# 1AC r2

### Spike

#### Resolved is defined as[[1]](#footnote-1) firm in purpose or intent; determined and I’m determined.

#### 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 definitionally so is the aff since there is nothing that prevents us from doing it.

#### Ethics must begin apriori –

#### [A] Apriori Aposteriori Paradox – big bang proves our theory true – independent of material conditions there was some existence which necessitates objective truth absent material reality.

#### [B] Action theory – infinite division logically concludes from empiricism. i.e If I was brewing tea, I could break up that one big action into multiple small actions. Only our intention unifies these actions. If we were never able to unify action, we could never classify certain actions as moral or immoral.

#### [C] Constitutive Authority – reason is the only unescapable authority because to ask for why we should be reasoners concedes its authority since it uses reason – anything else is nonbinding and arbitrary.

#### [D] Naturalistic fallacy – experience only tells us what is since we can only perceive what is, not what ought to be.

#### [E] Korsgaards Wager – Korsgaard is or korsgaard is not – inconsistency with perfect duties means infinite badness, that means a 1% chance of apriori ethics being true means you affirm since anything else risks infinite immorality which outweighs any chance of it being wrong.

#### That means we must universally will maxims— any non-universalizable norm justifies someone’s ability to impede on your ends.

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

#### Prefer the standard:

#### [a] 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 the neg arguments/standard without first willing that we can pursue ends free from others.

#### [b] Only universalizable reason can effectively explain the perspectives of agents – that’s the best method for combatting oppression. Also, proving an obligation under any index is sufficient to affirm because there isn’t a higher-up framework to weigh theories under which means that you can only disprove a framework from the perspective of another and an obligation under one framework isn’t incompatible with a possibly stronger obligation under another framework.

Farr 02 Arnold Farr (prof of phil @ UKentucky, focusing on German idealism, philosophy of race, postmodernism, psychoanalysis, and liberation philosophy). “Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?” JOURNAL of SOCIAL PHILOSOPHY, Vol. 33 No. 1, Spring 2002, 17–32.

**One** of the most popular **criticism**s **of Kant’s moral philosophy is that it is too formalistic.**13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddedness of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that **although a distinction between the universal and the concrete is** a **valid** distinction, **the unity of the two is required for** an understanding of human **agency.** The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. **Kant is** often **accused of making the moral agent an abstract, empty**, noumenal **subject. Nothing could be further from the truth. The Kantian subject is** an embodied, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. **The** very **fact that I cannot simply satisfy my desires without considering the rightness** or wrongness **of my actions suggests that my empirical character must be held in check** by something, or else I behave like a Freudian id. My empiri- cal character must be held in check **by my intelligible character**, which is the legislative activity of practical reason. It is through our intelligible character that **we formulate principles that keep our** empirical **impulses in check.** The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally signiﬁcant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. **The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.**16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individ- ual think beyond his or her own particular desires. The individual is not allowed to exclude others **as** rational **moral agents** who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. **Hence,** the **universalizability** criterion **is a principle of consistency and** a principle of **inclusion.** That is, in choosing my maxims **I** attempt to **include the perspective of other moral agents.**

### Advocacy

#### Plan Text – Resolved: A just government ought to recognize an unconditional right of workers to strike.

### Offense

#### [1] A right to strike defends workers to set and pursue their own ends and resist coercion, anything else is a violation of freedom.

**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> // King CP recut

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] The humanity principle mandates no exploitation of agents since it’d be a contradiction in conception – if everyone were exploited there’d be no one to exploit.

