## 1AC

### 1AC – Europe

#### Plan: The member nations of the European Union ought to recognize an unconditional right of workers to strike.

#### Strike rights are backsliding in Eastern Europe – especially after COVID

Lynch 21 [Esther Lynch was elected as a deputy general secretary of the European Trade Union Confederation at its Vienna Congress in 2019, having previously been a confederal secretary. "Time to put an end to union-busting." https://socialeurope.eu/time-to-put-an-end-to-union-busting]

The right to join a trade union and to bargain collectively is recognised as a fundamental human right by numerous European and international charters and conventions. And yet union-busting is on the rise in Europe.

Over the last year, the European Trade Union Confederation has been receiving alarming reports of union rights violations—of obstacles, victimisation and discrimination in a number of countries—sometimes using the pandemic as a pretext. The ETUC is calling on the European institutions to take a stand and put an end to union-busting, by including measures in the proposed directive on adequate minimum wages to halt anti-union practices and to guarantee trade union access to workplaces and protection from victimisation.

The best way to secure fair wages is through collective bargaining by trade unions. The draft directive recognises this in article 4, calling for the ‘promotion of collective bargaining on wage setting’. This obliges member states to work with social partners (unions and employers) to encourage ‘constructive, meaningful and informed’ negotiations and strengthen sectoral or cross-industry bargaining. In countries where fewer than 70 per cent of workers are covered by collective agreements, governments will have to draw up action plans to promote bargaining.

All this is welcome but fails to require member states to tackle employers’ attacks on workers’ ability to organise and act together—if necessary through strike action—without risk of reprisals, victimisation, dismissal or discrimination.

Legally binding

The obligation on the European Union and its member states to act could not be clearer. The legally binding Charter of Fundamental Rights of the EU (article 12) establishes ‘the right of everyone to form and to join trade unions for the protection of his or her interests’. Several International Labour Organization (ILO) conventions reinforce the right to negotiate on behalf of workers, including the Collective Bargaining Convention (1981). Principle 8 of the European Pillar of Social Rights further encourages the social partners ‘to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action’.

The ILO Committee on Freedom of Association Digest of Case Law affirms:

The right to bargain with employers with respect to conditions of work constitutes an essential element in freedom of association, and trade unions should have the right, through collective bargaining or other lawful means, to seek to improve the living and working conditions of those whom the trade unions represent. The public authorities should refrain from any interference which would restrict this right or impede the lawful exercise thereof.

Yet ‘interference’ is happening throughout Europe. Union representatives are being victimised, detained or denied the right to communicate with the workers they represent.

The International Trade Union Confederation’s Global Rights Index 2020 revealed that 38 per cent of European countries excluded workers from the right to join or set up a union, 56 per cent failed to uphold the right to collective bargaining and no fewer than 72 per cent violated the right to strike. Many employers are refusing to enter talks or are choosing to bypass legitimate trade unions in favour of non-union and non-representative ‘sweetheart’ organisations.

Growing evidence

The ETUC has growing evidence of anti-union activities by well-known companies, such as McDonald’s and Intercontinental Hotels. In Ireland, the bookmaker Paddy Power and retailer Dunnes Stores have used police to expel trade union representatives from their premises. In Latvia, legislation allows employers to set up ‘yellow’ unions, to prevent legitimate trade unions from reaching collective agreements.

Just last month, a court in Italy found that a Deliveroo algorithm discriminated against riders who took strike action and ordered the company to pay damages to trade unions. Elsewhere, ending the automatic ‘check-off’ payment of union dues from wages has had a severe impact on union finances.

A recent Vice report detailed how the notoriously anti-union Big Tech company Amazon subjected employees to surveillance in a number of EU countries, including Spain, Austria and Czechia, using ‘professional’ union-busters and private detectives to spy on trade union activities. Indeed, union-busting is now big business—and forms part of the business model of major companies such as Ryanair.

