warrant, while each plan aff requires a new case neg

#### Paradigm issues –

#### Reject the team – The round is irreparably skewed – NOTHING THAT’S SPECIFIC , means u moot all our generic offense or offense that can be read specifically ,

#### Competing interpretations – Reasonability is arbitrary and invites judge interventions

#### No RVIs – A] Substance – Forcing the negative to go for topicality avoids substantive clash B] Baiting – Encourages abusive affs that prep out topicality C] Outweighs – Frivolous shells can be beaten quickly

#### NC before 1AR procedurals – A] Scope – Affects more speeches B] Probability – More likely we're right if we win our interp since we had more speeches to debate it

## 3

#### First, prefer constitutivism over anything else. Claims can only apply to us due to our status as agents.

#### Second, all actions are not only in line with reason (ie reasonable actions) but also in response to actions generated by their status as a member of the community with shared roles. This falls in line with the ethical community and mutual recognition. Wood ‘91

#### Third, the only way to resolve the evil or harms that maybe presented in society is the ethical community as the ethical community is the only way in which we can recognize and respect the actions and agency of other agents. The ethical community allows us to invalidate evils that affect society. Gobsch ‘14

[Wolfram Gobsch, "The Idea of an Ethical Community: Kant and Hegel on the Necessity of Human Evil and the Love to Overcome It," Philosophical Topics, Vol. 42, No. (2014), p. 177-200.  Gobsch is research assistant at the Chair for Practical Philosophy at Universität Leibzig, studied Philosophy and Logic & Philosophy of Science in Leipzig, St Andrews and Basel, ssistant and senior assistant at the Chair for Theoretical Philosophy at the University of Basel, research stay at the University of Chicago.]rctkitkat

Because the highest good is the complete end of the activity of pure reason, the unconditioned, it is necessarily possible.20 The unity of the highest good is the unity thought in the concept of a human being. It is the unity of reason, as of itself practical, with sensibility. It is the unity of pure reason and free choice, of moral law and maxim, through pure reason alone, unconditioned by anything else. Therefore, the idea of this unity, the idea of the highest good, is none other than the idea of ethical life, the idea of a reality in which the internality that is thought in the idea of the moral law as the principle from consciousness of which alone human beings act, if all goes well, and the relationality that is thought in the idea of the power of free choice in its dependence on sensible matter coincide with necessity, and that is: through pure reason. The idea of the highest good is the idea of ethical life: it is the idea of the actuality of a community constituted by the practical law as not only the principle from consciousness of which alone its constituents act, if all goes well, but in and only in so acting from which alone they are related to one another as persons. To identify the idea of ethical life with the idea of the highest good is to conceive of pure reason as the sole ground of the satisfaction of all the conditions of its actuality, or as Hegel puts it, referring to freedom and self-consciousness, the hallmarks of rational activity: Ethical life is the concept of freedom which has become the existing world and the nature of self-consciousness.21 One of the conditions of the actuality of the idea of ethical life is the very multiplicity of the human beings who constitute an ethical community. Satisfaction of this condition, too, must eventually come to be conceived—not as a brute fact, but—as the work of nothing but pure reason. And this is to say, among other things, that the actuality of an ethical community cannot be explained within the scope of methodological individualism. Ethical life, that is, cannot be explained as the result of a contract, for example.22 This reflects back on the content of the idea of ethical life. To act from one’s consciousness of nothing but the moral law is to act autonomously, it is to give this law to oneself: it is to act in such a way as to therein also constitute and preserve oneself as a being who is acting from nothing but one’s consciousness of this law. So for me to be related to you as one person to another in my acting from such respect for the moral law is for me to give the law to both of us and to therein receive it from you who is equally giving it to both of us. So as members of our ethical community, each of us acts in such a way as to constitute and preserve herself and therein the other as a person who acts from nothing but her consciousness of the moral law. In this sense, an act from respect for the moral law, conceived as the principle of an ethical community, is a joint or general act of the will. So in ethical life, the willing itself is relational.23 In our ethical community, that is, my willing is our willing, only from my perspective, oriented toward you; and your willing is our willing, only from your perspective, oriented toward me.24 And because our willing is our acting from nothing but our consciousness of the moral law, I am, in my willing, conscious of myself as related to you in this manner, and you are, in your willing, conscious of yourself as related to me in this manner: we share the same—relational—self-consciousness. In ethical life, the willing itself is relational in its very internality, in its very character as self-consciousness.25 In ethical life, we are conscious of one another as one at heart: as one in the consciousness of the principle from which we act; we are practically conscious of one another’s hearts. Through this consciousness we constitute a sense of “we” in which “validity for every human being (universitas vel omnitudo distributiva), i.e. communality of insight” and “universal union (omnitudo collectiva)”26 coincide with necessity. This implies that for me to act merely in accordance with the moral law, conceived as the principle of our ethical community, but not from my consciousness of it alone, is to break this law and to therein wrong you. But if I do act from nothing but my consciousness of the moral law, thus conceived, I am moved by reason and, therein, by you. That is to say that ethical life is the activity of unconditionally approving of one another’s individuality in such a way as to therein constitute and preserve one another as engaged in this very activity, and that is: love. It is the rational love we know as אהב) ahābā), ἀγάπη, caritas, and solidarity.27

