I negate. Brackets for clarity.

To negate[[1]](#footnote-0) means to deny the existence or truth of. This has two implications: First, that you presume neg because there are more reasons why a statement might not be true than ones that directly prove the statement true. Second, permissibility flows neg because the aff has the burden to prove some sort of moral obligation since that is what “ought” entails. Thus, proving permissibility, which is distinct from obligation would negate.

Just is defined as morally correct [Cambridge Dictionary]. Thus I defend that a morally correct government ought not to recognize an unconditional right for workers to strike.

Motivation must be the starting point of any ethic since they implicitly assume people will follow it. Any ethical system must explain why it motivates people to take action. Any form of externalism collapses to internalism. **Joyce**:

Back to the external reason[s]. Suppose it were claimed, instead, that I have a reason to refrain from drinking the coffee because it is tapu and must not be touched. This reason claim will be urged regardless of what I may say about my indifference to tapu, or my citing of nihilistic desires to tempt the hand of fate. [r]egardless of my desires (it is claimed) I ought not drink - l have a reason not to drink. But **how could** that reason ever explain any action of mine? Could the **external reason** even **explain** my **[action]** from drinking**?** Clearly, in order to explain it **the** external **reason must have some causal**ly efficacious **role [in]** among the antecedents of **the action** (in this case, an omission) — l must have. in some manner. "internalized" it. The only possibility, it would seem, consistent with its being an external reason, is that I believe the external reason claim [but] : I believe that the coffee is tapu. There's no doubting that such a belief can play a role in explaining actions - including my refraining from drinking the coffee. The question is whether the **belief alone can[not] produce action**, to which the correct answer is “No.” A very familiar and eminently sensible view says that **in order to explain** an **action** the **belief must couple with desire**s (such that those same desires had in the absence of the belief would not have resulted in the action). And this seems correct: if I believe that the coffee is [bad] tapu but really just don’t care about that, then I will not refrain from drinking it. So in order for the belief to explain action it must couple with [desire] elements - but in that case the putative **external reason collapses into** an **internal** one.3

Joyce, Richard (Professor of Philosophy at Victoria University Wellington, New Zealand). The Myth of Morality. 2001. ***[Bracketed for grammatical clarity]***

Only a contractarian system accounts for internal desire because contractarian principles are in the interest of all parties involved **Gauthier 86**:

**Moral principles are** introduced as the **objects of** full voluntary ex ante **agreement among** rational **persons. Such agreement is hypothetical,** in supposing a pre-moral context for the adoption of moral rules and practices. **But the parties to agreement are real,** determinate individuals, **distinguished by their** capacities, **situations, and concerns.** In so far as **[Since] they** would **agree** **to constrain**ts **on their choices**,restraining their pursuit of their own interests, **they acknowledge a distinction between what they may and may not do. As rational persons** understanding the structure of their interaction, **they recognize [the need] for mutual constraint**, and so for a moral dimension in their affairs.

Gauthier, David P. *Morals by Agreement*. Oxford: Clarendon, 1986. Print. [bracketed for grammatical clarity]

Thus, the standard is **consistency with** **contractarian principles of mutual restraint,** defined as those principles by which individuals would constrain their actions with the belief that doing so would serve their self-interest.

Additionally, self-interest is determined at the time of the original decision to rise to a norm of mutual self-restraint.

Prefer the standard:

**1. Consent-** Contractarianism is based on consent—implicit in acceptance of a contract—which ultimately determines what qualifies as a net good or harm. O/w their justifications since actions can’t be determined without consent.

**2. Infinite Regress-** Asking external authorities begs the question of why their conception of the good is correct and should be preferred. Contractarianism avoids this by allowing individuals to construct conceptions of the good based on a rational restriction of their future actions. O/w their framework since no other theory is derived from a morally neutral base.

**3. Performativity** – You agree to 4 minutes of prep and if you tried to go over the judges would down you or tell the tournament to DQ you. Their very performance justifies the NC framework and proves the AC collapses to the NC.