Governments are complicit in these activities. Trade unionists are still arrested and prosecuted for carrying out their duties, for instance in Turkey and Belgium. A number of countries fail to protect union members from discrimination or victimisation, including Bulgaria, Romania and Poland, where some categories of workers also do not have the right to organise.

And now some member states have adopted so-called emergency procedures in response to Covid-19, seriously limiting trade union rights such as holding demonstrations. In Hungary, a new law, introduced without consultation, prohibits collective bargaining, outlaws strikes and terminates all existing agreements in the healthcare sector.

#### The right to strike is key to global democracy – organized and empowered labor secures reforms in every area

Puddington 10 [Arch Puddington is currently Senior Scholar Emeritus at Freedom House. He also previously served as the Senior Vice President for Research at Freedom House. "The Global State of Workers’ Rights: Free Labor in a Hostile World." https://freedomhouse.org/sites/default/files/inline\_images/WorkerRightsFULLBooklet-FINAL.pdf]

Some 30 years ago, in August 1980, workers in communist Poland formed the independent Solidarity trade union movement, thereby challenging one of the totalitarian system‘s fundamental principles: control of labor organizations by the party-state. The strike that led to Solidarity‘s establishment was launched at the Lenin shipyards in Gdansk. It quickly spread throughout Poland, and its program escalated from workplace issues to a sweeping demand for freedom to create the institutions that undergird a democratic society. After a decade of tumult and repression, Solidarity emerged triumphant, compelling the country‘s communist authorities to allow competitive elections that resulted in a landmark victory for the democratic opposition. This in turn led to the domino-like collapse of communist rule throughout Central and Eastern Europe and, two years later, the breakup of the Soviet Union.

The question some are asking today is whether a phenomenon similar to Solidarity might be possible in what is now the world‘s most powerful authoritarian country, China. In recent years, evidence of worker unrest there has steadily mounted. Strikes and other forms of labor protest occur regularly; just in the last few months, workers have called high-profile strikes at installations operated by some of the world‘s largest multinational corporations. As was the case in Poland, the official labor umbrella group, the All-China Federation of Trade Unions (ACFTU), has played an obstructive role by trying to force striking workers back into their enterprises and in some instances acting as strikebreakers. There are also signs that some within the ACFTU, unlike in the official Polish union, see a need for change that seems to be lost on the leadership.

The burgeoning workers‘ resistance in China has drawn supporters and participants from many segments of the economy, including cab drivers, teachers, and factory workers. Despite their lack of experience as union activists, they have embraced the tried-and-true tactics of labor protest— sit-down strikes and roadblocks, for example—and have eschewed violence. These youthful workers have also used mobile telephones and the internet to draw attention to their causes. The stories they tell about conditions at the workplace are eerily familiar to anyone who is acquainted with the history of the trade union struggle in Europe and North America: low pay within the context of rapidly expanding inequality, punishing hours, harsh supervisors, and a consuming work routine that discourages family life.

The most recent strike wave has taken many observers outside China by surprise. The growth of the Chinese industrial juggernaut gave rise to myths about Chinese workers, who were widely regarded as docile, willing to work remarkably long hours without complaint, uninterested in unions or collective action, inspired by patriotic love for the Communist Party leadership, and unwilling to challenge authority. Among those caught unaware were the owners and managers of multinational corporations whose investments in China have been predicated on the assumption of cheap, compliant Chinese labor. Indeed, the American Chamber of Commerce in China was sharply critical of changes to Chinese labor laws that were adopted in 2008, issuing a thinly veiled warning that enhanced protections for workers would lead multinationals to look elsewhere for new installations.

Unlike the state-owned enterprises in communist Poland, the strike targets in modern China are foreign-owned, private firms. Accordingly, the strikers do not confront the state directly, and the strikes are thus not regarded as overtly political. Still, the increasing willingness of Chinese workers to risk arrest and jail to defend workplace rights is a potent signal to the government of the power of independent worker action.

