# 1AC

## Shell

#### Interpretation – The negative must concede the affirmative framework or contention level offense.

#### It’s preemptive, you violate by reading turns or defense to my offense and reading an alternative framework.

#### Prefer –

Strat skew – A) It’s impossible for the 1AR to win both layers of framing and offense when you can frame me out and read a bunch of turns to the aff making the round impossible in 4min – especially since the 2n can collapse on either the framework or the contention for 6 minutes B) Neg reactivity advantage, aff disclosure, and 1n time allocation means they can craft a perfect 1nc – conceding one layer of substance solves since it gives me weighing recourse and strategic 1ar maneuvers without having to brute force both.

Depth of Clash – We pick and choose whether to debate offense or framework and when, which means we have more discussion of each one every round. Depth o/w since reading 1 page of 100 different books is useless and superficial. Breadth is solved across multiple rounds when people choose a different layer in each. And, hijacks solve all your offense since they contest both the framework and the offense, while maintaining the 1ar ability to win substance.

1ar theory is legitimate since the negative could do literally anything without the ability to call out the abuse. Aff theory is Drop the debater because four minutes isn’t enough to read a shell and still have time to cover substance sufficiently. No RVI because the 2nr would get six minutes to collapse to turns on a shell I only spent 30 seconds on. Aff theory first – A) Proportionality – The 1ar has to dedicate a significantly larger portion of it’s time reading theory and the 2n can spend much longer answering it B) Size of impact – neg abuse is always structurally worse since the 1ar only has 4 minutes to compensate whereas the NC has 13 to adapt.

## ROB

#### The ROB is to test if the resolution is true.

#### 1] Constitutivsm: The ballot asks you to either vote aff or neg based on the given resolution a) Five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true which means its intrinsic to the nature of the activity b) the purpose of debate is the acquisition of knowledge in pursuit of truth – a resolutional focus is key to depth of exploration which o/w on specificity. It’s a jurisdictional issue since it questions whether the judge should go outside the scope of the game and can only endorse what is within their burden c) Even if another role of the ballot is better for debate, that is not a reason it ought to be the role of the ballot, just a reason we ought to

#### 2] Reject the western binary of truth and futurism in favor of a more nuanced understanding of the world.

Graham Priest, Distinguished professor of philosophy at City University of New York and professor emeritus at the University of Melbourne. His latest book is One (2014), Beyond true and false, 5 May 2014, <https://aeon.co/essays/the-logic-of-buddhist-philosophy-goes-beyond-simple-truth> ///BA PB

At the core of the explanation, one has to grasp a very basic mathematical distinction. I speak of the difference between a relation and a function. A relation is something that relates a certain kind of object to some number of others (zero, one, two, etc). A function, on the other hand, is a special kind of relation that links each such object to exactly one thing. Suppose we are talking about people. Mother of and father of are functions, because every person has exactly one (biological) mother and exactly one father. But son of and daughter of are relations, because parents might have any number of sons and daughters. Functions give a unique output; relations can give any number of outputs. Keep that distinction in mind; we’ll come back to it a lot. Now, in logic, one is generally interested in whether a given claim is true or false. Logicians call true and false truth values. Normally, and following Aristotle, it is assumed that ‘value of’ is a function: the value of any given assertion is exactly one of true (or T), and false (or F). In this way, the principles of excluded middle (PEM) and non-contradiction (PNC) are built into the mathematics from the start. But they needn’t be. To get back to something that the Buddha might recognise, all we need to do is make value of into a relation instead of a function. Thus T might be a value of a sentence, as can F, both, or neither. We now have four possibilities: {T}, {F}, {T,F} and { }. The curly brackets, by the way, indicate that we are dealing with sets of truth values rather than individual ones, as befits a relation rather than a function. The last pair of brackets denotes what mathematicians call the empty set: it is a collection with no members, like the set of humans with 17 legs. It would be conventional in mathematics to represent our four values using something called a Hasse diagram, like so: {T} ↗ ↖ {T, F} { } ↖ ↗ {F} Thus the four kotis (corners) of the catuskoti appear before us. In case this all sounds rather convenient for the purposes of Buddhist apologism, I should mention that the logic I have just described is called First Degree Entailment (FDE). It was originally constructed in the 1960s in an area called relevant logic. Exactly what this is need not concern us, but the US logician Nuel Belnap argued that FDE was a sensible system for databases that might have been fed inconsistent or incomplete information. All of which is to say, it had nothing to do with Buddhism whatsoever. Even so, you might be wondering how on earth something could be both true and false, or neither true nor false. In fact, the idea that some claims are neither true nor false is a very old one in Western philosophy. None other than Aristotle himself argued for one kind of example. In the somewhat infamous Chapter 9 of De Interpretatione, he claims that contingent statements about the future, such as ‘the first pope in the 22nd century will be African’, are neither true nor false. The future is, as yet, indeterminate. So much for his arguments in the Metaphysics. The notion that some things might be both true and false is much more unorthodox. But here, too, we can find some plausible examples. Take the notorious ‘paradoxes of self-reference’, the oldest of which, reputedly discovered by Eubulides in the fourth century BCE, is called the Liar Paradox. Here’s its commonest expression: This statement is false. Where’s the paradox? If the statement is true, then it is indeed false. But if it is false, well, then it is true. So it seems to be both true and false.

