

This doc is terribly formatted lol

I’m willing to specify before cross-x what i did and didn’t read

# **Terms and Services NC**

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 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 that derives principles of mutual restraint from individuals’ self-interest 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.

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:

**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 National Labor Relations Board 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.

#### **Strikes inhibit the ability to create contracts, create power imbalances, and violate individual contracts.**

Levine 01, Peter. "The Libertarian Critique of Labor Unions." Philosophy and Public Policy Quarterly 21.4 (2001): 17-24. (Peter Levine is the Associate Dean for Research and Lincoln Filene Professor of Citizenship & Public Affairs in Tufts University’s Jonathan Tisch College of Civic Life. He has secondary appointments in the Tufts Philosophy Department and the Tufts Clinical and Translational Sciences Institute. He was the founding deputy director (2001-6) and then the second director (2006-15) of Tisch College’s CIRCLE, The Center for Information and Research on Civic Learning and Engagement, which he continues to oversee as an associate dean.) JG

Libertarians strongly defend freedom of choice and association. Thus, when workers choose to act collectively, negotiate together, or voluntarily walk off the job, libertarians have no reasonable complaint--even if other people are harmed--because they support the right to make and exit voluntary partnerships. But unions gain strength **by overriding private rights.** They routinely block anyone from working **under a non-union contract**, and they prevent employers from making offers--even advantageous ones--to individual workers unless the union is informed and consents. Unions declare strikes and establish picket lines to prevent **customers and workers** from **entering company property**; they may **fine employees who cross these lines.** They also extract fees from all workers who are covered by their contracts. Although covered workers may avoid paying for certain union functions (such as lobbying) that are not germane to contract issues, they must pay for strikes and other activities that some of them oppose. The great libertarian theorist Friedrich Hayek concluded that unions “are the one institution where government has signally failed in its first task, that of preventing coercion of men by other men--and by coercion I do not mean primarily the coercion of employers but the coercion of workers by their fellow workers.” Hayek may have been thinking mainly of corrupt and unaccountable union leaders. But even a completely democratic union sometimes supplants private rights. As libertarians like Morgan O. Reynolds point out, majorities within a union are able to ignore minorities’ preferences.

Thus you negate

Prefer additionally:

1. The ROTB is TT -

A) Isomorphism: alternative RTBs aren’t binary win/loss, and thus cannot function in debate

B) Constitutivism: the ballot and tab software presents decisions as aff/neg, not who best achieves some good value. Also, “affirm” is “To state that is true” [1] and negate is “to deny the existence or truth of”, which independently proves truth testing.

C) Key to 1) Ground Parity: The wording committee and topic selection process exist to identify topics with a range of defensible arguments on both sides, “role of the ballot” claims can frame the round in ways that make my ground either absurd or morally abhorrent 2) Predictability: The only face value of a resolution is it’s truth or falsity as a statement – not some inherent other framework

2. Zeno’s paradox. If I want to travel some distance, I must first travel half of that distance, but then I have to travel half of that distance and so on into infinity. This proves motion impossible, so you negate. A strike can’t occur if motion is impossible because a strike requires movement, such as walking out of a factory or passing out fliers about the strike.

3. Good Samaritan paradox. If I want to solve x problem, x problem has to exist first which would mean I want that problem to exist. Means strikers can’t actually solve problems because they subconsciously want them to exist by wanting to solve them so doing the rez is pointless and you should negate.

4. To is defined as expressing motion in the direction of (a particular location) [EOD]. Strike is not a particular location, so it can’t be moved towards and the resolution is impossible and you auto-negate.

5. Decision making paradox. If I make a decision, I have to make a decision to make that decision, which would be a metadecision. But then I have to make a decision to make that decision, and so on into infinity. This means that decisions are impossible, so the government can’t make the decision to recognize an unconditional right to strike, so you negate.

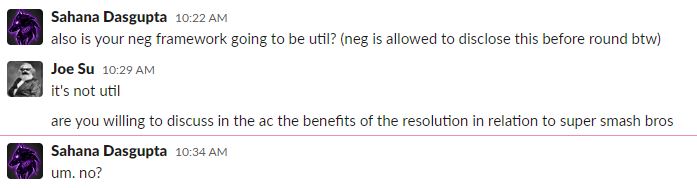
6. To say X ought to do something requires that X has a unified intent; governments are groups of people and have no unified intent, so the resolution is false

7. neg definition choice – the aff should have defined in the 1ac because it was in the rez so it’s predictable contestation, by not doing so they have forfeited their right to read a new definition – kills 1NC strategy since I premised my engagement on a lack of your definition.

Interp – the affirmative debater must discuss the benefits of the resolution in relation to super smash bros i.e. talks about how the universal right to strike helps SSB game developers in the 1AC.

A universal right to strike is bad for super smash bros because it means employees spend less time working on smash bros and just strike instead

Violation They didn't discuss it in the 1ac also they said they wouldn’t before round



Standards:

Hand-eye Coordination – Science shows that Video Games increase Hand-Eye coordination which is an exportable skill – outweighs on magnitude since it helps with much more than just debate. Also key to physical health which in turns help mental health by preventing finger cramps – decks debate's value if we're too hurt to try debating.

Community – Debate teaches us how to yell at each other about vacuous things like Kant and Nuclear War while Super Smash bros brings us together – key to generate Value to Life from personal friendships built in debate

Accessibility – Not everyone can cut 10,000 cards and talk at break neck speeds but everyone can talk about Smash Bros – means we make debate reach more people which outweighs all your standards on Scope AND is the strongest internal link to fairness

Video Gaming is a voter for Access, Education, Fairness, and Value to Life – Smash is the best game since 1) Everyone loves it based on community consensus, 2) Is available by emulator for All, 3) Has the most characters which is key to diversity, and 4) Can be done in 5 min which outweighs Debates since a) it generates the same education and b) we have other things to do like eat which generates debate's value since you can't debate on an empty stomach or if you're just very sad. It's the best stasis point since coaches/external commitments/teammates/resources dictates the ability to win or lose debates but the only thing dictating winning Smash is your hand/eye coordination which is net less differential.

Competing interps – reasonability is arbitrary and invites judge intervention

Dtd- don't let them get away with the abuse and jump ship

No rvis – you don't win for proving you were fair also ppl would bait theory to win on the rvi which is more abuse

(shell is stolen from connor self)

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