The Chinese case is a cogent reminder of the central role played by the struggle for worker rights in the past century‘s broader movement toward democratic freedom. From South Africa to South Korea, Chile to the Czech Republic, the democracy and workers‘ rights movements have been closely linked. This relationship was well understood by fascist, communist, and authoritarian dictators who feared the strength of democratic trade unionists.

A number of important qualities distinguish free trade unions from other nongovernmental organizations (NGOs) that promote democratic reform. First, unlike most NGOs, they have a mass membership. Second, if they are run democratically, they can act as a training ground for democracy activists, who learn how to campaign on issues, muster support, and get themselves elected to union offices. And third, trade unions are one of the few NGOs that operate simultaneously in the social, economic, and political spheres, making them a potential counterweight to the concentrated power of economic and political elites.

It is no surprise, then, that a principal goal of totalitarians and dictators of both the right and the left has been to secure absolute control over organized labor and transform unions into pliant instruments of the party-state. Communist movements of the past, which claimed to draw legitimacy from the working classes, were particularly eager to capture and destroy independent labor organizations.

Today, repressive regimes are still wary of the power of organized workers. In a number of societies, unions and workers remain in the forefront of movements that seek human rights, fair elections, a free press, and laws to stem rampant corruption. Unions have played a crucial role, for example, in the effort to bring reforms to Zimbabwe in the face of murderous reprisals by the regime of President Robert Mugabe. In South Africa, it was the labor movement that prevented the transshipment of Chinese weapons to Zimbabwe at a time when the government of President Thabo Mbeke went out of its way to befriend Mugabe. In Iran, bus drivers and other workers have been important forces in the struggle for democracy; threatening statements issued in recent months by the country‘s supreme leader, Ayatollah Ali Khamenei, have paid special attention to the role of workers in the opposition. In Guinea, unions were a critical force in demonstrations that sought democratic change, and union members were prominent among those massacred by the country‘s military junta in September 2009. And in Venezuela, unions have strongly resisted attempts by President Hugo Chavez to bring the entire labor movement under his personal control.

The political leaderships of many authoritarian countries—such as Russia, China, Iran, and Egypt—are acutely aware of the Solidarity example and are determined to forestall a repetition on their territory. However, only the most oppressive regimes—North Korea and Cuba, for example—exert the degree of tight control that marked previous eras, and relatively few countries respond to trade union activism with the sort of thuggery employed by Mugabe. Just as they have developed sophisticated mechanisms to muzzle independent voices in the media, control the activities of civil society organizations, and marginalize opposition political parties, modern authoritarian regimes have devised more nuanced strategies to keep organized labor under control. Thus the Communist Party leadership in China has developed an approach that combines concessions to striking workers with efforts to restrict press attention to labor unrest, prevent labor complaints from reaching higher authorities in the state or party, and above all block the formation of a nationwide workers‘ movement that could become an autonomous source of power like Solidarity.

The problems of workers are not restricted to countries with authoritarian political environments. Societies that otherwise observe a wide array of democratic freedoms—those that tolerate robust debate in the media, are sensitive to the rights of minorities, and have adopted a series of policies to achieve gender equality—may still take steps to limit the power of trade unions as agents of collective bargaining and sources of independent political power. The most glaring example of this phenomenon is the United States. While the country has adopted laws that in principle guarantee the rights of workers to form unions, engage in collective bargaining, and conduct strikes and other forms of workplace protest, these rights have been circumscribed in practice over the past three decades through a combination of court decisions, political initiatives, and government policies.

The status of workers‘ rights must also be viewed within the context of a global decline in freedom of association. Authoritarian governments have singled out the institutions of civil society for special attention in recent years. Targets include democratic political parties, human rights organizations, women‘s advocates, groups that investigate corruption or monitor abuse by security services, organizations that seek legal reform, and groups that champion minority rights or religious freedom—organizations, in other words, that aim to provide ordinary people with a voice or influence on public policy.

#### Establishing an unconditional right to strike is key – it’s the backbone of organized labor activities in every sector

Pope 18 [James Gray Pope is a distinguished professor of law at Rutgers Law School and serves on the executive council of the Rutgers Council of AAUP/AFT Chapters, AFL-CIO. He can be reached at jpope@law.rutgers.edu. "Labor’s right to strike is essential." https://www.psc-cuny.org/clarion/september-2018/labor%E2%80%99s-right-strike-essential]

The recent teacher strikes underscore another, equally vital function of the strike: political democracy. It is no accident that strikers often serve as midwives of democracy. Examples include Poland in the 1970s, where shipyard strikers brought down the dictatorship, and South Africa in the 1970s and 1980s, where strikers were central to the defeat of apartheid. Even in relatively democratic countries like the United States, workers often find it necessary to withhold their labor in order to offset the disproportionate power of wealthy interests and racial elites. During the 1930s, for example, it took mass strikes to overcome judicial resistance to progressive economic regulation. Today, workers confront a political system that has been warped by voter suppression, gerrymandering and the judicial protection of corporate political expenditures as “freedom of speech.” With corporate lackeys holding a majority of seats on the Supreme Court, workers may soon need strikes to clear the way for progressive legislation just as they did in the 1930s.

But if the right to strike is a no-brainer, then how did Cuomo and de Blasio justify attacking it? “The premise of the Taylor Law,” said Cuomo, “is you would have chaos if certain services were not provided,” namely police, firefighters and prison guards. If that’s the premise, then why not endorse Nixon’s proposal as to teachers and most public workers, and propose exceptions for truly essential services? That’s the approach of international law, and that’s what Nixon clarified she supports. But Cuomo couldn’t explain why teachers and other non-essential personnel should be denied this basic human right. As for de Blasio, he claimed that the Taylor Law accomplishes “an important public purpose” and that “there are lots of ways for workers’ rights to be acknowledged and their voices to be heard.” What public purpose? Forcing workers to accept inadequate wages and unsafe conditions? What ways to be heard? Groveling to politicians for a raise in exchange for votes?

The ban forces once-proud unions to serve as cogs in the political machines of Wall Street politicians. No sooner did Nixon endorse the right to strike than two prominent union leaders rushed to provide cover for Cuomo. Danny Donohue, president of the Civil Service Employees Association, called her “incredibly naive” and charged that “clearly, she does not have the experience needed to be governor of New York.” Evidently Cuomo, who was elected governor on a program of attacking unions and followed through with cuts to public workers’ pensions and wages, does have the requisite experience. John Samuelsen of the Transport Workers Union, which represents more than 40,000 New York City transit workers, also lashed out, saying, “I believe that she will cut and run when we shut the subway down…. As soon as her hipster Williamsburg supporters can’t take public transit to non-union Wegmans to buy their kale chips, she will call in the National Guard and the Pinkertons.”

Tough talk. Roger Toussaint, the TWU Local 100 president who led a subway strike in 2005 and was jailed for it, once tagged Samuelsen a “lapdog” for Cuomo. But “attack dog” might be more accurate in this case. Presented with a rare opportunity to trumpet workers’ most fundamental right in the glare of media attention, Samuelsen chose instead to drive a cultural wedge between traditionally minded workers and nonconformists, many of whom toil as baristas, restaurant servers and tech workers – constituencies that are fueling the anti-Trump resistance and pushing the Democratic Party to break with Wall Street.

Here we see shades of former AFL-CIO President George Meany, who helped to elect a very different Richard Nixon by refusing to endorse George McGovern, one of the most consistently pro-labor candidates in US history, on the ground that he was supported by “hippies.”

