### 1AC – Framing (2)

#### Ethics must begin a priori –

#### A] Unity of Action – evaluating action through reason is the only way to unify action as intent explains the entirety of an action – for example if I do my homework, I could infinitely divide that action into multiple smaller actions but only the intention to do my homework unifies the actions since anything else couldn’t classify actions as moral or not since we could just infinitely divide them.

#### B] Is-ought gap – empiricism can only observe what is since that’s the only thing in our perception, not what ought to be, but it’s impossible to derive an ought from descriptive premises which requires a priori premises to form morality.

#### C] Empirical uncertainty– evil demon could deceive us, dreaming, simulation, and inability to know other’s experiences makes empiricism an unreliable basis for universal ethics. Outweighs since it would be escapable since people could say they don’t experience the same.

#### D] Infallibility – practical reason is the only unescapable authority because to ask why we should be reasoners is to concede authority to reason since the question itself uses reason – anything else is nonbinding and arbitrary.

#### Reason requires that maxims we act upon must be universalizable – A. Any reasoner would know that two plus two equals four because there is no a priori distinction between agents so norms must be universally valid. B. Any non-universalizable norm justifies someone’s ability to impede on your ends – it’s impossible to will a violation of freedom since deciding to do so would will incompatible ends since it logically entails justifying willing a violation of your own freedom.

#### Thus, the standard is consistency with the categorical imperative. Prefer:

#### 1] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify a standard without first willing that we can pursue ends free from others.

#### 2] Consequences fail – A. Every action has infinite stemming consequences because every consequence can cause another consequence B. Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events C. Aggregation fails – suffering is not additive – you can’t compare between 1 migraine and 10 headache

#### 3] Actor Specificity – governments use Kantian conceptions of the state when implementing policies.

**Ripstein 15** Arthur Ripstein (Professor of Law and Philosophy at the University of Toronto). “Just War, Regular War, and Perpetual Peace” (2015). AS 7/16/15

Sophisticated contemporary legal systems work either implicitly or explicitly with some version of this Kantian idea of the state as a public rightful condition. Constitutional courts review legislation to make surethat it is properly within the state's legitimate mandate, andthroughout the world recent awareness of problems of institutional corruption reflect the recogni[ze]tion of the fundamental importance of the distinction between properly public and improperly private purposes in the internal management of states. Conversely, its widely appreciated that the proper role of the state is not simply to bring about as much good as possible in the world, and that states have a special responsibility to their own citizens and residents.

#### 4] Other frameworks collapse—they contain conditional obligations which derive their authority from the categorical imperative.

Korsgaard 98 [CHRISTINE M. KORSGAARD, greatest philosopher alive, 1998, “Introduction”, Groundwork of the Metaphysics of Morals] AG // Recut Lex AKu

This is the sort of thing that makes even practiced readers of Kant gnash their teeth. A rough translation might go like this:the categorical imperative is a law, to which our maxims must conform**. But** the reason they must do so cannot be that there is some further condition they must meet, or some other law to which they must conform.For instance**,** supposesomeone proposedthat one must keep one's promises because it is the will of Godthat one should do so **-** the law wouldthen **"**contain the condition**"** that our maxims should conform to the will of God**.** This would yieldonlya conditional requirement to keep one's promises — if you would obey the will of God**, then** you must keep your promises - whereas the categorical imperative must give us an unconditional requirement.Since there can be no such condition**,** all that remains is that the categorical imperative should tell us that our maxims themselves must be laws - that is, that they must be universal, that being the characteristic of laws**.** There is a simpler way to make this point. What could make it true that we must keep our promises because it is the will of God?That would be true only ifit were true that we must indeed obey the will of God, that is, if **"**obey the will of God" were itself a categorical imperative**.** Conditional requirements give rise to a regress;if there areunconditional requirements, wemust at some point arrive at principles on which we are required to act, not because we are commanded to do so by some yet higher law, but because they are laws in themselves**.** The categorical imperative**,** in the most general sense,tells us to act on those principles**,** principles which are themselves laws. Kant continues:

#### 5] Even if ideal-theory is bad, the alternatives are far worse because they don’t rely on fixed principles and devolve into relativism at a particular space and time – you can’t measure something with a ruler that has constantly changing lengths which means that we need a standard to hold people to.

