# 1

### FWK

**I value morality. Ethical Internalism is true:**

**[1] Epistemology – A) Equality – Externalism incorrectly assumes certain individuals have stronger epistemic access to moral truths which justifies the exclusion of those individuals from the creation of ethics and B) Inaccessibility – There is no universal character of moral judgements that is epistemically accessible since every argument for its existence presumes the correct normative starting point. Externalism claims that some individuals have better ability to access the truth but that doesn’t explain how we deliberate between who is motivated correctly.**

**2. Motivation – A) Externalist notions of ethics collapse to internal since the only reason agents follow external demands is those demands are consistent with their internal account of the good. Motivation is a necessary feature for ethics since normativity only matters insofar as agents follow through on the ethic that’s generated from it B) Empirics – there is no factual account of the good since each agents’ motivations are unique and there has been no conversion of differing beliefs into a unified ethic.**

**Thus, agents justify their actions based on individual moral preferences and deal with ethical dilemmas by prioritizing certain beliefs. It’s a constitutive feature of humanity to rationally maximize value under a particular index of the good. Gauthier 98,** Essay by David Gauthier, Canadian-American philosopher best known for his neo-Hobbesian social contract theory of morality, “Why Contractarianism”, within the book Contractarianism and Rational Choice: Essays on David Gauthier’s Morals By Agreement. Book written by Peter Vallentyne [https://b-ok.cc/book/975363/60f3f7] 1998, ///AHS PB //Recut by Scopa

Fortunately, **I do not have to defend normative foundationalism**. One problem with accepting moral justification as part of our ongoing practice is that, as I have suggested, we no longer accept the world view on which it depends. But perhaps a more immediately pressing problem is that **we have**, ready to hand, **an alternative mode for justifying our choices and actions**. In its more austere and, in my view, more defensible form, this is to show that **choices and actions maximize the agent ’s expected utility, where utility is a measure of considered preference**. In its less austere version, this is to show that choices and actions satisfy, not a subjectively defined requirement such as utility, but meet the agent ’ s objective interests. **Since I do not believe that we have objective interests**, I shall ignore this latter. But it will not matter. For the idea is clear; **we have a mode of justification that does not require the introduction of moral considerations**. 11 Let me call this alternative nonmoral mode of justification, neutrally, deliberative justification. Now moral and deliberative justification are directed at the same objects – our choices and actions. What if they conflict? And what do we say to the person who offers a deliberative justification of his choices and actions and refuses to offer any other? **We can say**, of course, that his **behavior lacks moral justification, but this seems to lack any hold, unless he chooses to enter the moral framework**. And such entry, he may insist, lacks any deliberative justification, at least for him. **If morality perishes, the justificatory enterprise, in relation to choice and action, does not perish with it. Rather**, one mode of justification perishes, a mode that, it may seem, now hangs unsupported. But not only unsupported, for it is difficult to deny that deliberative justification is more clearly basic, that it cannot be avoided insofar as we are rational agents, so that if moral justification conflicts with it, morality seems not only unsupported but opposed by what is rationally more fundamental. **Deliberative justification relates to our deep sense of self. What distinguishes human beings from other animals, and provides the basis for rationality, is the capacity for semantic representation. You can, as your dog on the whole cannot, represent a state of affairs to yourself, and consider in particular whether or not it is the case, and whether or not you would want it to be the case. You can represent to yourself the contents of your beliefs, and your desires or preferences. But in representing them, you bring them into relation with one another**. You represent to yourself that the Blue Jays will win the World Series, and that a National League team will win the World Series, and that the Blue Jays are not a National League team. And in recognizing a conflict among those beliefs, you find  rationality thrust upon you. Note that the first two beliefs could be replaced by preferences, with the same effect. Since **in representing our preferences we become aware of conflict among them, the step from representation to choice becomes complicated. We must, somehow, bring our conflicting desires and preferences into some sort of coherence. And** there is only one plausible candidate for a principle of coherence – a maximizing principle. **We order our preferences, in relation to decision and action, so that we may choose in a way that maximizes our expectation of preference fulfillment. And in so doing, we show ourselves to be rational agents, engaged in deliberation and deliberative justification.** There is simply nothing else for practical rationality to be. The foundational crisis of morality thus cannot be avoided by pointing to the existence of a practice of justification within the moral framework, and denying that any extramoral foundation is relevant. For **an extramoral mode of justification is already present**, existing not side by side with moral justification, **but in a manner tied to the way in which we unify our beliefs and preferences and so acquire our deep sense of self**. We need not suppose that this deliberative justification is itself to be understood foundationally. All that we need suppose is that **moral justification does not plausibly survive conflict with it.**