I contend that no contractarian principle exists that wills us to affirm. Now negate:

**An employee voluntarily enters into a contract when they agree to work at a company. Morrissey:**

So, for example, **an employee of a corporation** strikes a bargain—i.e. **enters a contract—with the corporation when both parties agree to certain terms of employment**. Creditors likewise enter into certain agreements with a corporation to provide financing in accord with certain contractual terms. And shareholders should understand that they are getting a bundle of rights with respect to that corporation in exchange for the money they invest.300

Contractarians would argue that **all of these parties should strike the bargain they find acceptable and live within the terms of that bargain**, or else they will find themselves in breach and possibly subject to legal recourse from their counterparties. Again, the traditional contractarian argument is that **there is no compelling need for government regulation or oversight beyond the policing and enforcement of the contractual bargains**.301

Morrissey, Joseph F. "A Contractarian Critique of Citizens United." U. Pa. J. Const. L. 15 (2012): 765.

**Workers agree in contracts not to strike, these contracts grant employers the right to fire people if they strike and has been upheld by the state. This means strikes break these contracts.**

"Employer Sanctions for Violation of No-Strike Clause: Union Busting through Mass Discharge and Rescission." ***Yale Law Journal*,** digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=8323&context=ylj. Accessed 23 June 2021.

**EMPLOYERS often secure no-strike clauses** 1 **in collective bargaining contracts** 2 with their employees' unions, 3 in order to ensure greater union responsibility for the maintenance of stable production schedules.4 **Under such clauses, the union promises not to authorize or sanction any strike during the term of its contract.' The employer is** usually **given power to discipline or discharge all the individual union members who strike in violation of the no-strike clause.0**

When confronted with a union-sponsored strike in violation of a no-strike clause, the employer may be forced to accede to the union's demands because of production requirements or the scarcity of replacement workers. 7 Alternatively, he may shut down his plant and wait out the strike, disciplining the strikers when they return to work, subject to an arbitrator's review.8 However, if he believes his bargaining position to be strong, he may discharge all the strikers, rescind the contract, and refuse thereafter to deal with the union.0 **The N**ational **L**abor **R**elations **B**oard **has upheld such employer actions on the grounds that they are justified by the union's prior material breach of the contract,'** ° and that strikers in violation of contract are not protected by the National Labor

Any breach of contract is immoral as it was arrived from two parties mutually agreeing on a contract, thus any strike is immoral and should not be recognized by a just government.

And, given that the purpose of a government is to uphold contracts, a government recognizing a right to breach contracts destroys the constitutive nature of government and doesn’t qualify.

CP: A just government ought to recognize a right to strike with the condition of not recognizing hate strikes.

Hate strikes have historically happened to prevent integration LABOR COMMISSION ON RACIAL AND ECONOMIC JUSTICE

But **in June 1943, when managers at the Packard company in Detroit** actually **promoted a few black workers, 25,000 white workers went on strike.** S**imilar racial conflicts erupted in** mass transit unions in **Philadelphia**, in steel plants in **Baltimore and** in the shipyards of **Alabama when black workers gained access to production jobs.** This time, labor leaders, especially Congress of Industrial Organizations (CIO) leaders, worked hard to suppress “hate” strikes and were fairly successful.

Labor Commission on Racial and Economic Justice. “A Brief History of Labor, Race and Solidarity.” Labor Commission on Racial and Economic Justice, 13 Jan. 2017, racial-justice.aflcio.org/blog/est-aliquid-se-ipsum-flagitiosum-etiamsi-nulla.

Links to their framework, racism is bad and governments should not recognize racism as good

Also hate strikes are a condition and the aff defends an unconditional right to strike

On the framework:

Their framework is a bad model for ethics.

1. Their theory can’t account for the systematic range of injustices. How we deal with a microaggression vs systematic injustice requires two vastly different responses—the only way we differentiate the two, weigh between them, define oppression, and set long term goals is through my framework which makes it a prior question.

2. Their framework leads to an oppression Olympics where groups are just claiming they are more oppressed than the other—creating repugnant conclusions and destroying the purpose of their movement since it papers over others struggles.

3. It forces a commodification of oppressed people’s struggles in an effort to win the ballot. This creates distancing and stops us from being activists in the real world. Even if they aren’t specifically doing it, it’s a question of their model of debate.