**Lofaso 17** Anne Marie Lofaso, Workers’ Rights as Natural Human Rights, 71 U. Miami L. Rev. 565 (2017) Available at: https://repository.law.miami.edu/umlr/vol71/iss3/3 [Anne Marie Lofaso is Associate Dean for Faculty Research and Development and a professor at the West Virginia University College of Law. In 2010, she was named WVU College of Law Professor of the Year.] // King CP recut

It is the categorical imperative’s second formulation, known as the principle of ends, the principle of dignity, or the humanity principle, where Kant seems to add something more.202 Kant’s humanity principle tells us to treat people as if each person has intrinsic value simply because each person is human: “Act so that you use humanity, as much in your own person as in the person of every other, always at the same time as an end and never merely as a means.”203 The humanity principle forbids us to act in ways that exploit human beings or at least in ways that merely exploit human beings.204 Presumably, hiring workers per se does not violate the CI even though the employer uses its workers in furtherance of its purposes. The moral question inherent in a natural human rights approach to workers’ rights is whether these workers are being used merely as a means. Those interested in workers’ rights must determine whether, as a matter of fact (as opposed to a matter of law), workers are actually being used in an exploitative manner. This is essentially an empirical assessment of the moral claim: Are institutions, which are designed to protect workers, doing their job? It is also a legal strategy for developing positive labor standards, which reflect a particular conception of human dignity and autonomy while minimizing the impact of state and business coercion of workers.205 This particular formulation of the CI further and most clearly shows how the CI is in tension with political (or even economic) utilitarianism, by which majority rule governs and the ends justify the means.206 Morality requires that when people act we consider the humanity of each person and the effect of our actions on others’ humanity.

#### [3] A right to strike is key to support property rights

Chicktay 6 [Mohamed Alli Chicktay, academic at the University of the Witwatersrand, 2006, “PLACING THE RIGHT TO STRIKE WITHIN A HUMAN RIGHTS FRAMEWORK,” No Publication, [https://journals.co.za/doi/pdf/10.10520/EJC85180] //King](https://journals.co.za/doi/pdf/10.10520/EJC85180%5d%20//King) CP

In addition, in terms of the concept of “self-ownership” we are all owners of our own bodies and therefore should not be forced to do anything with our bodies against our will. We can do whatever we wish with our bodies, provided that we are not aggressive to others who also have “self-ownership” over their bodies (Cohen Self-ownership, Freedom and Equality (1995) 68). Since we own our bodies, we also own the labour that we can perform with our bodies just as we do any other property. Being forced to work without the right to strike could therefore be seen as an infringement of one’s property rights. One may also argue that our body belongs to us and hence is our property. By striking we are withholding the use of our body and any prevention of the right to strike would thus be a violation of our property rights. Israel has argued that the denial of the right to strike violates one’s freedom from forced labour. He argues that by prohibiting strikes or imposing criminal and civil sanctions upon strikers, one would be forcing employees to work, which would be a violation of their right not to be subjected to forced labour (Israel International Labour Standards (1989) 25). The right to strike is also a violation of one’s right to dignity. Workers find a sense of self-worth in their work, which is hindered if they are exploited by employers and have no say in this environment. One of the most effective ways in which workers can have a meaningful say in the workplace is if they have the power to halt production (Harmer “The Right to Strike Charter Implications and Interpretations” 1992 47 University of Toronto Faculty of Law Review 438).

#### [4] A right to strike is key to freedom of association and collective bargaining.

Vogt 16 [Jeffrey S Vogt, Legal Director of the International Trade Union Confederation (ITUC), 2016, “The Right to Strike and the International Labour Organisation (ILO),” King’s Law Journal, <https://sci-hubtw.hkvisa.net/10.1080/09615768.2016.1148297>] //King CP recut