#### Since agents take their own ability to act as intrinsically valuable, permissibility is avoided through a system of mutual self restraint where agents refrain from impeding upon the actions of other agents, under the expectation that others will do the same out of rational self interest. This is achieved through a system of contracts which both parties’ consent to in order to regulate behavior.

#### Thus, the standard is consistency with Contractarianism. And, the framework outweighs on actor specificity: States are not physical actors, but derive authority from contracts that allow them to constrain action.

#### Prefer additionally –

#### 1. Flexibility – Contracts are key to a) Encompassing all other ethical calculus into our decision since we process the consistency of those frameworks with our self interest and b) Value pluralism – recognizing a singular ethic fails to account for the complexity of moral problems and genuine moral disagreement. My framework solves since we can recognize multiple legitimate values while allowing individuals to exclude ones that are bad.

#### 2. Bindingness – A) Arising of Ethics – Every interaction with another agent is mediated by consent to participate in that interaction since otherwise agents could simply leave, which means there is an implicit social contract formed in every ethical interaction and B) Culpability – Only contracts can ensure agents are held to their agreements since there is a verifiable basis for judging their action as wrong as well as a pre-established punishment for breaking it.

### Offense

#### I negate the resolution- A just government ought to not recognize an unconditional right of workers to strike.

#### 1] Contracts recognize the right to strike as conditional.

Lisa Guerin, NOLO, “Strikes”, [https://www.nolo.com/legal-encyclopedia/strikes.html] mc

A strike is a work stoppage caused by employees' refusal to work, typically to protest an employer decision (to close a plant, freeze wages, cut benefits, impose unpopular work rules, or refuse to improve working conditions, for example). The right to strike is protected by the National Labor Relations Act (NLRA), but not all strikes are legal. Whether a strike is lawful depends on the purpose of the strike, whether the collective bargaining agreement includes a "no-strike" clause, and the conduct of the strikers. This article provides some basic information about legal and illegal strikes. For all of our articles on unions and labor, see our Labor Unions page. Lawful Purposes A strike is legal – and therefore protected by the NLRA – if the employees are striking for economic reasons or to protest an unfair labor practice by the employer. In the first scenario, strikers are trying to get some economic concession from the employer, like higher wages, increased benefits, or better working conditions. In the second, workers strike because the employer has engaged in some practice that violates the NLRA, like refusing to bargain with the union or discriminating against union members. (See Unfair Labor Practices for more information.) No-Strike Clauses Even strikes with a legal purpose are not protected by the NLRA If the union's contract with the employer (the collective bargaining agreement) includes a no-strike clause. With a few limited exceptions (for example, if employees are refusing to work because of unusually dangerous working conditions), a strike that violates a no-strike provision is illegal. Strike Misconduct A strike can also become unlawful if strikers engage in serious misconduct, such as violence or threats, physically preventing other from entering or leaving the workplace, or sit-down strikes, in which employees refuse to leave the workplace and refuse to work. These strikes are not protected by the NLRA.

#### 2] Striking violates the contract to work for a company a] you are not working if you are striking b] you agree to certain work conditions and wages in your contract and striking against those conditions violates the contract c] since companies must compete for the labor force, people have the capacity to weigh between companies that are incentivized to increase benefits for workers—means striking goes against the inherent nature of attaining a job in the first place

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

**Levine 1** [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]

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.

# 2

#### 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.

#### Violation— the aff advantages of Israel’s behavior proves that Israel is not a just government. U also concede in cross ex that Israel is not a good government.