## FWK

#### I Affirm, there is no singe mind independent moral truth—instead each person creates their own conception of the good

J.L Mackie, Australian Philosopher, The subjectivity of values, 1977, ///AHS PB

[First] The Argument from Relativity The argument from relativity has as its premiss the wellknown variation in moral codes from one society to another and from one period to another, and also the differences in moral beliefs between different groups and classes within a complex community. Such variation is in itself merely a truth of descriptive morality, a fact of anthropology which entails neither first order nor second order ethical views. Yet it may indirectly support second order subjectivism: radical differences between first order moral judgements make it difficult to treat those judgements as apprehensions of objective truths. But it is not the mere occurrence of disagreements that tells against the objectivity of values. Disagreement on questions in history or biology or cosmology does not show that there are no objective issues in these fields for investigators to disagree about. But such scientific disagreement results from speculative inferences or explanatory hypotheses based on inadequate evidence, and it is hardly plausible to interpret moral disagreement in the same way. Disagreement about moral codes seems to reflect people ’ s adherence to and participation in different ways of life. The causal connection seems to be mainly that way round: it is that people approve of monogamy because they participate in a monogamous way of life rather than that they participate in a monogamous way of life because they approve of monogamy. Of course, the standards may be an idealization of the way of life from which they arise: the monogamy in which people participate may be less complete, less rigid, than that of which it leads them to approve. This is not to say that moral judgements are purely conventional. Of course there have been and are moral heretics and moral reformers, people who have turned against the established rules and practices of their own communities for moral reasons, and often for moral reasons that we would endorse. But this can usually be understood as the extension, in ways which, though new and unconventional, seemed to them to be required for consistency, of rules to which they already adhered as arising out of an existing way of life. In short, the argument from relativity has some force simply because the actual variations in the moral codes are more readily explained by the hypothesis that they reflect ways of life than by the hypothesis that they express perceptions, most of them seriously inadequate and badly distorted, of objective values. But there is a well-known counter to this argument from relativity, namely to say that the items for which objective validity is in the first place to be claimed are not specific moral rules or codes but very general basic principles which are recognized at least implicitly to some extent in all society – such principles as provide the foundations of what Sidgwick has called different methods of ethics: the principle of universalizability, perhaps, or the rule that one ought to conform to the specific rules of any way of life in which one takes part, from which one profits, and on which one relies, or some utilitarian principle of doing what tends, or seems likely, to promote the general happiness. It is easy to show that such general principles, married with differing concrete circumstances, different existing social patterns or different preferences, will beget different specific moral rules; and there is some plausibility in the claim that the specific rules thus generated will vary from community to community or from group to group in close agreement with the actual variations in accepted codes. The argument from relativity can be only partly countered in this way. To take this line the moral objectivist has to stay that it is only in these principles that the objective moral character attaches immediately to its descriptively specified ground or subject: other moral judgements are objectively valid or true, but only derivatively and contingently – if things had been otherwise, quite different sorts of actions would have been right. And despite the prominence in recent philosophical ethics of universalization, utilitarian principles, and the like, these are very far from constituting the whole of what is actually affirmed as basic in ordinary moral thought. Much of this is concerned rather with what Hare calls “ideals” or, less kindly, ‘fanaticism’. That is, people judge that some things are good or right, and others are bad or wrong, not because – or at any rate not only because – they exemplify some general principle for which widespread implicit acceptance could be claimed, but because something about those things arouses certain responses immediately in them, though they would arouse radically and irresolvably different responses in others. ‘Moral sense’ or ‘intuition’ is an initially more plausible description of what supplies many of our basic moral judgements than ‘reason’. With regard to all these starting points of moral thinking the argument from relativity remains in full force. [Second] The Argument from Queerness Even more important, however, and certainly more generally applicable, is the argument from queerness. This has two parts, one metaphysical, the other epistemological. If there were objective values, then they would be entities or qualities or relations of a very strange sort, utterly different from anything else in the universe. Correspondingly, if we were aware of them, it would have to be by some special faculty of moral perception or intuition, utterly different from our ordinary ways of knowing everything else. These points were recognized by Moore when he spoke of nonnatural qualities, and by the intuitionists in their talk about a ‘faculty of moral intuition’. Intuitionism has long been out of favour, and it is indeed easy to point out its implausibilities. What is not so often stressed, but is more important, is that the central thesis of intuitionism is one to which any objectivist view of values is in the end committed: intuitionism merely makes unpalatably plain what other forms of objectivism wrap up. Of course the suggestion that moral judgements are made or moral problems solved by just sitting