II. FREEDOM OF ASSOCIATION AND THE RIGHT TO STRIKE The Employers’ Group relies on a deeply flawed argument in which the right to freedom of association is a self-contained, individual right, wholly divorced from the context of industrial relations. For them, freedom of association confers no more than the right to gather together into organisations. However, the right to freedom of association has long been understood also as a collective right, particularly in the context of industrial relations, and indeed is a bundle of rights exercised jointly and protected individually which enable those in the association to further the purposes for which it was formed. The right to associate in a trade union is commonly understood to include the right to strike (and to bargain collectively). Indeed, without these attendant rights, the right to association in the industrial relations context would be wholly meaningless. The theory of freedom of association applied in the industrial relations context by the ILO, human rights courts and high courts is specific to the context of the workplace. Combination in a trade union may be a function of individual liberty, but this liberty has little meaning if workers are unable to pursue their own interests through such organisations. Worker solidarity allows workers to overcome the limitations inherent in entering individual contracts of employment, to achieve fair conditions of employment and to participate in making decisions which affect their own lives and society at large. In the absence of a right to strike, it remains difficult (if not impossible) for workers to achieve these goals given the unequal power in the employment relationship. From this premise stems the view that freedom of association implies not only the right of workers and employers to form freely organisations of their own choosing, but also the right to pursue collective activities for the defence of workers’ occupational, social and economic interests. While some have sought to argue that freedom of association should be regarded as a mere individual liberty without reference to its context, here the industrial context,9 this is not a view which has held sway in academic10 or judicial opinion.11 The unquestioned (and unquestionable) international right to collective bargaining gives further support to the existence of the right to strike as a derivative right of freedom of association. While the right to strike is not to be confined to the advancement or defence of collective bargaining,12 the right to collective bargaining is, on the workers’ side, without practical effect in the absence of a right to strike. Without the latter right, a right to collective bargaining amounts to no more than a right to ‘collective begging’. 13 Given the palpable threats of dismissal and relocation which could be presented by an employer, the corresponding threat of temporary withdrawal of labour was all that most workers could offer in return. Certainly, as early as 1924, the ILO ‘Nicod’ Report considered freedom of association in tandem with industrial action, self-evidently seeing the two as linked.14 And the stated view of the International Labour Office by 1927 was that there was an ‘intimate relationship between the right to combine for trade union purposes and the right to strike’ with a strong case being made for international legislation relating to both.15 Space does not permit a full treatment of the legal foundations of the right to strike.16 However, I will here provide a brisk review of the right to strike as it has been developed by the ILO supervisory system as well as the jurisprudence of regional courts which have relied on the ILO’s views, consistent with the Vienna Convention on the Law of Treaties, to interpret their own charters which protect freedom of association—and by extension the right to strike.

### Advantage 1

#### Climate strike participants get arrested now.

**Scanlan 19** [Quinn. Quinn Scanlan. Voting, campaigns & elections for [@ABC](https://twitter.com/ABC). “Jane Fonda arrested in climate change strike outside Capitol”. 10-11-2019. ABC News. https://abcnews.go.com/Politics/jane-fonda-arrested-climate-change-strike-capitol/story?id=66209415.]