#### Prefer –

#### 1] Precision —

#### 2] Limits –

# 3

**Interpretation: “workers” is a generic bare plural. The aff may not defend that a just government recognizes a specific group of workers unconditional right to strike**

Nebel 19. [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs. He writes a lot of this stuff lol – duh.] “Genericity on the Standardized Tests Resolution.” Vbriefly. August 12, 2019. <https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/?fbclid=IwAR0hUkKdDzHWrNeqEVI7m59pwsnmqLl490n4uRLQTe7bWmWDO_avWCNzi14> TG

Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions. Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window. So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why. “Colleges and universities” is a generic bare plural. I don’t think this claim should require any argument, when you think about it, but here are a few reasons. First, ask yourself, honestly, whether the following speech sounds good to you: “Eight colleges and universities—namely, those in the Ivy League—ought not consider standardized tests in undergraduate admissions decisions. Maybe other colleges and universities ought to consider them, but not the Ivies. Therefore, in the United States, colleges and universities ought not consider standardized tests in undergraduate admissions decisions.” That is obviously not a valid argument: the conclusion does not follow. Anyone who sincerely believes that it is valid argument is, to be charitable, deeply confused. But the inference above would be good if “colleges and universities” in the resolution were existential. By way of contrast: “Eight birds are singing outside my window. Maybe lots of birds aren’t singing outside my window, but eight birds are. Therefore, birds are singing outside my window.” Since the bare plural “birds” in the conclusion gets an existential reading, the conclusion follows from the premise that eight birds are singing outside my window: “eight” entails “some.” If the resolution were existential with respect to “colleges and universities,” then the Ivy League argument above would be a valid inference. Since it’s not a valid inference, “colleges and universities” must be a generic bare plural. Second, “colleges and universities” fails the [upward-entailment test](https://plato.stanford.edu/entries/generics/#IsolGeneInte) for existential uses of bare plurals. Consider the sentence, “Lima beans are on my plate.” This sentence expresses an existential statement that is true just in case there are some lima beans on my plate. One test of this is that it entails the more general sentence, “Beans are on my plate.” Now consider the sentence, “Colleges and universities ought not consider the SAT.” (To isolate “colleges and universities,” I’ve eliminated the other bare plurals in the resolution; it cannot plausibly be generic in the isolated case but existential in the resolution.) This sentence does not entail the more general statement that educational institutions ought not consider the SAT. This shows that “colleges and universities” is generic, because it fails the upward-entailment test for existential bare plurals. Third, “colleges and universities” fails the adverb of quantification test for existential bare plurals. Consider the sentence, “Dogs are barking outside my window.” This sentence expresses an existential statement that is true just in case there are some dogs barking outside my window. One test of this appeals to the drastic change of meaning caused by inserting any adverb of quantification (e.g., always, sometimes, generally, often, seldom, never, ever). You cannot add any such adverb into the sentence without drastically changing its meaning. To apply this test to the resolution, let’s again isolate the bare plural subject: “Colleges and universities ought not consider the SAT.” Adding generally (“Colleges and universitiesz generally ought not consider the SAT”) or ever (“Colleges and universities ought not ever consider the SAT”) result in comparatively minor changes of meaning. (Note that this test doesn’t require there to be no change of meaning and doesn’t have to work for every adverb of quantification.) This strongly suggests what we already know: that “colleges and universities” is generic rather than existential in the resolution.

**It applies to “workers” – 1] upward entailment test – “a just government ought to recognize workers unconditional right to strike” doesn’t entail that a just government ought to recognize peoples unconditional right to strike because it doesn’t prove that all people should strike, 2] adverb test – adding “always” to the res doesn’t substantially change its meaning because recognition is unconditional.**

**Violation: They spec \_\_\_\_\_\_**

**Standards:**

**[1] precision –**

**[2] Limits and ground –**

**[3] TVA solves – you could’ve read your plan as an advantage under a whole res advocacy.**

# Case

### FWK

#### The Role of the ballot is to the test if the resolution is true.

#### 1] Isomorphism:

#### 2]. Constitutivism: