# 1AC (UV at Bottom)

### Framework

#### The meta-ethic is practical reason:

#### A – Action theory – any action can be infinitely subdivided into smaller actions. For example, my walk to the door can be split into steps, movements, or moments in time. Only practical reason, i.e. my intention to walk to the door, can unify these pieces into a single, coherent action.

#### B – Inescapable – external accounts of the good cannot motivate action since we can always ask *why* we should care about that thing. Only practical reason solves regress since ‘why should I follow reason’ is asking for a reason, conceding its authority – proves my framework is inescapable and that others collapse.

#### Next, actions must be willed freely from the choices of others. Otherwise, that would violate practical reason since you cannot will your unfreedom while also relying on your freedom to act to begin with. But, agents can’t individually secure their own freedom since they can’t wholly control what others do.

#### Instead, they must jointly will the freedom of all, so that no one can subject another to their choice. Only a state, with power deriving from the participation of all, can enforce spheres of mutual independence while remaining impartial to each agent.

#### Thus, the standard is protecting equal outer freedom. Impact calc—only intents matter—

#### A] Induction fails – it begs the question because it uses the past to predict the future but we only assume this is true because it’s worked in the past which is circular.

#### B] Aggregation’s impossible – freedom is a property of action and not a countable object. Saying that two free actions are “more free” than one actions is like saying two circles are more “circular” than one.

#### Prefer additionally—

#### [1] The genesis of agency is intersubjective, which requires reciprocal constraints on freedom.

Neuhouser [Frederick (Professor of Philosophy at Columbia University). “Introduction to Foundations of Natural Right." *Cambridge University Press*, 2000, <https://books.google.com/books?id=vw4tH2lKx3wC>.]

The deduction's second theorem (§3) makes one of the Foundations's most original and exciting claims, and it is essential to Fichte's project of showing that rights are necessary conditions of self-consciousness. Its claim is that ascribing to oneself free efficacy (or agency) in the sensible world requires ascribing the same capacity to other rational beings. Fichte argues here that in order for a subject to be conscious of its own agency, it must first find that agency, as an object for its consciousness, in the external world. The thought here appears to be that the subject cannot come to an awareness of itself as practically free simply by seeing the results of its agency in the world, for in order to act freely, it would first have to know itself as free. The subject, then, must learn about its freedom in some other manner; it must somehow experience itself as free prior to any actual instances of its agency. Fichte's claim in §3 is that the only possible solution to this problem is to suppose that external evidence of one subject's agency is provided by another free subject. This occurs through a “summons” that one already formed subject makes to another. The summons is a call to act, a call to realize one's free efficacy, which takes the form of an imperative: You ought to "resolve to exercise your agency" (§3, III). Fichte concludes from this that the freedom of one subject (which includes consciousness of its freedom) requires the existence of others; free individuality is possible only in relation to other subjects, and so intersubjectivity is a necessary condition of self-consciousness. As Fichte sums up his result in the first Corollary to §3: "The human being . . . becomes a human being only among human beings;... it follows that if there are to be human beings, at all, there must be more than one. From here Fichte moves to the final step of the deduction of the concept of right (§4). Its claim is that positing the existence of other rational beings requires thinking of oneself as standing in a particular relation to them, a relation that turns out to be the "relation of right." The argument behind this claim is that in order to be conscious of myself as a free individual, I must be able to distinguish my own free agency from that of the other subjects whose existence I necessarily posit (as established in §3). According to Fichte, this requires "ascribing exclusively to myself a sphere for my free choice" (§4, II), a sphere to which other free beings have no access. But, given that I share the external world with other free beings, this is possible only if my individuality is recognized by those beings as setting limits to their own free agency. (And the same, of course, is required of me in relation to them if they are to attain consciousness of themselves as free individuals.) This recognition is more than just a theoretical acknowledgment of my status as a free being; it also requires that I be treated as such by other subjects or, in other words, that my free agency acquire a real and protected existence in the external world. But this is nothing more than the requirement that I possess a set of rights that are respected by others, which is what Fichte means by "standing in a relation of right" to other rational beings.

