## 1

#### Permissibility and presumption negate:

#### [1] Resolution indicates the affirmative has to prove a proactive obligation, and permissibility would deny the existence of an obligation

#### [2] Logic – Propositions require positive justification before being accepted, otherwise one would be forced to accept the validity of logically contradictory propositions regarding subjects one knows nothing about, i.e if one knew nothing about P one would have to presume that both the “P” and “~P” are true.

#### Ethics must be derived from the constitutive features of agents – ethics based internally fail because they can’t generate universal obligations and ethics based externally fail because they are nonbinding as agents could opt-out and have no motivation to follow them which means they fail to guide action.

#### Constitutivism solves – it allows for universal obligations among all agents but they are binding and cannot be opted out of.

#### Next, only practical reason is constitutive:

#### [1] Regress – to question why one should reason concedes its authority since it is an act of reasoning itself which proves it’s binding and inescapable

#### [2] Agents can shift between different identities but doing so requires reason - it unifies the subject and is the only enterprise agents cannot escape

#### Ferrero 09 (Luca Ferrero, [Luca Ferrero is a Philosophy professor at University of California, Riverside. His areas of interest are Agency Theory, including Intentionality and Personal identity; Practical Reasoning; and Meta-Ethics], “Constitutivism and the Inescapability of Agency”. Oxford Studies in Metaethics, vol. IV, Jan 12, 2009. <https://philarchive.org/archive/FERCATv1> BHHS AK recut

Agency is special in two respects. First, agency is the enterprise with the largest jurisdiction.¹² All ordinary enterprises fall under it. To engage in any ordinary enterprise is ipso facto to engage in the enterprise of agency. In addition, there are instances of behavior that fall under no other enterprise but agency. First, intentional transitions in and out of particular enterprises might not count as moves within those enterprises, but they are still instances of intentional agency, of bare intentional agency, so to say. Second, agency is the locus where we adjudicate the merits and demerits of participating in any ordinary enterprise. Reasoning whether to participate in a particular enterprise is often conducted outside of that enterprise, even while one is otherwise engaged in it. Practical reflection is a manifestation of full-fledged intentional agency but it does not necessarily belong to any other specific enterprise. Once again, it might be an instance of bare intentional agency. In the limiting case, agency is the only enterprise that would still keep a subject busy if she were to attempt a ‘radical re-evaluation’ of all of her engagements and at least temporarily suspend her participation in all ordinary enterprises.

#### That justifies universalizability - insofar as there is no a priori distinction between reasoners, a reason for one agent must also be a reason for another; if all agents cannot set and pursue an end, it is not constitutive of agency. Willing a maxim that violates freedom is a contradiction in conception – you cannot violate someone’s freedom without having your own freedom to do so.

**That outweighs on actor specificity: the universality of freedom justifies a libertarian state.**

**OTTESON 9 brackets in original** James R. Otteson (professor of philosophy and economics at Yeshiva University) “Kantian Individualism and Political Libertarianism” The Independent Review, v. 13, n. 3, Winter 2009

In a crucial passage in Metaphysics of Morals, Kant writes that the “Universal Principle of Right” is **“‘[e]very action which by itself or by its maxim enables the freedom of each individual’s will to co-exist with the freedom of everyone else** in accordance with a universal law is right.’” He concludes, “Thus the universal law of right is as follows: let your external actions be such that the free application of your will can co-exist with the freedom of everyone in accordance with a universal law” (1991, 133, emphasis in original).5 This stipulation **becomes** for Kant **the grounding justification for the existence of a state**, its raison d’être, and **the reason we leave the state of nature is to secure this sphere of maximum freedom compatible with the same freedom of all others**. **Because this freedom must be complete**, in the sense of being **as full as possible** given the existence of other persons who demand similar freedom, it entails that **the state may**—indeed, must—**secure this condition** of freedom, **but undertake to do nothing else because any other** state **activities would compromise the very autonomy the state seeks to defend**. Kant’s position thus outlines and implies a political philosophy that is broadly libertarian; that is, it endorses a state constructed with the sole aim of protecting its citizens against invasions of their liberty. For Kant, **individuals create a state to protect their moral agency, and** in doing so **they consent to coercion only insofar as it is required to prevent themselves** or others **from impinging on** their own or **others’ agency**. In his argument, individuals cannot rationally consent to a state that instructs them in morals, coerces virtuous behavior, commands them to trade or not, directs their pursuit of happiness, or forcibly requires them to provide for their own or others’ pursuits of happiness. And except in cases of punishment for wrongdoing,6 this severe limitation on the scope of the state’s authority must always be respected: “The rights of man must be held sacred, however great a sacrifice the ruling power may have to make. There can be no half measures here; it is no use devising hybrid solutions such as a pragmatically conditioned right halfway between right and utility. For all politics must bend the knee before right, although politics may hope in return to arrive, however slowly, at a stage of lasting brilliance” (Perpetual Peace, 1991, 125). The implication is that a Kantian state protects against invasions of freedom and does nothing else; in the absence of invasions or threats of invasions, it is inactive.

**Thus, the standard is consistency with a libertarian state of non-interference.**

**[1] Performativity – arguing against my framework presupposes freedom because without freedom to reason you would not be able to make arguments and try to win. – this means that contesting any of my arguments proves my framework true.**

**[2]** **Resolvability: Clarity of weighing under interpretation of Kantianism: perfect duties above imperfect duties, duties in right, etc. All other FWs are consequentialist that use unquantifiable prob, mag, or prob x mag. Resolvability is an independent voter because otherwise the judge can’t make a decision which means it’s a constraint on any ROB because otherwise the round is impossible**

#### [3] Consequentialism fails – A] Induction fails – 1. saying that induction works in the past uses induction, which means it’s circular and unjustified 2. It assumes specific causes of past consequences which can’t be verified as the actual cause

#### Negate:

#### [1] Strikes require strike funds which are paid with union dues

Refresh Financial No Date "What Happens To Your Pay When Your Workplace Goes On Strike" <https://refreshfinancial.ca/blog/financial-news-and-advice/happens-pay-workplace-goes-on-strike/> JG

Before you lose any sleep over that, it’s important to note that most union members on strike will not go without having their basic financial needs met. Many unions have “**strike funds**” or “war funds” into which union members pay their dues. Depending on which union you belong to, you may get a specific strike pay amount per day or per week, or you could simply be allotted emergency funds based on need. Strike pay can be quite low compared to your regular pay with some unions paying between $200-$300 per week. For those at home counting, that’s just $800 - $1200 per month.

#### Those are taken without choice

Hunter 99 Robert P. Hunter 8-24-1999 "Disadvantages of Union Representation" <https://www.mackinac.org/2313> (Robert P. Hunter served as the regional director of the Federal Labor Relations Authority in Washington, D.C., and was a senior fellow in labor policy for the Mackinac Center for Public Policy. Hunter was director of labor policy for the Mackinac Center from 1996 to 2003.) JG

Still another disadvantage of union representation is the cost to employees. Most collective bargaining agreements require all employees to support the union financially as a condition of their continued employment. Federal law provides that employees may, regardless of the language in the agreement, opt not to formally join the union; however, they may still be required to pay certain dues and initiation fees. Additionally, the union can demand the discharge of any employee who fails to pay required dues and fees, unless a right-to-work law has been enacted in the state where the business operates. Michigan does not have a right-to-work law. The costs of union membership vary widely from union to union, but regardless of the amount, dues represent an expense to employees **that they would not otherwise have.** The typical Michigan union worker **pays hundreds of dollars per year** as a result of dues requirements. Nonunion employees may well ask why they should pay more for employee benefits that they already enjoy as a part of the employer's wage and fringe benefit program. (Nonunion members are, however, entitled to pay less than full dues if they assert their rights under the U. S. Supreme Court's Beck44 decision.) Still another disadvantage of union representation is the cost to employees. Most collective bargaining agreements require all employees to support the union financially as a condition of their continued employment. Federal law provides that employees may, regardless of the language in the agreement, opt not to formally join the union; however, they may still be required to pay certain dues and initiation fees. Additionally, the union can demand the discharge of any employee who fails to pay required dues and fees, unless a right-to-work law has been enacted in the state where the business operates. Michigan does not have a right-to-work law. The costs of union membership vary widely from union to union, but regardless of the amount, dues represent an expense to employees that they would not otherwise have. The typical Michigan union worker pays hundreds of dollars per year as a result of dues requirements. Nonunion employees may well ask why they should pay more for employee benefits that they already enjoy as a part of the employer's wage and fringe benefit program. (Nonunion members are, however, entitled to pay less than full dues if they assert their rights under the U. S. Supreme Court's Beck44 decision.) The power of exclusive employee representation can also be a disadvantage to workers. This power carries with it a duty of fair representation that requires the union to negotiate fairly on behalf of all employees in the "bargaining unit," whether they are union members or not. A labor union, however, is granted by law tremendous discretion in fulfilling its responsibilities as bargaining representatives, and it can be difficult to force it to side with any particular employee on an issue that it feels is unmeritorious. In other words, the power of exclusivity gives unions the right to advance the interests of the group over those of the individual.45

#### [2] Strikes use others as a mere means to an end

Fourie 17 Johan Fourie 11-30-2017 "Ethicality of Labor-Strike Demonstrates by Social Workers" <https://www.otherpapers.com/essay/Ethicality-of-Labor-Strike-Demonstrates-by-Social-Workers/62694.html> (Johan Fourie is professor of Economics and History at Stellenbosch University.) JG

A further formula of the Categorical Imperative is "so, act as to treat humanity, whether in your own person or in that of any other context, never solely as a means to an end but always as an end within itself' (Parrott, 2006, p. 51). By this Kant meant people should be valued and respected as an individual and not used for the benefit of others. Participating in a labor-strike demonstration/action is **a direct violation of this** categorical perspective as it would not be ethically permissible because the severe dependence and well-being of clients, the effective functioning of the employer organization, and society **is used to duly and unduly influence the bargaining process for better working conditions**. In participating in the labor strike demonstration, the humanity, and well-being of clients and society **is not seen as crucial** **and as an 'end'**, but rather used to demonstrate the undeniable need for the skills and expertise of social workers. Furthermore, through withholding services, social worker professionals demonstrate that the well-being and welfare of society have lost its inherent importance/value. Though the value of overall well-being is taught throughout the social work training process and is enshrined in the professional ethical codes.

#### [3] Negs get Contention Choice- It’s key to robust philosophy debates rather than arbitrary contention debates which o/w since phil is unique to LD. It also prevents splitting the debate allowing for in depth clash and 2ar judge psychology spins on the contention level.

## 2

#### Interpretation: Debaters may not claim that actor spec comes first and that intuitions come first. Violation: they do in the fw Standards:

#### Strat skew: I don't know how to link NC framing to the affs weighing mechanism since you claim one thing comes first but the other is the basis for argumentation. This makes the 1n strat impossible to execute since you also can say two different things come first and collapse to the one I most undercover. There’s a shiftiness DA – It is literally impossible to know what you will collapse to when you say one thing comes first but the other is the foundation for arguments.

#### 

## 3

#### Interpretation: Arguments concerning the fairness of negative arguments may be read in the 1AR but not in the 1AC.   Violation: they read a shell and a theory paradigm underview Standards: 1] Strat Skew:

#### A) No-Risk Issues: If I drop the spike in my NC because I genuinely don’t believe I link, the 1AR can make the most nonsensical violations that become no-risk voting issues for the aff, meaning at worst I lose if I mishandle one and at best I have to waste more time than it took you to spout out BS violations, which also trades off with substance education since that's time we don’t spend on substance, that outweighs since its about things that are actually relvant and not only specific to a highschool activity.

#### B) Neg strat. I shouldn’t be afraid to run a given neg strat because of what you might make up in the 1AR. Spike theory arbitrarily limits out theory, counterplans, and NCs that are key to neg strategy. Unnecessary exclusion of positions is the biggest harm to fairness because it’s a 100 ground loss. Also means you set unpredictable limits on the topic. Implication is to drop them and reject the shell and theory paradigm issues – I need to be able to engage for the rest of the round fairly so act like they didn’t read their spikes and drop them to deter future abuse and set good norms.