Academy Award winning actress Jane Fonda, 81, was arrested by police with a group of about a dozen protesters Friday after being warned repeatedly to leave the steps of the U.S. Capitol. Inspired by youth climate activists like Sweden's Greta Thunberg, 16, who herself recently came to Washington to [testify in front of Congress](https://abcnews.go.com/Politics/greta-thunberg-teen-climate-activist-tells-us-lawmakers/story?id=65692288), Fonda, who, throughout her long career, has engaged in activism, dating as far back as the Vietnam War, recently told ABC News that while she's in the nation's capital, every Friday, she'll attend "Fire Drill Friday," a weekly event featuring scientists, celebrities and activists addressing the various facets and impacts of climate change. The event title is a play on Thunberg saying during a speech at the World Economic Forum's annual meeting in Davos, Switzerland in January, "I want you to act as if our house is on fire. Because it is." "11 o'clock every Friday morning come get arrested with me or choose not to it doesn't matter," told ABC News in an earlier interview about her planned effort. Fonda said she decided to leave her home, and comfort zone, through the holidays, and move to Washington for four months, because she wanted to "make a commitment to" the issue of climate change. In an interview with ABC News Deputy Political director MaryAlice Parks for an episode of of ABC News Live's "The Briefing Room," Fonda said that while they bear no blame for causing it, the [kids are leading the charge](https://abcnews.go.com/Politics/teenage-climate-change-activist-greta-thunbeerg-takes-global/story?id=65601228) on fighting climate change. "They're saying, 'Come on, you know, you're taking our future away from us. We need -- we need you to support us.' And so grandmas unite," she said. "I want to stand with them and raise up... their message. This is -- this is serious... This is a crisis unlike anything that has ever faced humankind." Stressing she was not being hyperbolic, Fonda said this is the "one issue" that matters because it "will [determine the survival of our species](https://abcnews.go.com/International/united-nations-report-details-looming-climate-crisis/story?id=58354235)," and said that's why she'll be attending Fire Drill Fridays weekly. David Swanson/AP, FILE *Actress and activist Jane Fonda talks to a crowd of protestors during a global climate rall...Read More* "I think every single human being has to say, 'What can I do to put this at the forefront?'" she said. "(With) everything that's going on in the news, well, we have to fight our way through that and find ways to get climate change in people's minds." The esteemed actress pushed back against criticism that Hollywood's presence could make climate change a more polarizing issue. "What we're facing is so important and so urgent, it doesn't matter. Those -- those things don't even matter," she told Parks. "This is the future. This is whether we're going to survive." Fonda also said that the United States needs "to lead the way" on this issue, so that other countries who contribute heavily to greenhouse gas emissions, like China and India, "follow suit." While she's been passionate about this issue for "decades," she credits her current endeavors on [Thunberg's recurring protest](https://abcnews.go.com/Politics/teenage-climate-change-activist-greta-thunbeerg-takes-global/story?id=65601228) outside Swedish parliament, and other student climate strikers around the world for taking on this issue so passionately.

#### Strikes incentivize companies to take climate action seriously.

**Ivanova 19** [Irin. Work, tech, climate and data for [@CBSNews](https://twitter.com/CBSNews). Priors: [@HuffPost](https://twitter.com/HuffPost), [@CrainsNewYork](https://twitter.com/CrainsNewYork), [@newmarkjschool](https://twitter.com/newmarkjschool). “These businesses are closing for Friday's climate strike”. 9-20-2019. No Publication. https://www.cbsnews.com/news/global-climate-strike-businesses-close-their-doors-in-time-for-climate-strike-2019/.]

Thousands of people are planning to walk out of work or school on Friday to press global leaders for solutions to rapidly escalating climate change. And while it was students who started the movement, more and more workers—and even companies—are joining them in support. Some businesses are letting workers take the day off to protest, while others plan to close their doors outright. They tend to be small or mid-sized businesses — most of the country's largest corporations have yet to weigh in on the strike, although plenty of people who work at them might yet participate when walkouts are set to start Friday afternoon. Here are the ways workers and companies are supporting the strike. **Walkouts** Amazon is expected to see more than 1,500 employees walk out, with the largest contingent exiting its Seattle headquarters, as they push the company to cut ties with fossil-fuel companies and stop funding groups that deny climate science. The company on Thursday announced it would make its operations carbon-neutral by 2040 and run entirely on renewable energy within a decade. More than 900 **Google** workers and unknown numbers of workers from **Facebook, Atlassian, Cobot, Ecosia, Microsoft** and **Twitter** are vowing walkouts. The strikers have details at [Tech Workers Coalition.](https://techworkerscoalition.org/climate-strike/) Some smaller companies are giving workers paid time off to participate in the walkouts. These include **Atlassian, Sustain Natural, Grove Collaborative** and others. **Closures** Ben & Jerry's corporate offices in South Burlington, Vermont, will be closed during the strike on Friday, while shops worldwide will either be closed or open later than usual. The company is also stopping production at its manufacturing plants in Vermont and the Netherlands, according to [Adweek](https://www.adweek.com/brand-marketing/brands-are-closing-their-doors-in-support-of-the-global-climate-strike/). "We recognize that climate change is an existential threat to our planet and all its inhabitants, and therefore we are proud standing with the youth-led movement demanding bold action in response to the climate emergency," a spokesperson said. **Patagonia** is closing its retail stores for 24 hours on Friday. "For decades, many corporations have single-mindedly pursued profits at the expense of everything else — employees, communities and the air, land and water we all share," CEO Rose Marcario wrote on [LinkedIn](https://www.linkedin.com/pulse/enough-join-climate-strikes-demand-action-rose-marcario/?sf219300827=1). "[C]apitalism needs to evolve if humanity is going to survive." Lush Cosmetics will close its manufacturing facilities and retail outlets on September 20 in the U.S. and on September 27 in Canada. It's also halting online sales on Friday. **Badger Balm** is closing for the day and giving workers paid time off to demonstrate or volunteer. The company is also donating 5% of online sales from September 16 to 27 to AmazonWatch.org to aid in preserving the shrinking Amazon's ecological systems, it said. **Burton**, the outdoor retailer, is closing its offices and owned retail stores on September 20th or 27th (depending on their country of location). It also won't make any online sales for 24 hours on Friday. **SodaStream**, the seltzer maker owned by PepsiCo, is shuttering its headquarters and closing e-commerce on Friday. **Digital doings and more** The heart of the strike will be in the streets, but that doesn't mean the action stops there. More than 7,000 [companies](https://digital.globalclimatestrike.net/) have pledged to draw attention to the protest by either donating ad space or putting banners on their sites. Participants include **Tumblr, WordPress, Imgur, Kickstarter, BitTorrent,** **Tor, BoingBoing**, **Greenpeace, Change.org**, among many others.