#### [2] Epistemology – Ethics must be a-priori –

#### A] Is/ought gap – empirical facts only describe how the world is, not why it ought to be that way. For example, just because I do pursue pleasure doesn’t mean I ought to pursue pleasure.

#### B] Perception – The material world is not the way it is because it is that way but rather that we perceive it to be that way. That necessitates a-priori reason since it is universally applied to include everyone. Anything else justifies committing atrocities that are perceived to produce a net positive by one person.

#### [3] Performativity – Debate is an exchange of ideas, which requires that we respect each other as free, independent persons who seek ethical truth. Every response you make presupposes it. This respect extends to other people, since they are also agents who engage in dialogue.

#### [4] Actions are motivated by particular reasons—normativity can be justified by a plurality of reasons.

Enoch Enoch, David. "Giving Practical Reasons." Philosophers Imprint. The Hebrew University, Mar. 2011. Web. <https://quod.lib.umich.edu/cgi/p/pod/dod-idx/giving-practical-reasons.pdf?c=phimp;idno=3521354.0011.004>.

I should also note something it does not take for the role played by the given reason in the receiver’s practical reasoning to be appropriate. It is not required that the role be, as it were, ultimate. In other words, it is perfectly consistent with robust reason-giving thus understood that there be a further, fuller, perhaps more basic story of why it is that B does and should take A’s relevant intentions as reason-giving. Perhaps, for instance, B is a simple utilitarian, and let’s further assume that simple utilitarianism is indeed the true fundamental story about all reasons for action. If so, B will take A’s request as a reason to [act] if and only if, and because, doing so will maximize utility. But this does not mean that she doesn’t take, in those cases, A’s request to be a (nonultimate) reason. The crucial question is whether the ultimate (or perhaps just more basic) story here is one that goes through the reasongiver’s special intentions identified above (and the receiver’s recognition thereof), as in the case of the utilitarian request-receiver, in which case we may have a case of robust reason-giving; or whether the more basic story here works directly, leaving no role for the specific intentions that make reason-giving robust (as is the case in the dictator’s child example). Cases of this latter type are not, on the account I’m suggesting here, cases of robust reason-giving. And this seems to me the independently plausible result here. Notice that the intentions mentioned above do not include something like the intention that B actually Φs. This is so because A can give B a reason to [act] Φ knowing well that other reasons may be relevant, including possibly stronger reasons not to [act] Φ.52 Indeed, it seems to me A can make a genuine request that B Φs, all the time acknowledging that if certain other considerations bear on the case, B should not (all things considered) Φ. We do not want to restrict robust reason-giving to just the cases in which the reason-giver intends the given reason to outweigh all others. For similar reasons, A need not intend that the given reason be the only reason for which B Φs.

#### Proves reason-giving is inevitable and alternative framing is compatible.

### Offense

#### I defend the resolution, Resolved: A just government ought to recognize an unconditional right of workers to strike. PICs affirm since they don’t disprove my general thesis. CX checks all theory: (A) I have to take stances on bidirectional interps. (B) Frivolous theory debates kill substantive education. Also, spec interps are irreciprocal since there’s no stable neg advocacy for aff prep.

#### Affirm:

#### [1] Gourevitch 18 Right to Strike defends liberty for workers to both set and pursue their own ends and resist coercion from others, Gourevitch ’18:

Gourevitch, Alex. “A Radical Defense of the Right to Strike.” *Jacobin* 2018. https://jacobinmag.com/2018/07/right-to-strike-freedom-civil-liberties-oppression

Workers have an interest in resisting the oppression of class society by using their collective power to reduce, or even overcome, that oppression. Their interest is **a liberty interest in a double sense**. First, resistance to that class-based oppression carries with it, at least implicitly, a demand for freedoms not yet enjoyed. **A higher wage expands workers’ freedom of choice. Expanded labor rights increase workers’ collective freedom to influence the terms of employment. Whatever the concrete set of issues, workers’ strike demands are always also a demand for control over portions of one’s life** that they do not yet enjoy. Second, **strikes** don’t just aim at winning more freedom — they **are themselves expressions of freedom**. When workers walk out, **they’re using their own individual and collective agency to win the liberties they deserve. The same capacity for self-determination that workers invoke to demand more freedom is the capacity they exercise when winning their demands.** Freedom, not industrial stability or simply higher living standards, is the name of their desire. Put differently, the right to strike has both an intrinsic and instrumental relation to freedom. **It has intrinsic value as an** (at least implicit) **demand for self-emancipation. And it has instrumental value insofar as the strike is an effective means for resisting the oppressiveness of a class society** and achieving new freedoms. But if all this is correct, and the right to strike is something that we should defend, then it also has to be *meaningful*. **The right loses its connection to workers’ freedom if they have little chance of exercising it effectively. Otherwise they’re simply engaging in a symbolic act of defiance** — laudable, perhaps, but not a tangible means of fighting oppression. **The right to strike must therefore cover at least some of the coercive tactics that make strikes potent, like sit-downs and mass pickets. It is therefore often perfectly justified for strikers to exercise their right to strike by using these tactics, even when these tactics are illegal**. Still, the question remains: why should the right to strike be given moral priority over other basic liberties? The reason is not just that liberal capitalism produces economic oppression but that the economic oppression that workers face is in part created and sustained by the very economic and civil liberties that liberal capitalism cherishes. Workers find themselves oppressed *because* of the way property rights, freedom of contract, corporate authority, and tax and labor law operate. Deeming these liberties inviolable doesn’t foster less oppressive, exploitative outcomes, as its defenders insist — quite the opposite. **The right to strike has a stronger claim to be protecting a zone of activity that serves the aims of justice itself — coercing people into relations of less oppressive social cooperation**. Simply put, to argue for the right to strike is to prioritize democratic freedoms over property rights.

#### [2] Right to strike ensures a process of collective bargaining – absent a right to strike it would literally force workers to work against their will, violating freedom, Croucher ’11:

Croucher, Richard, Mark Kely, and Lilian Miles. "A Rawlsian basis for core labor rights." *Comp. Lab. L. & Pol'y J.* 33 (2011): 297. Yoaks

There is another right for us to address here under the first principle. Even the right to bargain collectively as asserted by the ILO is, taken in isolation, a hollow right. **It is necessary to have the possibility of recourse to industrial action in some form to back one’s bargaining position in order for a right to bargain to be substantive**. If it is illegal for workers to take any action opposing an employer’s interests, then the right to bargain is meaningless, since the employer is free to ignore workers’ attempts to negotiate. **We therefore must consider not only the rights to organise and bargain collectively, but also the right of labour to act collectively.** The paradigmatic form of such a right of labour, the one most often discussed, is **the right to strike**, though other forms of industrial action exist. A right to strike is often mooted and has been seriously considered by the ILO for adoption as a declared right, though the ILO has not heretofore put it forward as a core right in the way it has other rights. That the ILO should be relatively conservative in asserting the rights of labour is unsurprising, given its tripartite structure and diplomatic position. However, the ILO has in various places outside of its most fundamental documents acknowledged that the right to bargain collectively implies a right to strike.39 The right to strike appears as a special and controversial case, then, but we argue that from a rights perspective it is a simple, fundamental freedom. The right **to** conduct industrial action is in effect that to **withdraw their labour in some way** (quitting, striking, going slow) **unless collective demands are met. As individuals, every worker,** if they are not a slave (and slavery is explicitly not permitted under Rawls’s first principle) **has a right to withdraw their own labour, and might of course threaten this in individual negotiations with their employer.** Effectively, **what occurs in industrial action is a pooling of individual rights into collective rights**, via the individual freedom to associate with our peers, and in this respect we may still discuss these collective rights qua individual rights under Rawls’s first principle of justice. That is, individuals may be said to have an individual right to join in collective industrial action to improve their conditions. Of course, it will be argued that there is no right to strike if it involves a breach of contract. However, **no contract can literally force labour – if it did that, it would breach the right to freedom from slavery**. Rather, it can only schedule penalties, typically financial, where labour is not performed. **In effect, as long as the freedom to contract is limited by the right to freedom from slavery, there is an implied freedom to strike. Thus, it is because of the very lack of complete freedom to make contracts that prevents us having a primary right to bargain that we do have a primary freedom to strike**. We cannot, according to Rawls, sign away our basic freedom to refuse to do any particular job.40 Of course, a complete ban on bargaining would make striking pointless. We can say we have a fundamental right to strike, but that we won’t want to exercise it unless we also have a right to bargain. And we will now argue that there a substantive right to bargain collectively is assured under the second principle of justice.