#### Impact calc:

#### 1] There is an act-omission distinction – otherwise we would be held morally culpable for an infinite number of actions that we didn’t take – that kills any conception of morality and freezes action.

#### 2] There’s no way to determine what is foreseen and what isn’t which means that their framework can’t assess culpability and fails to guide action.

### 1AC – Offense (2)

#### Plan – A just government ought to recognize the unconditional right of workers to strike.

#### [1] The unconditional right to strike is the obligation for the government because in order for workers to enter the workplace, governments must prevent employers from being arbitrarily used as a mere means to ana end. Without it, there are no inhibitions to corporations exploiting workers through treatment as a mere means. Thus, a legitimate pre-fiat agreement between employer and employee could not exist.

**Gourevitch 16** [Gourevitch, A. (2016). Quitting Work but Not the Job: Liberty and the Right to Strike. Perspectives on Politics, 14(2), 307-323. doi:10.1017/S1537592716000049]

On top of which, as Smith noted, “masters are always and every where in a sort of tacit, but constant and uniform combination.” In a world in which economic necessity couples with employer collusion, workers have little choice: “Such combinations [by employers], however, are frequently resisted by a contrary defensive combination of the workmen; who sometimes too, without any provocation of this kind, combine of their own accord to raise the price of their labour.” 51 For this reason Smith thought it was wrong to treat trade unions as criminal conspiracies.52 The view of unions and strikes as defensive, aimed at lessening employers’ ability to take advantage of workers’ need, persisted throughout the industrial age. By the time L.T. Hobhouse wrote Liberalism, it was possible for a liberal to argue that strikes might even be connected to human freedom: The emancipation of trade unions, however, extending over the period from 1824 to 1906, and perhaps not yet complete, was in the main a liberating movement, because combination was necessary to place the workman on something approaching terms of equality with the employer, and because tacit combinations of employers could never, in fact, be prevented by law.53 We must note, however, that nearly all of these arguments remain within a form of social theory that attempts to make capitalist practice more like its theoretical self-image. These thinkers tended to defend unions and their right to strike as a way of achieving “real freedom of contract” in the face of economic necessity. Hobhouse was updating Smith and Mill when arguing that “in the matter of contract true freedom postulates substantial equality between the parties. In proportion as one party is in a position of vantage, he is able to dictate his terms. In proportion as the other party is in a weak position, he must accept unfavourable terms.” 54 On this account, the right to strike is defensible only insofar as it helps maintain a position of relative equality among independent bargaining parties. It thereby secures contracts that are not just voluntary but truly free—Mill’s “necessary instrumentality of that free market.” This basic idea reappears in any number of twentieth-century acts of labor legislation and jurisprudence, perhaps most notably in the 1935 law granting American workers the right to strike.55 The problem with the real freedom of contract view is that it is based on faulty social analysis. The labor market is not just another commodity market in which propertyowners are, or can be made, free to participate or not participate. Here some social theory is inescapable. Workers who have no other consistent source of income than a wage have no reasonable alternative to selling their labor-power. That is because in capitalist societies most goods are only legally accessible if you can buy them. There is no other way of reliably acquiring necessary goods. The only way for most workers to get enough money to buy what they need is by selling their laborpower. Their only alternatives are to steal, hope for charity, or rely on inadequate welfare provision. These are, generally speaking, unreasonable alternatives to seeking income through wages. If workers have no reasonable alternative to selling their labor-power they are therefore forced to sell that labor-power to some employer or another.56 This forcing exists even when workers earn relatively high wages, since they still lack reasonable alternatives, though the forcing is more immediate the closer one gets to poverty wages.

#### [2] Workers are coerced into working if they do not have the power to strike – without the ability to strike, workers are treated as a mere means to an end which violates the categorical imperative.