Samuelsen’s descent to Cuomo attack dog is inexplicable except as a response to the crushing pressures generated by the Taylor Law. He stands out from most other public-sector labor leaders not for sucking up to establishment politicians, but for minimizing it. Just two years ago, Samuelsen was one of the few major labor leaders who had the guts to endorse Bernie Sanders over Wall Street’s choice, Hillary Clinton. And when he was elected president of the New York local, it was on a promise to be more effective at mobilization and confrontation than Toussaint. Once on the job, however, he and his slate had to confront the devastating results of the strike ban. In addition to jailing Toussaint and penalizing strikers two days’ pay for each day on strike, a court had fined the union millions of dollars and stripped away its right to collect dues through payroll deductions. No wonder Samuelsen quietly redirected the union’s strategy away from striking and toward less confrontational mobilizations and political deal-making.

A WAY FORWARD

Any way you look at it, striking will be absolutely essential if American organized labor, now down to 11 percent of the workforce, is to revive. As AFL-CIO President Richard Trumka once warned, workers must have “their only true weapon – the right to strike,” or “organized labor in America will soon cease to exist.” Red-state teachers have shown the way, exercising their constitutional and human right to strike in defiance of “law.” Will Democrats and labor leaders celebrate their example, or will they follow Cuomo, de Blasio and the Republicans down the path of suppression?

#### It spills over – democratized labor creates a culture of participation that offsets authoritarian populism

Spiegelaere 18 [Stan De Spiegelaere is a researcher at the European Trade Union Institute (ETUI). "An Unlikely Cure For Populism: Workplace Democracy." https://socialeurope.eu/an-unlikely-cure-for-populism-workplace-democracy]

Trump in the White House, Orban in Hungary, the Law and Justice party in Poland, the AfD in Germany, Erdoğan in Turkey… It seems like the list of challenges to our democracies is becoming worryingly extensive. Time to act! And the area where one should act might surprise you: our companies.

Democracy lives on values of speaking up, participating in decision making and being involved. It’s when societies think their voices and votes don’t matter, that democracies are threatened in their core. Yet, the place where we spend a good deal of our active days, companies, is quite authoritarian. Speaking up is not always values, participating in decision making not welcome and don’t even think about suggesting to vote out your management.

Think about it. Our societies want us to spend about 40 hours a week in non-democratic environments, doing as we are told and at the same time be critical, voicing and engaged citizens in the remaining time. No surprise that many resolve this cognitive dissonance by retreating from political democracy altogether, with all due consequences.

Democracy starts at work

It’s not the first time our societies are confronted with this limbo between democracy and the capitalist organization of the firm. And many countries have found ways to at least lessen this painful spread by introducing some types of democracy in the companies: employees are given a vote. Not to choose the company management (yet), but to choose some representatives that can talk with the management on their behalf.

Unions, works councils and similar institutions take democracy down to the company floors. Imperfect, sure, but they give at least a slim democratic coating to our rather autocratic working lives. They enable workers to voice their demands, suggest changes and denounce issues without risking personal retaliation.

And by doing so, they create an environment in which individual employees feel more comfortable to speak up too about their own work. About how it can be improved, about when to do what. And these hands-on experiences of democracy breed a more general democratic culture. According to two recent studies, employees being involved in decision making about their work are more likely to be interested in politics, have a pro-democratic attitude, vote, sign a petition or be active in parties or action groups. And this is what democracy is all about. It’s more than just casting a vote every so often, it’s about being engaged and involved in decision making that affects you.

The picture is quite clear: if we want political democracy to succeed we need citizens to have practical experiences with participation and involvement. And where better to organize this then in companies by giving people a vote on their representatives and a say in how they do their day-to-day work. Empowered employees bring emancipated citizens. No coincidence the European Trade Union Confederation aims to put this back on the policy agenda.

Populism gives us a fish, workplace democracy teaches us how to fish

Lacking voice in the workplace, lacking hands on experiences with the (often difficult) democratic decision making, many turn to politicians promising to be their voice. “I am your voice” said Trump to working America in 2016. Similarly, the German AfD stressed to be the voice of the ‘little man’.