#### Extinction THIS OUTWEIGHS ALL OF THEIR CONSEQUENTALIST OFFENSE

Specktor 19 [Brandon writes about the science of everyday life for Live Science, and previously for Reader's Digest magazine, where he served as an editor for five years] 6-4-2019, "Human Civilization Will Crumble by 2050 If We Don't Stop Climate Change Now, New Paper Claims," livescience, <https://www.livescience.com/65633-climate-change-dooms-humans-by-2050.html> Justin

The current climate crisis, they say, is larger and more complex than any humans have ever dealt with before. General climate models — like the one that the [United Nations' Panel on Climate Change](https://www.ipcc.ch/sr15/) (IPCC) used in 2018 to predict that a global temperature increase of 3.6 degrees Fahrenheit (2 degrees Celsius) could put hundreds of millions of people at risk — fail to account for the **sheer complexity of Earth's many interlinked geological processes**; as such, they fail to adequately predict the scale of the potential consequences. The truth, the authors wrote, is probably far worse than any models can fathom. How the world ends What might an accurate worst-case picture of the planet's climate-addled future actually look like, then? The authors provide one particularly grim scenario that begins with world governments "politely ignoring" the advice of scientists and the will of the public to decarbonize the economy (finding alternative energy sources), resulting in a global temperature increase 5.4 F (3 C) by the year 2050. At this point, the world's ice sheets vanish; brutal droughts kill many of the trees in the [Amazon rainforest](https://www.livescience.com/57266-amazon-river.html) (removing one of the world's largest carbon offsets); and the planet plunges into a feedback loop of ever-hotter, ever-deadlier conditions. "Thirty-five percent of the global land area, and **55 percent of the global population, are subject to more than 20 days a year of** [**lethal heat conditions**](https://www.livescience.com/55129-how-heat-waves-kill-so-quickly.html), beyond the threshold of human survivability," the authors hypothesized. Meanwhile, droughts, floods and wildfires regularly ravage the land. Nearly **one-third of the world's land surface turns to desert**. Entire **ecosystems collapse**, beginning with the **planet's coral reefs**, the **rainforest and the Arctic ice sheets.** The world's tropics are hit hardest by these new climate extremes, destroying the region's agriculture and turning more than 1 billion people into refugees. This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to **stress the fabric of the world's largest nations**, including the United States. Armed conflicts over resources, perhaps culminating in **nuclear war, are likely**. The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."