down and having an ethical intuition is a travesty of actual moral thinking. But, however complex the real process, it will require (if it is to yield authoritatively prescriptive conclusions) some input of this distinctive sort, either premisses or forms of argument or both. When we ask the awkward question, how we can be aware of this authoritative prescriptivity, of the truth of these distinctively ethical premisses or of the cogency of this distinctively ethical pattern of reasoning, none of our ordinary accounts of sensory perception or introspection or the framing and confirming of explanatory hypotheses or inference or logical construction or conceptual analysis, or any combination of these, will provide a satisfactory answer; ‘a special sort of intuition’ is a lame answer, but it is the one to which the clearheaded objectivist is compelled to resort. Indeed, the best move for the moral objectivist is not to evade this issue, but to look for companions in guilt. For example, Richard Price argues that it is not moral knowledge alone that such an empiricism as those of Locke and Hume is unable to account for, but also our knowledge and even our ideas of essence, number, identity, diversity, solidity, inertia, substance, the necessary existence and infinite extension of time and space, necessity and possibility in general, power, and causation. If the understanding, which Price defines as the faculty within us that discerns truth, is also a source of new simple ideas of so many other sorts, may it not also be a power of immediately perceiving right and wrong, which yet are real characters of actions? This is an important counter to the argument from queerness. The only adequate reply to it would be to show how, on empiricist foundations, we can construct an account of the ideas and beliefs and knowledge that we have of all these matters. I cannot even begin to do that here, though I have undertaken some parts of the task elsewhere. I can only state my belief that satisfactory accounts of most of these can be given in empirical terms. If some supposed metaphysical necessities or essences resist such treatment, then they too should be included, along with objective values, among the targets of the argument from queerness. This queerness does not consist simply in the fact that ethical statements are ‘unverifiable’. Although logical positivism with its verifiability theory of descriptive meaning gave an impetus to non-cognitive accounts of ethics, it is not only logical positivists but also empiricists of a much more liberal sort who should find objective values hard to accommodate. Indeed, I would not only reject the verifiability principle but also deny the conclusion commonly drawn from it, that moral judgements lack descriptive meaning. The assertion that there are objective values or intrinsically prescriptive entities or features of some kind, which ordinary moral judgements presuppose, is, I hold, not meaningless but false. Plato ’ s Forms give a dramatic picture of what objective values would have to be. The Form of the Good is such that knowledge of it provides the knower with both a direction and an overriding motive; something ’ s being good both tells the person who knows this to pursue it and makes him pursue it. An objective good would be sought by anyone who was acquainted with it, not because of any contingent fact that this person, or every person, is so constituted that he desires this end, but just because the end has to-be-pursuedness somehow built into it. Similarly, if there were objective principles of right and wrong, any wrong (possible) course of action would have not-to-be-doneness somehow built into it. Or we should have something like Clarke ’ s necessary relations of fitness between situations and actions, so that a situation would have a demand for such- andsuch an action somehow built into it. The need for an argument of this sort can be brought out by reflection on Hume ’ s argument that ‘reason’ – in which at this stage he includes all sorts of knowing as well as reasoning – can never be an ‘influencing motive of the will’. Someone might object that Hume has argued unfairly from the lack of influencing power (not contingent upon desires) in ordinary objects of knowledge and ordinary reasoning, and might maintain that values differ from natural objects precisely in their power, when known, automatically to influence the will. To this Hume could, and would need to, reply that this objection involves the postulating of value-entities or value-features of quite a different order from anything else with which we are acquainted, and of a corresponding faculty with which to detect them. That is, he would have to supplement his explicit argument with what I have called the argument from queerness. Another way of bringing out this queerness is to ask, about anything that is supposed to have some objective moral quality, how this is linked with its natural features. What is the connection between the natural fact that an action is a piece of deliberate cruelty – say, causing pain just for fun – and the moral fact that it is wrong? It cannot be an entailment, a logical or semantic necessity. Yet it is not merely that the two features occur together. The wrongness must somehow be ‘consequential’ or ‘supervenient’; it is wrong because it is a piece of deliberate cruelty. But just what in the world is signified by this ‘because’? And how do we know the relation that it signifies, if this is something more than such actions being socially condemned, and condemned by us too, perhaps through our having absorbed attitudes from our social environment? It is not even sufficient to postulate a faculty which ‘sees’ the wrongness: something must be postulated which can see at once the natural features that constitute the cruelty, and the wrongness, and the mysterious consequential link between the two. Alternatively, the intuition required might be the perception that wrongness is a higher order property belonging to certain natural properties; but what is this belonging of properties to other properties, and how can we discern it? How much simpler and more comprehensible the situation would be if we could replace the moral quality with some sort of subjective response which could be causally related to the detection of the natural features on which the supposed quality is said to be consequential.