**Chima ‘13** [Chima, Sylvester C. “Global medicine: is it ethical or morally justifiable for doctors and other healthcare workers to go on strike?.” BMC medical ethics vol. 14 Suppl 1,Suppl 1 (2013): S5. doi:10.1186/1472-6939-14-S1-S5]

One can also argue that denial of such striking rights may also be considered unfair discrimination and therefore morally unjustifiable. Some philosophers have described moral obligations or duties, which ought to guide ethical behavior, such as the duty of fidelity or the obligation to keep promises, and beneficence - the obligation to do 'good' [10]. However, it has been suggested that some other equally compelling moral duties or ethical obligations may conflict with the above duties, such as the right to justice. Justice is the right to fair treatment in light of what is owed a person [63]. For example, it may be argued that everybody is equally entitled to a just wage for just work. The philosopher Immanuel Kant based his moral theory on a categorical imperative which encourages moral agents to act, based on a principle, which they would deem to become a universal law [64]. One can argue that the decision by any HCW to go on strike may not be universalisable. However, looking at this decision from the principle of respect for autonomy, or freedom of choice, one can conclude that individual autonomy is a sentiment which is desirable for all human beings. Accordingly, every worker should be free to choose whether to work or not, based on a whether any specific set of conditions of their own choosing have been met**.** Kant argues further that moral agents or individuals should be treated, "whether in your own person or in that of any other, never solely as a means, but always as an end" [64]. This idea that individuals should be treated as ends in themselves has influenced political philosophy for centuries, and stresses the libertarian ideology that people should not have their individual freedoms curtailed either for others or for the good of society in general [10,64]. From this axiomatic considerations, one can conclude that it would be unethical for people to be used as slaves or be forced to work for inadequate wages or under slave-like conditions [4,10,12,51]. The issue of HCW strikes can also be analyzed from utilitarian principles as formulated by one of its major disciples JS Mills as follows [65]: The creed which accepts as the foundation of morals, utility, or the greatest happiness principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. One can argue based on utilitarian principles that the short term suffering induced by doctor and HCW strikes can be mitigated by the long-term benefits such as improvement of healthcare services for the greatest number of people over time [2]. Even if the immediate gains are improved wages and conditions of employment for HCWs alone, in the long-term these will translate into better healthcare service delivery to the local community and society-at-large. Similarly a rights based approach to the issue of strikes, would suggest that even though the goal of bringing about the better healthcare for individual patients or the public at large is a major ethical duty. There is an equally compelling moral duty to protect and enhance individual rights. Protection of individual rights in employment helps to ensure that no group of citizens, are unfairly discriminated against in the quest for equal rights for all in a democratic society**.**

#### [3] The right to strike is necessary for corporations to recognize their employers as agents capable of self-determination.

**Bowie 98** [Bowie, Norman E. “A Kantian Theory of Meaningful Work.” Journal of Business Ethics, vol. 17, no. 9/10, Springer, 1998, pp. 1083–92, http://www.jstor.org/stable/25073937]

1. A corporation can be considered moral in that Kantian sense only if the humanity of employees is treated as an end and not as a means merely. 2. If a corporation is to treat the humanity of employees as an end and not as a means, merely, then a corporation should honor the self-respect of the employees.3. To honor the employees’ self respect, the employee must have a certain amount of independence as well as the ability to satisfy a certain amount of their desires. Thus, the corporation should allow a certain amount of independence and make it possible that employees can satisfy a certain amount of their desires. 4. In an economic system, people achieve independence and satisfaction of their desires using their wages which they earn as employees. Thus a corporation should pay employees a living wage, that is, a wage sufficient to provide a certain amount of independence and some amount of satisfaction of desires. though this is as much as one can say given the Kantian text, I believe one can begin to formulate a Kantian theory of meaningful work. First, meaningful work provides a salary sufficient for the worker to exercise her independence and provides for her phsyical well-being and the satisfaction of some of her desires. Second, it seems obvious that meaningful work in a capitalist economy, be it the work of managers or the work of employees, must support the dignity of human beings. That is, capitalist work should support or enhance the dignity of human beings as moral agents. And since for Kant autonomy and rationality are necessary for moral agency. Work that deadens autonomy or that undermines rationality is immoral.

#### [4] Put away your turns – strikes are omissions of action.

**Benjamin 78** [Walter Benjamin, On Violence, Reflections: Essays, Aphorisms, Autobiographical Writings [Walter Bendix Schönflies Benjamin was a German Jewish philosopher, cultural critic and essayist]

This is above all the case in the class struggle, in the form of the workers' guaranteed right to strike. Organized labor is, apart from the state, probably today the only legal subject en­titled to exercise violence. Against this view there is certainly the objection that an omission of actions, a nonaction, which a strike really is, cannot be described as violence. Such a consideration doubtless made it easier for a state power to conceive the right to strike, once this was no longer avoidable. But its truth is not unconditional, and therefore not unrestricted. It is true that the omission of an action, or service, where it amounts simply to a "severing of relations," can be an entirely nonviolent, pure means. And as in the view of the state, or the law, the right to strike conceded to labor is certainly not a right to exercise violence but, rather, to escape from a violence indirectly exercised by the employer, strikes conforming to this may undoubtedly occur from time to time and involve only a "withdrawal" or "estrangement" from the employer. The mo­ment of violence, however, is necessarily introduced, in the form of extortion, into such an omission, if it takes place in the context of a conscious readiness to resume the suspended action under certain circumstancs that either have nothing whatever to do with this action or only superficially modify it. Understood in this way, the right to strike constitutes in the view of labor, which is opposed to that of the state, the right to use force in attaining certain ends. The antithesis between the two conceptions emerges in all its bitterness in face of a revolu­tionary general strike. In this, labor will always appeal to its right to strike, and the state will call this appeal an abuse, since the right to strike was not "so intended," and take emer­gency measures.

### 1AC – Theory (2)

#### 1] Aff gets 1AR theory since the neg can be infinitely abusive and I can’t check back. It’s drop the debater and competing interps since the 1ar is too short to win both theory and substance and reasonability bites intervention since it’s up to the judge to determine. The 3-minute 2ar is spread too thin to beat back every layer the 1nc introduces. aff theory is the highest layer of the round, you forced me into a spot that I couldn’t escape, you have 6 minutes to go for T in the 2nr which means I can never win.

#### 2] Fairness is a voter – a] every argument you make concedes the validity of fariness since you presume it will be evaluated fairly, b] otherwise people wouldn’t debate, c] debate is a game structured by rules like speech times – you following the rules of the game concedes that fairness matters

**3] Presumption and permissibility affirm – [a] Statements are true before false since if I told you my name, you’d believe me. [b] Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason. [c] Otherwise we’d have to have a proactive justification to do things like drink water. [d] If anything is permissible, then definitively so is the aff since there is nothing that prevents us from doing it.**

#### 4] Interp – the negative must concede the affirmative framework.

#### A] Strat skew – 1) it’s impossible for the 1AR to win both layers of framing and offense when you can frame me mout and read a bunch of turns to the aff making the round impossible in 4 minutes – especially since the 2N can collapse on either the framework or contention for 6 minutes, 2) 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

#### B] 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 outweighs 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. That hijacks all of your offense since they contest both the framework and the offense, while maintaining the 1AR ability to win substance.

#### 5] Use epistemic confidence - A] Logic – If three different doctors diagnosed you with three different diseases, you wouldn’t take 33 of all of the pills, B] Collapses – you use confidence to determine modesty being true which concedes the authority of confidence

### 1AC – Method

#### Ideal theory is good and inevitable.

Shelby 13 [Tommie Shelby, “Racial Realities and Corrective Justice: A Reply to Charles Mills,” *Critical Philosophy of Race*, Vol. 1, No. 2 (2013), pp. 145-162] AG

On the Rawlsian view, injustices are conceptualized as deviations from the ideal principles of justice, in much the same way that fallacious reasoning is conceived as a deviation from the rules of logical inference. An injustice is a failure on the part of individuals or social arrangements to satisfy what the ideal principles of justice demand. Thus, charges of injustice presuppose ideals of justice, which particular individuals and institutions can and often do depart from. Such deviations can be small or great, minor or serious, and depending on the size and nature of the gap between ideals and practice (and also on whether these deviations are avoidable or blameworthy), different remedies will be required. Nonideal theory specifies and justifies the principles that should guide our responses to such deviations from ideal justice.17 Within nonideal theory (and here I focus on domestic rather than global justice), we should distinguish at least four sets of principles: 1. Principles of reform and revolution: the principles that should guide efforts to bring an unjust institutional arrangement more in line with justice such that the society’s members have a more just (though not necessarily perfectly just) society within which to live. 2. Principles of rectification: the principles that should guide the steps a society takes to remedy or make amends for the injuries and losses the oppressed have suffered as a result of past injustice. 3. Penal principles: the principles that should guide the policies a society relies on when responding to individual noncompliance with what justice requires (e.g., principles for punishment, detention, and deportation). 4. Political ethics: the duties and permissions individuals have under unjust social conditions, that is, the principles that should guide their response to injustice. Rawls’s theory provides some direction for (1) and (4), and some limited guidance for (3). But he provides almost no help with (2). And it is (2)—principles of rectification—that is Mills’s chief concern and the main concern of many black radicals. Most of my work has focused on principles of reform and revolution and political ethics (particularly the political ethics of the oppressed), and on the relationship between the two. Yet I certainly see value in work defending principles of rectification Indeed, we can view the principles of reform and revolution and the principles of rectification as jointly constituting a theory of corrective justice. Principles of type (1) have to do with altering the basic structure of a society so that it better approximates a well-ordered society. Type (2) principles address the need to make amends to those burdened and harmed by unjust basic structures. Type (1) principles are forward looking, oriented toward establishing a just society. Type (2) principles are backward looking, oriented toward settling unpaid moral debts. To see that (1) and (2) are distinct it is enough to observe that one could fully pay reparations to the victims of past racial injustice and yet their society remain unjust, including racially unjust. Rawls is concerned with corrective justice, but he thinks of it as encompassing more than laying down principles for making amends to the victims of past injustice. He conceives of it as also including the philosophical arm of reform or revolutionary efforts to establish a society regulated by a mutual commitment to justice, a well-ordered society. When the principles of justice function as a goal of reform or revolution, what the reformers and revolutionaries are ultimately aiming at is this: a society in which the principles are fully realized in its institutions and citizens support and comply with institutional rules because these are in accord with their shared conception of justice. It is in this way that ideal theory serves as a guide for nonideal theory. Mills might accept this more expansive conception of corrective justice and even concede that Rawls’s ideal theory can aid us in its development. But I suspect he would still have doubts about ideal theory’s helpfulness in developing the rectificatory dimension of nonideal theory. After all, Rawls’s two principles are supposed to provide a basis for citizens to judge the validity of their claims of justice on their social system. One kind of claim citizens may make (on their own behalf or on behalf of others) is that they or others are due reparations for harms they have incurred as a result of serious injustice. Does Rawls provide any guidance for judging the validity of such claims? Mills is skeptical. He asserts, “Surely forty years is long enough—especially in a society to whose creation racism has been central—for there to be a significant body of work by now showing how one derives principles of rectificatory racial justice (a “pressing and urgent matter” [Rawls, Theory, 9] if ever there was one) from the idealtheory principles!” (23, note 6) In reply I would note that serving as a guide for nonideal theory is not the same as serving as a set of axioms from which theorems of rectification can be directly deduced. I doubt that ideal theory could play this latter justificatory role. And it should not surprise us if auxiliary precepts of justice were required for a fully adequate theory of compensatory justice. (The same would presumably be true of penal principles. After all, one cannot strictly derive a principle of proportionality in punishment from the two principles of justice either.)18 What ideal theory can provide, however, are evaluative standards for judging when such rectification is prima facie called for—namely, when culpable violations of the principles of justice have caused serious and identifiable harm. The ideal principles (particularly the equal liberty principle) help to explain what was wrong with, say, Jim Crow and Apartheid and why the damage they did to their victims warrants various corrective measures, perhaps including reparations. The trouble with Mills’s view is that he regards nonideal theory as independent of ideal theory, indeed as an alternative to it. But nonideal theory—the study of the principles that should guide our responses to injustice—cannot succeed without knowing what the standards of justice are (and perhaps also what justifies these standards). It is not clear how we are to develop a philosophically adequate and complete theory of how to respond to social injustice without first knowing what makes a social scheme unjust. When dealing with gross injustices, such as slavery, we may of course be able to judge correctly that a social arrangement is unjust simply by observing it or having it described to us, relying exclusively on our pre-theoretic moral convictions. We don’t need a theory for that. But with less manifest injustices, or when our political values seem to conflict, or when we’re uncertain about what justice requires, or when there is great but honest disagreement about whether a practice is unjust, we won’t know which aspects of a society should be altered in the absence of a more systematic conception of justice. Without a set of principles that enables us to identify the injustice-making features of a social system, we could not be confident in the direction social change should take, at least not if our aim is to realize a fully just society.