### Underview

#### [1] Aff gets 1AR theory – otherwise the neg can be infinitely abusive and there’s no way to check against this. Aff theory is drop the debater, competing interps, and the highest layer of the round – the 1ARs too short to be able to rectify abuse and adequately cover substance – you must be punished. No 2nr theory since theres only a 2ar which nictitates judge intervention.

#### [2] Aff theory first – it’s a much larger strategic loss because 1min is ¼ of the 1AR vs 1/7 of the 1NC which means there’s more abuse if I’m devoting a larger fraction of time. Reject all neg args against the ROB because they assume the ROB is true.

#### [3] Nonideal theory is epistemically bankrupt:

#### a) triggers skep – we’d constantly be fixing injustices as a precondition to ethical action so we never get to the bottom of what is actually ethical b) relevance - every society has different injustices that occur – the resolution is a universal values statement which means you cannot universalize any theory under nonideal theory c) every ethical theory can be misused – but that isn’t a problem with ethical principles, that is a problem with us – also means we should reclaim the true function of these ethical concepts in places like debate to challenge the way they are misunderstood d) real world injustices need universal ideal principles to ground them and explain why they are wrong. You can’t measure something with a ruler constantly changing length.

#### [4] Argumentation presupposes some basic freedom principle, otherwise it cannot occur – means our framework is a prerequisite to yours.

**Hoppe 98** Hans Hermann (professor of business, UNLV) Liberty magazine, September 1998  21

Second, it must be noted that argumentation does not consist of free-floating propositions but is a form of ac-tion require[es] ing the employment of scarce means; and furthermore that the means, which a person demonstrates by preferring to engage[s] in propositional exchange are those of private property**. No one could** possibly **propose anything**, and no one could become con- vinced of any proposition by argumentative means, **if one's right to make exclusive use of one's physical body were not already presupposed.** It is one's recognition of another's mutual- ly exclusive control over his own body which explains the distinctive character- istic of propositional exchanges: while one may disagree about what has been said, it is still possible to agree at least on the fact that there is disagreement. And it is obvious, too, that such a property right in one's own body must be said to be justified a priori. **Anyone who would try to justify any norm** of whatever content **must** already **presuppose an exclusive right of control over his [or her] body simply in order to** **say "I propose** **such and such**." **And anyone disputing such a right, then, would become caught up in a practical contradiction,** since in arguing so one would already implicitly have accepted the very norm that one was disputing.

#### 5] Humanism is good – it establishes a continuity that serves a basis for emancipation.

Lester 12 [(January 2012, Alan, Director of Interdisciplinary Research, Professor of Historical Geography, and Co-Director of the Colonial and Postcolonial Studies Network, University of Sussex, “Humanism, race and the colonial frontier,” Transactions of the Institute of British Geographers, Volume 37, Issue 1, pages 132–148)] Recut MK

**Anderson argues that it is not an issue of extending humanity to** … negatively **racialised people, but** of **putting into question** that from which such people have been excluded – that which, for **liberal discourse**, remains unproblematised. (2007, 199) **I fear**, however, **that if we direct attention away from histories of humanism’s failure to deal with difference** and to render that difference compatible with its fundamental universalism, **and** if we **overlook** its proponents’ **failed attempts to combat dispossession, murder and oppression**; **if** our history of **race is** instead **understood through a critique of humanity**’s conceptual separation from nature, we dilute the political potency of universalism. Historically, it was not humanism that gave rise to racial innatism, **it was** the specifically anti-humanist politics of settlers **forging new social assemblages through relations of violence on colonial frontiers**. **Settler communities became established social assemblages** in their own right specifically through the rejection of humanist interventions. **Perhaps**, **as** Edward **Said suggested**, we can learn from the implementation of humanist universalism in practice, **and insist on its potential to combat racism**, and perhaps we can insist on the contemporary conceptual hybridisation of human–non-human entities too, **without** necessarily **abandoning** all **the precepts of humanism** (Said 2004; Todorov 2002). We do not necessarily need to accord a specific value to the human, separate from and above nature, in order to make a moral and political case for a fundamental **human universalism** that **can be wielded strategically against racial violence**. **Nineteenth century humanitarians’ universalism was** fundamentally **conditioned by their belief that British culture stood at the apex of a hierarchical order of civilisations**. From the mid-nineteenth century through to the mid-twentieth century, **this ethnocentrism produced** what Lyotard describes as ‘**the flattening of differences**, or the demand for a norm (“human nature”)’, that ‘carries with it its own forms of terror’ (cited Braun 2004, 1352). The intervention of Aboriginal Protection demonstrates that humanist universalism has the potential to inflict such terror (it was the Protectorate of Aborigines Office reincarnated that was responsible, later in the nineteenth and twentieth centuries, for Aboriginal Australia’s Stolen Generation, and it was the assimilationist vision of the Protectors’ equivalents in Canada that led to the abuses of the Residential Schools system). **But we must not forget that** humanism’s alternatives, **founded upon principles of difference rather than commonality**, have the potential to do the same and even worse. **In the nineteenth century, Caribbean planters and** then **emigrant British settlers** **emphasised the multiplicity of the human species**, the absence of any universal ‘human nature’, **the** incorrigibility of difference, **in their** upholding of biological determinism. **Their assault on any notion of a fundamental commonality among human beings has** disconcerting points of intersection with the radical critique of humanism today. The scientific argument of the nineteenth century that came closest to **post-humanism**’s insistence on the hybridity of humanity, promising to ‘close the ontological gap between human and non-human animals’ (Day 2008, 49), was the evolutionary theory of biological descent associated with Darwin, and yet this theory **was adopted** in Aotearoa New Zealand and other colonial sites precisely to legitimate the potential extinction of other, ‘weaker’ races **in the face of British colonisation** on the grounds of the natural law of a struggle for survival (Stenhouse 1999).**Both the upholding and the rejection of human–nature binaries can** thus **result in racially oppressive actions**, depending on the contingent politics of specific social assemblages. Nineteenth century colonial humanitarians, inspired as they were by an irredeemably ethnocentric and religiously exclusive form of universalism, at least combatted exterminatory settler discourses and practices at multiple sites of empire, and provided spaces on mission and protectorate stations in which indigenous peoples could be shielded to a very limited extent from dispossession and murder. They also, unintentionally, reproduced discourses of a civilising mission and of a universal humanity that could be deployed by anticolonial nationalists in other sites of empire that were never invaded to the same extent by settlers, in independence struggles from the mid-twentieth century. Finally, as Whatmore’s (2002) analysis of the Select Committee on Aborigines reveals, they provided juridical narratives that are part of the arsenal of weapons that indigenous peoples can wield in attempts to claim redress and recompense in a postcolonial world. **The politics of humanism in practice, then, was riddled with contradiction, fraught with particularity and latent with varying possibilities**. **It could be** relatively **progressive and liberatory**; **it could be dispossessive and culturally genocidal**. Within its repertoire lay potential to combat environmental and biological determinism and innatism, however, and this should not be forgotten in a rush to condemn humanism’s universalism as well as its anthropocentrism. **It is in the tensions within universalism that the ongoing potential of an always provisional,** self-conscious, flexible and strategic humanism – one **that** now **recognises the continuity between the human and the non-human as well as the power-laden particularities of the male, middle class, Western human subject** – **resides**.

#### 6] Prioritizing academic theorization because the case “doesn’t solve enough” is unethical – before regurgitating “reform is impossible,” consider what that means for the thousands of people affected by the aff.