#### [3] Absent a right to strike, employers use workers as a mere means to an end because they give workers little say in the process of negotiating employment conditions which treats them as passive tools for the use of profit, a right to strike ensures that workers give continual meaningful consent to the employment relationship without threat of coercion

### Method

#### The role of the ballot is *evaluate the normative desirability of the resolution*. Anything else moots 6 minutes of 1AC offense, guts valuable topic education, and exacerbates 1AR time skews. Prefer—

[A] Textuality – **Resolved denotes a proposal to be enacted by law**   
**Words and Phrases 64** Permanent Edition   
Definition of the word “resolve,” given by Webster is “**to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;**” It is of **similar** force **to the word “enact,”** which is **defined** by Bouvier **as** meaning “**to establish by law**”.

#### [B] Topic Education – Comparative worlds ensures we get the most contestation about the philosophical underpinnings of the resolution and not random NIBs which o/w because it’s key to LD debate

#### [C] Inclusion –it’s the ROB novices and most people can understand.

### Underview

#### [1] Aff theory is legit and drop the debater. 1AR theory is key to check infinite abuse. The 1AR is already too short so strat skew and time loss reading theory makes it impossible to have a fair shot at other areas of the flow, which also means aff theory comes lexically prior. And, no neg RVIs—let’s them dump on the shell for 6 minutes making the 2AR impossible.

#### [2] Presumption and permissibility affirm a) statements are more often true until proven false i.e. if I tell you my name is Rusem you’ll believe that unless proven otherwise b) we couldn’t function or do anything in a world where everything was presumed false. c) Otherwise we’d have to have a proactive justification to do things like drink water. d) If anything is permissible, then definitionally so is the aff since there is nothing that prevents us from doing it.

#### [3] – Interpretation: The neg must concede the Kant framework. Violation: It’s preemptive. Arguments that indict it or propose an alternative violate. Standards: A. Critical thinking – Kant forces you to make analytic arguments about the nature of a workers strike – details like the geopolitical effects don’t matter because there’s no guarantee any of us will ever be in a position to pass policies, but we all make decisions in everyday life. B. Small schools – Util debates reward debaters with more resources like coaches and backfiles – structural abuse outweighs – it rewards debaters because of factors outside of their control. C. Resolvability – The judge can only evaluate the round under one framing mechanism. A balanced evaluation of the round is key because it allows offense to be weighed under a sole lens. Outweighs since judges need to resolve rounds to determine who to vote. D. Topic Ed – Allows the neg to contest offense on case for 7 mins which is better since it allows us to debate the nuances of the topic and its application to one philosophy.

#### [4] Spikes are legit—key to check against 1NR dumping and hedging. Reject arguments indicting spikes since they render the round irresolvable since there’s no way to tell whether to evaluate this spike or their argument first.

#### [5] NC Theory –

#### A] It’s drop the argument since the 1AC speaks in the dark and violates countless bidirectional interps no matter what so we shouldn’t be punished for it.

#### B] Reasonability since the 1AR is too short to effectively win offense against a 6-minute 2nr dump.