They all promise of restoring ‘real democracy’ by being their voice on the highest level. At the same time, all these populists take measures which break the voice of workers on the company level. Trump is making it harder for unions to organize or bargain collectively. In Hungary, the Orban government has limited the right to strike and made organizing more difficult.

#### European leadership is key to the liberal order, global democracy, and human rights.

Dworkin and Leonard '18 [Anthony and Mark; 5/24/18; senior policy fellow at ECFR focusing on human rights, democracy, and justice, visiting lecturer in the Paris School of International Affairs at Sciences Po; co-founder and director of ECFR; "Can Europe save the world order?" https://www.ecfr.eu/publications/summary/can\_europe\_save\_the\_world\_order]//GJ

The world is becoming a scarier place. Trade wars loom, great-power competition is returning, proxy conflict is spreading, and President Donald Trump has withdrawn the United States from the Iran nuclear deal and the Paris agreement on climate change. Rules and alliances that once promoted international cooperation and stability seem to be losing their hold. In their place, there is a resurgence of international relations based on assertive nationalism, winner-takes-all competition, and disdain for the rule of law. Hopes that international politics would encourage the spread of democracy and human rights have faltered, while authoritarianism and illiberalism are in the ascendant. These changes have led many people to argue that the liberal international order developed after the second world war is breaking down.

The rules-based order is under threat both from inside and outside. For most of the period since 1945, it was a joint project of the US and its European allies. But now Europe must respond to a radical shift in which the US – under Trump – has become a significant threat to the system. Trump’s policies and disregard for European views and interests have created a crisis that compounds longer-term strains on the international order. In response, the European Union urgently needs to design and implement a strategy for preserving the core elements of a rules-based order. This policy brief attempts to work out a vision of international order that could guide the EU, and to suggest how the EU could put this vision into practice.

The EU is heavily invested in the idea of a rules-based international order. The Union exemplifies the belief that states are most able to prosper through cooperation, openness, and a rule of law that incorporates a commitment to democracy and human rights. The EU’s international standing is linked to the credibility of the principles it embodies. More practically, European countries want an international order that protects them from external threats and allows them to promote their economic interests through worldwide trade and investment. European public policy is committed to the principle that multilateralism is the best way to create global public goods. Given these positions, the EU has good reason to be concerned about the condition of the liberal order, and to develop policies that aim to restore or preserve the order’s most important elements.

#### Liberalism can be a platform for emancipatory change – past examples ignore its normative resources for egalitarianism

Mills ‘17 (Charles, Distinguished Professor of Philosophy @ The Graduate Center of City University New York, “Occupy Liberalism!”, *Black Rights/White Wrongs*, Kindle)