On Winter and Leighton

All people are equally valued under my framework so we solve for oppression best

On Mills: 1) we should try to be as ethical as we can so we should strive for the ideal, even if we failed we tried our best 2) my fwk is better for the real world

On Pappas: HIJACK, contracts are better because we actually use contracts in the real world while they have given no examples of how their framework applies to the real world.

On contentions:

#### **Aff has no solvency, companies don’t have to bargain if they don’t want to**

#### **No solvency, climate strikers aren’t workers so recognizing a right to strike for workers does nothing**

#### **No solvency, climate strikes aren’t sufficient to reduce reliance on fuels.**

**Hayes 19** [Jason; Contributor to The Hill, director of environmental policy at the Mackinac Center for Public Policy, a research and education institute in Midland, Mich; “A global climate strike isn't enough,” The Hill; 9/19/19;<https://thehill.com/opinion/energy-environment/461809-a-global-climate-strike-isnt-enough>] Justin

A collective of influential green groups and corporations is supporting a campaign for a *global* *climate* *strike* from Sept. 20-27. The strike pushes young people to walk out of schools and workplaces to protest the energy sources that keep us alive and thriving. That many people are concerned about the global climate is obvious, but how will *encouraging* them to abandon their jobs or schools for a *day* or *two*, or seven, *reduce* greenhouse gas *emissions*?

The campaign website — globalclimatestrike.net — tells people they must “demand an end to the age of fossil fuels.” But, in the United States, we rely on these fuels for over *80* *percent* of the *energy* we use to provide basic necessities such as food, clean water, heating and air conditioning, medicine, transportation and so much more.

To make things worse, the energy sources *offered* up as replacements for fossil fuels — typically wind and solar — couldn’t even *exist* without fossil fuels. *Natural* *gas*, *oil* and *coal* are needed to *mine*, *refine*, *process* and *ship* the *metals*, *rare* *earth* *minerals*, *silicone*, *plastics* and *various* *chemicals* that go into *renewables*. Without steel, there are *no* *towers* to hold up wind turbines. Without *rare* *earths*, there are *no* *solar* panels. Adding to this conundrum is the fact that wind and solar cannot provide *reliable* *power*. They are *intermittent*, meaning they must be propped up by more *reliable* *energy* *sources*, such as natural gas.

A group of environmental policy experts has put together MyClimatePledge.com as our response, because we’d like to challenge climate strikers and to help them appreciate that striking *won’t* be *enough*.

1. **No solvency, climate strikers don’t have enough leverage.**

**Dolsak** and **Prakash 19** [Nives and Aseem; We write on environmental issues, climate politics and NGOs; “Climate Strikes: What They Accomplish And How They Could Have More Impact,” 9/14/19; Forbes;<https://www.forbes.com/sites/prakashdolsak/2019/09/14/climate-strikes-what-they-accomplish-and-how-they-could-have-more-impact/?sh=2244a9bd5eed>] Justin

But strikers must have the *leverage to accomplish their goals*

Strikers represent the demand for climate action. But *who* will *supply these policies and* what *leverage* do strikers have over these *policymakers*? This is where climate strikes could *run into a problem.*

Strikers have leverage when their absence from work *disrupts activities that are valuable to policymakers*. If railway workers go on strike, trains cannot run and the public is upset. When airline pilots go on strike, people cannot fly, and airlines lose revenue. By some accounts, the 48-hour strike of British Airways pilots (regarding a pay dispute) in September 2019 will cost the company about £100 million.

What leverage do the climate strikers have? Assuming most of the strikers are students, what costs might their strikes impose on the *actors that need to change their climate policies* (namely, governments and fossil fuel firms)?

Student strikes probably *do not* disrupt the government *or* fossil fuel firms. The *main bearer* of these costs are the *conscientious teachers* who need to figure out how they are going to *make up for the lost teaching time.*

1. "negate." Merriam-Webster Online Dictionary. 2010. Merriam-Webster Online. 18 August 2010. <http://www.merriam-webster.com/dictionary/negate> [↑](#footnote-ref-0)