#### The ethical community is most in line with guaranteeing personal freedom and individualistic style frameworks fail in this sense. Hughes ‘88

[Hughes, J. (1988). The Philosophy of Intellectual Property . 77 Georgetown L.J. 287, 330-350 (1988)

The Bridge. https://cyber.harvard.edu/bridge/Philosophy/88hugh3.htm.]kitkat

To the classical liberal, true freedom is a freedom from external restraint. For Hegel, **freedom is increasingly realized as the individual unites with and is expressed through a higher objective order: a unity which, to the classic liberal, is tantamount to drowning the individual in the larger "geist" of social groups.** In the words of R. N. Berki, Hegel's notion of "philosophical freedom grows with comprehensiveness and with ever higher degrees of realized self-determination, thus, an animal is freer than a physical object, a man freer than an animal, the family freer than the individual, the State freer than the family, World-History freer than the State." n175 Berki's summary is instructive [\*332] on the difference between liberal and Hegelian notions of freedom: this difference is more about the proper receptacle of freedom than about the nature of freedom. Both recognize freedom as involving expression and realization. The liberal reposes this freedom in the individual while Hegel discards the individual when he believes it is time to pursue freedom to new and dizzying heights.

#### Thus the standard is consistency with abiding by ethical life and maximizing freedom through such.

#### Prefer the standard:

#### A] Any statements that claim to follow a certain standard must be seen as valid by others within the community which proves the need for an ethical community. Therefore all standards devolve to the ethical community.

#### B] The ethical community resolves the multiple frameworks debate as we know what is violent but we cannot know what is justified violence or not in a certain case so we would have to default to one perspective but the ethical community allows us to consider every single perspective that a community holds.

#### C] FWs revolving around reason and individuality requires the ethical community and devolves -- take the example of Kantianism . FWs revolving around structural violence also devolve b/c we want to protect each and every person

#### The security of the ethical community is dependent upon protection from those external to it, but violence is intrinsic to strikes and they are uniquely unethical

Mlungisi 16, Ernest Tenza. The liability of trade unions for conduct of their members during industrial action. Diss. 2016. (lecturer in the field of Labour Law at the School of Law. He holds a LLM Degree) JG