Delgado 9 [Chair of Law at the University of Alabama Law School, J.D. from the University of California, Berkeley, his books have won eight national book prizes, including six Gustavus Myers awards for outstanding book on human rights in North America, the American Library Association’s Outstanding Academic Book, and a Pulitzer Prize nomination.  Professor Delgado’s teaching and writing focus on race, the legal profession, and social change, 2009, “Does Critical Legal Studies Have What Minorities Want, Arguing about Law”, p. 588-590]

2. The CLS critique of piecemeal reform

Critical scholars reject the idea of piecemeal reform. Incremental change, they argue, merely postpones the wholesale reformation that must occur to create a decent society. Even worse, an unfair social system survives by using piecemeal reform to disguise and legitimize oppression. Those who control the system weaken resistance by pointing to the occasional concession to, or periodic court victory of, a black plaintiff or worker as evidence that the system is fair and just. In fact, Crits believe that teaching the common law or using the case method in law school is a disguised means of preaching incrementalism and thereby maintaining the current power structure.“ To avoid this, CLS scholars urge law professors to abandon the case method, give up the effort to ﬁnd rationality and order in the case law, and teach in an unabashedly political fashion.

TheCLS critique of piecemeal reform is familiar, imperialistic and wrong.Minorities know from bitter experience that occasional court victories do not mean the Promised Land is at hand. The critique is imperialistic in that it tells minorities and other oppressed peoples how they should interpret events affecting them. A court order directing a housing authority to disburse funds for heating in subsidized housing may postpone the revolution, or it may not. In the meantime, the order keeps a number of poor families warm. This may mean more to them than it does to a comfortable academic working in a warm office. It smacks of paternalism to assert that the possibility of revolution later outweighs the certainty of heat now, unless there is evidence for that possibility. The Crits do not offer such evidence.

Indeed, some incremental changes may bring revolutionary changes closer, not push them further away. Not all small reforms induce complacency; some may whet the appetite for further combat. The welfare family may hold a tenants’ union meeting in their heated living room. CLS scholars’ critique of piecemeal reform often misses these possibilities, and neglects the question of whether total change, when it comes, will be what we want.

### Offense 2

#### [2] Korsgaard affirms – overthinking is bad, which is intrinisic to clash so vote on the ac only.

**Wikipedia** [Brackets Original. “Analysis Paralysis”. Wikipedia. No Date. <https://en.wikipedia.org/wiki/Bonini%27s_paradox>]

Analysis paralysis (or paralysis by analysis) describes an individual or group process when overanalyzing or overthinking a situation can cause forward motion or decision-making to become [frozen] "paralyzed", meaning that no solution or course of action is decided upon. A situation may be deemed too complicated and a decision is never made, due to the fear that a potentially larger problem may arise. A person may desire a perfect solution, but may fear making a decision that could result in error, while on the way to a better solution. Equally, a person may hold that a superior solution is a short step away, and stall in its endless pursuit, with no concept of diminishing returns. On the opposite end of the time spectrum is the phrase extinct by instinct, which is making a fatal decision based on hasty judgment or a gut reaction.

# Accessibility

### Contention

#### A right to strike defends workers to set and pursue their own ends and resist coercion.

Gourevitch 18

Expanded labor rights increase workers’ freedom to influence terms of employment. strike demands are always a demand for control over one’s life using their individual and collective agency to win the liberties It has intrinsic value as a demand for self-emancipation The right to strike must cover some of the coercive tactics therefore justified for strikers to strike even when illegal

#### The humanity principle mandates no exploitation of agents.

Lofaso 17

humanity principle forbids us to exploit human beings The moral question inherent is whether workers are being used merely as a means It is a strategy for developing labor standards, which reflect human dignity and autonomy while minimizing coercion of workers

#### A right to strike is key to support property rights.

Chicktay 6

we own the labour we perform with our bodies By striking we are withholding the use of our body any prevention to strike would be a violation of our property rights denial violates one’s freedom from forced labour

#### A right to strike is key to freedom of association and collective bargaining.

Vogt 16

freedom of association confers to gather into organisations in a union is understood to include the right to strike without these rights the right to association would be meaningless liberty has little meaning if workers are unable to pursue their interests through organisations right to collective bargaining support the right to strike collective bargaining without a right to strike amounts to no more than ‘collective begging’

1. http://www.dictionary.com/browse/resolved [↑](#footnote-ref-1)