#### Instead the subject is created through an encounter with the other and determines what is by reflecting on what it is not. This mutual recognition constructs concepts of good and bad from the social and cultural standpoint the meeting occurs in.

Sevilla A.L. (2017) Relationality vs. Singularity: Between Care Ethics and Poststructuralism. In: Watsuji Tetsurô’s Global Ethics of Emptiness. Global Political Thinkers. Palgrave Macmillan, Cham, <https://doi.org/10.1007/978-3-319-58353-2_2> ///AHS PB

Thinking, questioning, are often taken as a demonstration of the indubitable existence of the ego (as in Descartes’ famous methodic doubt). Sometimes this is even developed into a solipsist position (I can be sure that I exist because I am thinking, but I don’t know if anyone else exists). However, Watsuji reads these acts in the complete opposite way: questioning shows how our individuality is fundamentally connected to others through shared language and concerns.1 He writes: “No matter how much we concern ourselves with the consciousness of I, this concern itself implies our going beyond the consciousness of I and being connected with others.”2 What we see here is a completely different starting point: We take our departure not from the intentional consciousness of “I” but from “betweenness.” The essential feature of betweenness lies in this, that the intentionality of the I is from the outset prescribed by its counterpart, which is also conversely prescribed by the former.3 This betweenness as a starting point applies not only to asking ethical questions but also to all our acts as human beings. For example, right now, I am writing. But my writing is always determined by possible readers—what kind of people would read my book? What parts might they find unclear? In the same way, the reader is perhaps at this point wondering what I am thinking, and what ideas I am trying to convey. The author is always determined by readers, and a reader is always determined by authors in a reciprocal determination and mutual dependency. Therefore, Watsuji does not even start with an independent author and an independent reader, who then have a relationship. Rather, “This relationship is constructed through and through in the betweenness between an author and his readers. Neither can exist prior to and independent of the other. They exist only by depending on one another.”4

#### Thus any account of ethics presupposes a coherent relationship with the Other: A] Endpoints: The Only thing that distinguishes an immoral action like punching a person, from a morally neutral action like punching a statue is that an Other is being acted upon, since the it has the goal of effecting an agent. B] Performativity: Responding to my framework concedes its authority since language presupposes multiple parties who mutually assign words meaning C] Actor Spec: States are made up of Others, which means that any theory of good that only relates to the individual cannot motivate collective action, since Others couldn’t access it.

#### All relationships require reciprocal recognition, where the I and the Other treat each other with mutual respect and both recognize each other in a non-totalizing fashion. Such reciprocity is impeded by skewed power dynamics in the encounter and is key to any conception of linguistic and moral truth.

Emmanuel Levinas, Jewish-Lithuanian Philosopher, Summarizes, "Martin Buber and the, Theory of Knowledge, 1967 ,///AHS PB

Verbundenheit characterizes the reciprocity of the I-Thou relation and of the dialogue where I commit myself to the Thou just because it is absolutely other. The essence of the 'word' does not initially consist in its objective meaning or descriptive possibilities, but in the response that it elicits. The assertion is not true because the thought that it expresses corresponds to the thing or because it is revelatory of being. It is true only when it derives from the I-Thou relation identical with the ontological process itself. The assertion is true when it realizes the reciprocity of the relation by eliciting a response and singling out an individual who alone is capable of responding. This conception of the truth has nothing in common with the static notion of truth as an expressible content. But it is not to be assumed that a Heraclitian or Bergsonian becoming, also inexpressible because the word is necessarily a changeless entity and cannot apply to what is always changing, is the sole reality that may be opposed to immutable being. For Buber describes a sphere of being which cannot be told because it is a living dialogue between individuals who are not related as objective contents to one another: one individual has nothing to say about the other. The sensitivity of the I-Thou relation lies in its completely formal nature. To apprehend the other as a content is tantamount to relating oneself to him as an object and is to enter into an I-It relation instead. The notion of truth (with respect to which Buber's language is insufficiently didactic) is determinated by the I-Thou relation construed as the fundamental relation to being. We must distinguish Truth possessed, Truth as an impersonal result, called also objective Truth (283) from the Truth as a "way of being," a manner of truly being which denotes God. But truth also signifies a "concrete attitude towards being," "Realverhältnis zum Seienden" (198-199) and the living test which verifies it (BewAhrung). "To know signifies for the creature to fulfill a relation with being, for everyone in his own particular way, sincerely (wahrhaft) and with complete responsibility, accepting it on faith in all its various manifestations and therefore open to its real possibilities, integrating these experiences according to its own nature. It is only in this way that the living truth emerges and can be preserved." (283)

#### Non-Reciprocal relationships prevent mutual ethics: A] Framing: When the I and the Other don’t view each other reciprocally, they reduce are reduced to ideas of what they are like instead of their real selves. B] Epistemology: nonreciprocal relationships always benefit one party more than the other, which means that any ethical norms agreed too will be corrupted by the influence of those with power. C] Normativity: nobody would agree to engage in an ethical relationship that arbitrarily discriminated against them, so reciprocal relations are key because both parties enter with the expectation of equal treatment.

#### Thus the standard is preserving reciprocal relationships with the other. Even if your framework is the correct moral system, we cant access it without reciprocal relations, so my offense comes first as a side constraint. Prefer:

#### [1] Ethical theories are insular – they define the good and language to describe it in their own terms. Joyce 02, Joyce, Richard. Myth of Morality. Port Chester, NY, USA: Cambridge University Press, 2002. p 45-47. //Scopa This distinction between what is accepted from within an institution, and “stepping out” of that institution and appraising it from an exterior perspective, is close to Carnap’s distinction between internal and external questions. 15 Certain “linguistic frameworks” (as Carnap calls them) bring with them new terms and ways of talking: accepting the language of “things” licenses making assertions like “The shirt is in the cupboard”; accepting mathematics allows one to say “There is a prime number greater than one hundred”; accepting the language of propositions permits saying “Chicago is large is a true proposition,” etc. Internal to the framework in question, confirming or disconfirming the truth of these propositions is a trivial matter. But traditionally philosophers have interested themselves in the external question – the issue of the adequacy of the framework itself: “Do objects exist?”, “Does the world exist?”, “Are there numbers?”, “Are the propositions?”, etc. Carnap’s argument is that the external question, as it has been typically construed, does not make sense. From a perspective that accepts mathematics, the answer to the question “Do numbers exist?” is just trivially “Yes.” From a perspective which has not accepted mathematics, Carnap thinks, the only sensible way of construing the question is not as a theoretical question, but as a practical one: “Shall I accept the framework of mathematics?”, and this pragmatic question is to be answered by consideration of the efficiency, the fruitfulness, the usefulness, etc., of the adoption. But the (traditional) philosopher’s questions – “But is mathematics true?”, “Are there really numbers?” – are pseudo-questions. By turning traditional philosophical questions into practical questions of the form “Shall I adopt...?”, Carnap is offering a noncognitive analysis of metaphysics. Since I am claiming that we can critically inspect morality from an external perspective – that we can ask whether there are any non-institutional reasons accompanying moral injunctions – and that such questioning would not amount to a “Shall we adopt...?” query, Carnap’s position represents a threat. What arguments does Carnap offer to his conclusion? He starts with the example of the “thing language,” which involves reference to objects that exist in time and space. To step out of the thing language and ask “But does the world exist?” is a mistake, Carnap thinks, because the very notion of “existence” is a term which belongs to the thing language, and can be understood only within that framework, “hence this concept cannot be meaningfully applied to the system itself.” 16 Moving on to the external question “Do numbers exist?” Carnap cannot use the same argument – he cannot say that “existence” is internal to the number language and thus cannot be applied to the system as a whole. Instead he says that philosophers who ask the question do not mean material existence, but have no clear understanding of what other kind of existence might be involved, thus such questions have no cognitive content. It appears that this is the form of argument which he is willing to generalize to all further cases: persons who dispute whether propositions exist, whether properties exist, etc., do not know what they are arguing over, thus they are not arguing over the truth of a proposition, but over the practical value of their respective positions. Carnap adds that this is so because there is nothing that both parties would possibly count as evidence that would sway the debate one way or the other.

#### 2] Reject util - A) There are infinite end states to each action that I may take meaning we can never know if it is a good or bad action as per util because it could possibly result in many ways: For example, util would tell me to save 2 babies rather than one but there’s a chance that baby turns out to be Hitler in which case util would condemn my actions B) Aggregation is impossible since there’s no way to quantify different amounts of pain and pleasure – how can 2 headaches equal a migraine C) Induction paradox – Either it’s the case we can predict the outcome of a situation, or we cannot. We cannot, insofar as no situation is ever replicated exactly, and even if it can, there’s no guarantee the outcome will be the same. If we can predict situations, that means everyone can, which means we will always predict each other, making a paradox of action insofar as we always attempt to predict the outcomes of each other’s actions, and will cancel out the obligations. D) Since it requires evaluating end-states we can’t know whether the action was good until after it was taken which means the judge cannot determine whether the aff is good E) Consequences empirically impossible to predict. Menand 05, Louis Menand (the Anne T. and Robert M. Bass Professor of English at Harvard University) “Everybody’s An Expert” The New Yorker 2005 <http://www.newyorker.com/magazine/2005/12/05/everybodys-an-expert//> FSU SS “Expert Political Judgment” is not a work of media criticism. Tetlock is a psychologist—he teaches at Berkeley—and his conclusions are based on a long-term study that he began twenty years ago. He picked two hundred and eighty-four people who made their living “commenting or offering advice on political and economic trends,” and he started asking them to assess the probability that various things would or would not come to pass, both in the areas of the world in which they specialized and in areas about which they were not expert. Would there be a nonviolent end to apartheid in South Africa? Would Gorbachev be ousted in a coup? Would the United States go to war in the Persian Gulf? Would Canada disintegrate? (Many experts believed that it would, on the ground that Quebec would succeed in seceding.) And so on. By the end of the study, in 2003, the experts had made 82,361 forecasts. Tetlock also asked questions designed to determine how they reached their judgments, how they reacted when their predictions proved to be wrong, how they evaluated new information that did not support their views, and how they assessed the probability that rival theories and predictions were accurate. Tetlock got a statistical handle on his task by putting most of the forecasting questions into a “three possible futures” form. The respondents were asked to rate the probability of three alternative outcomes: the persistence of the status quo, more of something (political freedom, [e.g.] economic growth), or less of something (repression, [e.g.] recession). And he measured his experts on two dimensions: how good they were at guessing probabilities (did all the things they said had an x per cent chance of happening happen x per cent of the time?), and how accurate they were at predicting specific outcomes. The results were unimpressive. On the first scale, the experts performed worse than they would have if they had simply assigned an equal probability to all three outcomes—if they had given each possible future a thirty-three-per-cent chance of occurring. Human beings who spend their lives studying the state of the world, in other words, are poorer forecasters than dart-throwing monkeys, who would have distributed their picks evenly over the three choices.