When expressing themselves through one or more of these forms of expression, they are expected to be peaceful.20 However, over the past few years, workers attempted to heighten the impact of their industrial action by using various tactics during industrial action, tactics which have a negative impact on the **lives and property of other people**. These include the **trashing of cities, vandalising property**, forming picket lines **at supermarkets**, and preventing shoppers from doing business with their chosen businesses.21 There have been strike-related disruptions in almost every sector of the economy.22 There have been several incidents where industrial action resulted in violence and disruption of the public peace.23 Other examples include the torching of employers’ property, intimidation and even the killing **of non-striking workers**.24 During the truck drivers’ strike which took place in September 2012, a number of drivers were attacked and killed during violent demonstrations.25 During security workers’ strikes in 2006 and 2013, shops were looted and damage was caused to the property of innocent bystanders, street vendors, spaza-shop owners and employers.26 The Business Times reported that violent strikes in the country’s platinum sector resulted in the death of more than 50 people.27 In April 2016 SATAWU members on strike torched trains in Cape Town.28 These strikes are counter-productive and destructive not only because they are violent but the parties, namely the employer and employees take long to resolve their dispute(s) or reach settlement. This **create health hazards**. For example, a strike by municipal workers could lead to the non-collection of waste and this poses a serious health risk.29 The burning of tyres by demonstrators also leads to pollution and resultant health risks. The harmful conduct resulting from industrial action affects not only the strikers or picketers, but also innocent members of the public, non-striking employees, employers and the economy at large.30 In Garvis & Others v SATAWU & others, 31 it was held that the majority of the population was subjected to the tyranny of the state in the past and such practices should no longer be tolerated.

## 4

#### : CP: US should ban bias when hiring people based on their racial, gender identity, and should also lift restrictions on the formerly incarcerated to strike.

#### biggest barrier to dignity and normal life is whether or not inmates can find a job after release. Stabley 21

[Justin Stabley, 3-31-2021, "People leaving prison have a hard time getting jobs. The pandemic has made things worse," PBS NewsHour, <https://www.pbs.org/newshour/economy/people-leaving-prison-have-a-hard-time-getting-jobs-the-pandemic-has-made-things-worse>]

Jeffrey Korzenik, chief investment strategist at Fifth Third Bank and author of the upcoming book “Untapped Talent,” said employers often have concerns about hiring people with criminal records — also known as second chance hiring. “Some of them may have some basis in fact, some do not,” he said. Korzenik said **employers often assume the worst when they see someone has a criminal record, even though the vast majority of those incarcerated are serving time for non-violent crimes**. According to data from the Prison Policy Institute, those convicted of violent or sexual offences are unlikely to be arrested again for the same offense. Despite this, assumptions still exist among employers. Korzenik pointed to the perceived legal risks involved, particularly negligent hiring liability, which can make a business responsible if one employee injures another. He said that, even though this is a rare legal outcome, it could be devastating for a small business. He also noted that employers sometimes assume a drop in quality when reviewing potential hires with criminal backgrounds. He explained that many employers see this group of people as “candidates of last resort,” and prioritize other potential hires. “There’s a perception that second chance equals second rate,” he said. However, he explained that companies he’s spoken to that perform second chance hiring find employees with criminal backgrounds very engaged in their work and loyal to the business. “People who come out of incarceration know that the odds are stacked against them,” he said. “So when they find an employer that supports them, they care about their job and they care about their employer.” **These perceptions stack the odds against people with criminal records, and for a job market in the throes of a pandemic recession, employment can become a near impossibility. Cooke said she witnessed firsthand how the high unemployment rate was making it more difficult for formerly incarcerated people to find work. To get a better understanding of the jobs she applied for, she said she would speak to the company’s employees. Many of them have told her they were working at the company on a temporary basis as they waited for their “real” jobs to return after the pandemic.** “So all those ‘easier’ jobs that most felons try to do — day laborer, fast food, basic retail, call centers, work-from-home — they’re all taken up by people that should be working elsewhere,” she said. Knight said a big concern during this long period of joblessness is that formerly incarcerated people will fall back into old habits, using drugs to get away from the stress and boredom or committing crimes out of desperation or need, sending them on a path back to prison.

* Solves 100% of the aff -- allows dignity, allows for better conditions for people afterwards
* It’s better to allow ppl to speak up – if they have jobs and they prove themselves, then people will start trusting them and thus will not shrug aside their issues

We solve best: we solve for the thousnads of dollars in debt – they can only get rid of that by working -- striking doesn’t sovle we solve better

## Case