#### Reject ad homs – Kant’s ideas are important precisely because his abstract ideas were more advanced than his political beliefs and ad homs don’t implicate the truth of Kant’s theory.

Wood 07 [Allen W. Wood, (Stanford University, California) "Kantian Ethics" Cambridge University Press, 2007, https://www.cambridge.org/core/books/kantian-ethics/769B8CD9FCC74DB6870189AE1645FAC8, DOA:8-12-2020 // WWBW]

This seems to me a fundamentally wrong way to look at the matter. For one thing, great figures in the history of philosophy are often great precisely because their insights into highly abstract matters of principle far outrun the capacity of their own time – and often enough, also their own capacity – to understand fully what these insights mean in practice. To see this gap – either in the case of the philosopher or in the case of the entire age – as a case of simple hypocrisy is to misunderstand badly the relation of important philosophical principles to the historical conditions of their genesis. To a more judicious way of looking at things, it might even be expected that the greatest philosophical insights will be those that furthest outrun the philosopher’s own ability to absorb and apply them. Kant’s assertion of the equal dignity of rational nature in all persons is a striking example of this, when we come to some of his opinions about the family, political, and economic relations, and the concept of race. The other main disanalogy between the historical philosopher and the hypocritical politician is that when we study texts in the history of philosophy in order to learn from them, we should care only marginally, if at all, about the moral character of the philosopher. Politicians are people who wield power over us, and it is important that we be able to have personal trust in their sincere adherence to the principles they advocate. This is not true of long-dead philosophers whose texts we study, or at least it should not be. What we learn from them should rest not on the author’s moral authority but on the content of the doctrines and the strength of the arguments for them. Whether Kant’s personal adherence to the moral principles he articulated was sincere or hypocritical might be of interest to biographers, but it should be of little or no interest to philosophers today who are attempting to construct a Kantian ethical theory. 12

#### Excessive focus on reps kills social change.

Chait 15 Jonathan Chait “How the language police are perverting liberalism.” NY Magazine January 275h 2015 http://nymag.com/daily/intelligencer/2015/01/not-a-very-pc-thing-to-say.html JW

Or maybe not. The p.c. style of politics has one serious, possibly fatal drawback: It is exhausting. Claims of victimhood that are useful within the left-wing subculture may alienate much of America. The movement’s dour puritanism can move people to outrage, but it may [and] prove ill suited to the hopeful mood required of mass politics. Nor does it bode well for the movement’s longevity that many of its allies are worn out. “It seems to me now that the public face of social liberalism has ceased to seem positive, joyful, human, and freeing,” confessed the progressive writer Freddie deBoer. “There are so many ways to step on a land mine now, so many terms that have become forbidden, so many attitudes that will get you cast out if you even appear to hold them. I’m far from alone in feeling that it’s typically not worth it to engage, given the risks.” Goldberg wrote recently about people “who feel emotionally savaged by their involvement in [online feminism] — not because of sexist trolls, but because of the slashing righteousness of other feminists.” Former Feministing editor Samhita Mukhopadhyay told her, “Everyone is so scared to speak right now.” That the new political correctness has bludgeoned even many of its own supporters into despondent silence is a triumph, but one of limited use. Politics in a democracy is still based on getting people to agree with you, not making them afraid to disagree. The historical record of political movements that sought to expand freedom for the oppressed by eliminating it for their enemies is dismal. The historical record of American liberalism, which has extended social freedoms to blacks, Jews, gays, and women, is glorious. And that glory rests in its confidence in the ultimate power of reason, not coercion, to triumph.