#### 3] Ideal theory is key: A] Failure to abstract away from our subject position means agents are fully aware of their self-interest and will coopt your movement. B] only ideal theory can say things like racism are always wrong because we have universal standard to hold people too, not just an individual perspective C] Ideal theory prevents epistemic bias since by abstracting away from our identities and factors that cloud or judgement we can see what is universally good for everyone not just us.

## Offense

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

#### Amendment is normal means

Brudney 20 Brudney, J. J. (2020). The Right to Strike is Recognised as Customary International Law. *Yale Law*, 10–11. https://doi.org/10.5040/9781509933587.ch-011/SJKS

Recognition of the right to strike as fundamental by two key ILO supervisory bodies is reinforced by affirmation of the right within a broad framework of international covenants, transnational conventions and judicial decisions, and national constitutions. The right to strike is recognized in the International Covenant on Economic, Social and Cultural Rights of the United Nations (ICESCR).47 It has been incorporated into the International Covenant on Civil and Political Rights (ICCPR) by that Covenant’s Human Rights Committee, which supervises the Covenant’s implementation.48 Although these two treaties are more familiar starting points for international human rights analysis than the ILO Conventions, the Article focuses primarily on the Convention 87 applications because of their extensive in-depth nature. In this regard, it is notable that the two U.N. Covenants declare a specific commitment to Convention 87, which is the only other international convention they even mention, and the two treaty bodies regularly apply their relevant articles in terms that are consistent with ILO application of that convention.49

#### [1] The right to strike increases mutual recognition between workers.

Richard D. **Kahlenberg**, January 6, **2016**, “How Defunding Public Sector Unions Will Diminish Our Democracy” [tcf.org/content/report/how-defunding-public-sector-unions-will-diminish-our-democracy/?session=1.] // swickle

Strong unions helped build the middle class in America after the Great Depression, and continue to have a positive effect on ameliorating extreme inequalities of wealth. By bargaining for fair wages and benefits, unions in the public and private sector help foster broadly shared prosperity. Research finds, for example, that unions compress wage differences between management and labor. According to one study, “controlling for variation in human resource practices, unionized establishments have an average of 23.2 percentage point lower management-to-worker pay ratio relative to non-union workplaces.”26 By the same token, as the Center for American Progress’s David Madland has vividly illustrated, the decline in union density in the United States between 1969 and 2009 has been accompanied by a strikingly similar decline in the share of income going to the middle class (the middle three-fifths of the income distribution; see Figure 1). &nbsp;The middle class is hollowing out: in 1971, 61 percent of Americans were middle class, but a December 2015 Pew Research Center report found that a slight majority of Americans now live in low- or upper-income households.27 Although there are many reasons for middle-class wage stagnation—including globalization and the rise in technology—Lawrence Mishel of the Economic Policy Institute finds that the decline in union bargaining power is “the single largest factor suppressing wage growth for middle-wage workers over the last few decades.” The International Monetary Fund, likewise, has linked decline in unions worldwide with rises in income inequality.28 Figure 1. chartDOWNLOAD International studies also connect the relatively low levels of U.S. union density (when compared with other nations) and the higher level of economic inequality found in the United States. According to a 2011 analysis by the Center for Economic and Policy Research looking at twenty-one wealthy nations, nine countries had more than 80 percent of their workers covered by collective bargaining agreements; nine had between 30 and 80 percent covered; and just three—the United States, Japan, and New Zealand—had coverage rates below 20 percent. Using data from the Central Intelligence Agency’s World Factbook on levels of income inequality, my colleague Moshe Marvit and I demonstrate in Why Labor Organizing Should Be a Civil Right that the three nations with the lowest collective bargaining coverage also were among the four countries with the highest degrees of income inequality, as measured by the Gini coefficient.29 Defunding public sector unions will only accelerate the extreme economic inequality that threatens our political democracy. Unions Are Needed to Serve as Schools for Democracy Civic organizations that are run democratically can be an important mechanism for acculturating citizens to the inner workings of democracy. Unions are among the most important of these organizations, bringing together rank and file workers from a variety of ethnic, racial, and religious backgrounds, and serving as what Harvard sociologist Robert Putnam calls “schools for democracy.” Union members learn skills that are essential to a well-functioning democracy: how to run meetings, debate one another, and organize for political action.30 Labor unions can also help create a culture of participation among workers. Being involved in workplace decisions and the give and take of collective bargaining, voting on union contracts, and voting for union leadership have all been called important drivers of “democratic acculturation.”

#### [2] Because employees are dependent upon their employer, employees are subject to a severe power imbalance that constitutes coercion.

Budd and Scoville 05, John W. Budd and James G. Scoville "The Ethics of Human Resources and Industrial Relations.", p.70, LABOR AND EMPLOYMENT RELATIONS ASSOCIATION SERIES, Cornell University Press, October 15, 2005 [http://jbudd.csom.umn.edu/RESEARCH/hrirethics.htm] AHS//NPR Accessed 10/23/21

**The overwhelming number of people need to work to survive**, at least for a large portion of their live. There is a sense in which people are forced to work. **When an assailant says, “Your wallet or your life,**” you technically have a choice. However, for many **this situation is the paradigm of coercion.** How close is the analogy between the assailant and **the requirements of the employer**? Admittedly, in good times the balance of power shifts somewhat, but in hard times the balance of power is with the employer. Most people have to take the terms of employment a they get them (Manning 2003). Someone wanting employment does not negotiate about whether or not to be tested for drugs, for example. If drug testing is the company policy, you either submit to the test or forfeit the job. **If you want a job, you agree to employment** at **will and to layoffs** if management believes that they are necessary. **Survival for yourself and any dependents requires it.** As with the assailant, you technically have a choice, but **most employees argue they have little choice about multiple important terms of employment.** A Kantian, in common with the pluralist school of industrial relations, maintains that **the imbalance between employer and employee ought to be addressed.** Otherwise, industrial relations rests on an unethical foundation.

#### The right to unionize and strike corrects this power imbalance by ensuring an opportunity for organization and collective bargaining and allows for a reciprocal recognition between the employer and employee.

Bowie 99, Norman E., professor emeritus at the University of Minnesota “Business Ethics: A Kantian Perspective” Wiley Blackwell. [https://b-ok.cc/book/2885756/a063b7] AHS//NPR

Accessed 10/24/21

Although I emphasize meaningful work as a means to gain respect and grow as a human being by exercising one’s talents, Ciulla reminds me that there is much in the work environment that undermines negative freedom (freedom from coercion), and that the decision to work itself requires a giving up of freedom in some respects. This latter point does not overly concern me because all choice forecloses other choices. Moreover, **having a job provides income, and income expands choices because it opens up possibilities**. **This is especially true when one has an adequate wage, and that is why I have emphasized the role that an adequate wage plays in meaningful work**. Of course, Ciulla is well aware of all this and in her analysis she points out that **for the unskilled their range of options is extremely limited, that the demise of unions has given much more power to manage- ment, and that there is a correlation between higher-paying jobs and the amount of freedom one has**. All these points are well taken. I especially agree with Ciulla that **unions provide a means for enhancing employee freedom**. In this case I practiced what I now preach. I am a former president of the AAUP union at the University of Delaware. I also point out that the United States is the most anti-union country in the G-20. **Unionization is considered a human right by the United Nations**. **Obviously unions provide an opportunity for participation**, and I think Ciulla and I agree that **participation schemes are one way to limit coercion**. In response to trends over the past twenty years, in this edition of Business Ethics: A Kantian Perspective I pay more attention to adequate pay for the middle class, issues of inequality, and economic mobility. However, none of this requires a revision in my original account of meaningful work.

1. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-1)
2. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-2)