The “Occupy!” movement, which has made headlines around the country, has raised the hopes of young American radicals new to political engagement and revived the hopes of an older generation of radicals still clinging to nostalgic dreams of the glorious ’603. If the original and still most salient target was Wall Street, a long list of other candidates for “occupation” has since been put forward. In this essay, I want to propose as a target for radical occupation the somewhat unusual candidate of liberalism itself. But contrary to the conventional wisdom prevailing within radical circles, I am going to argue for the heretical thesis that liberalism should not be contemptuously rejected by radicals but retrieved for a radical agenda. Summarized in bullet-point form, my argument is as follows: 0 The “Occupy Wall Street" movement provides an opportunity unprecedented in decades to build a broad democratic movement to challenge plutocracy, patriarchy, and white supremacy in the United States. 0 Such a movement is more likely to be successful if it appeals to principles and values most Americans already endorse. o Liberalism has always been the dominant ideology in the United States. - Liberalism in the United States has historically been complicit with plutocracy, patriarchy, and white supremacy, but this complicity is a contingent function of dominant group interests rather than the result of an immanent conceptual logic. Therefore progressives in philosophy [and elsewhere) should try to retrieve liberalism for a radical democratic agenda rather than rejecting it, thereby positioning themselves in the ideological mainstream of the country and seeking its transformation. Let me now try to make this argument plausible for an audience likely to be aprioristically convinced of its obvious unsoundness. Preliminary Clarification of Terms First we need to clarify the key terms of “radicalism” and “liberalism.” While of course a radicalism of the right exists, I mean to refer here to radicals who are progressives. But “progressive” cannot just denote the left of the political spectrum, since the whole point of the “new social movements” of the 19 605 onwards was that the traditional left-right political spectrum, predicated on varying positions on the question of public vs. private ownership, did not ex- haust the topography of the political. Issues of gender and racial domination were to a significant extent “orthogonal” to this one-dimensional trope. So I will use “radicalism” broadly, though still in the zone of progressive politics, to refer generally to ideas/ concepts / principles/values endorsing pro-egalitari- an structural change to reduce or eliminate unjust hierarchies of domination. “Liberalism” may denote both a political philosophy and the institutions and practices characteristically tied to that political philosophy. My focus will be on the former. The issue of how bureaucratic logics may prove refractory to reformist agendas is undeniably an important one, but it does not really fall into the purview of philosophy proper. My aim is to challenge the radical Shibboleth that radical ideas / concepts/ principles/values are incompatible with liberalism. Given the deep entrenchment of this assumption in the worldview of most radicals, refuting it would still be an accomplishment, even if working out practical details of operationalization are delegated to other hands. In the United States, of course, “liberalism” in public parlance and everyday political discourse is used in such a way that it really denotes left- liberalism specifically (“left” by the standards of a country whose center of gravity has shifted right in recent decades]. In this vocabulary, right-liberals are then categorized as “conservatives”—in the market sense, as against the Burkean sense. On the other hand, some on the right would insist that only they, the heirs to the classic liberalism of John Locke and Adam Smith, are re- ally entitled to the “liberal” designation. Later welfarist theorists are fraudu- lent pretenders to be exposed as socialist intruders unworthy of the title. Re- jecting both of these usages, I will be employing “liberalism” in the expanded sense typical of political philosophy, which links both ends of this spectrum. “Liberalism” then refers broadly to the anti-feudal ideology of individual- ism, equal rights, and moral egalitarianism that arises in Western Europe in the seventeenth to eighteenth centuries to challenge the ideas and values inherited from the old medieval order, and which is subsequently taken up and develped by others elsewhere, including many who would have been explicitly excluded by the original conception of the ideology. Left-wing so- cial democrats and right—wing market conservatives, fans of John Rawls on the one hand and Robert Nozick on the other, are thus both liberals.1 From this perspective, it will be appreciated that liberalism is not a monolith but an umbrella term for a variety of positions. Here are some ex- amples—some familiar, some perhaps less so: Varieties of Liberalism Left-wing [social democratic) vs. Right-wing (market conservative) Kantian vs. Lockean Contractarian vs. Utilitarian Corporate vs. Democratic Social vs. Individualist Comprehensive vs. Political Ideal-theory vs. Non-ideal-theory Patriarchal vs. Feminist Imperial vs. Anti-imperial Racial vs. Anti-racial Color-blind vs. Color-conscious Etc. It is not the case, of course, that these different species of liberalism have been equally represented in the ideational sphere, or equally implemented in the institutional sphere. On the contrary, some have been dominant while others have been subordinate, and some have never, at least in the full sense, been implemented at all. But nonetheless, I suggest they all count as liberalisms and as such they are all supposed to have certain elements in common, even those characterized by gender and racial exclusions. (My motivation for making these last varieties of liberalism rather than deviations from liberalism is precisely to challenge liberalism’s self- congratulatory history, which holds an idealized Platonized liberalism aloft, untainted by its actual record of complicity with oppressive social systems.) So the initial question we should always ask people making generalizations about “liberalism” is: What particular variety of liberalism do you mean? And are your generalizations really true about all the possible kinds of liberalism, or only a subset? Here is a characterization of liberalism from a very respectable source, the British political theorist, John Gray: Common to all variants of the liberal tradition is a definite conception, distinctively modern in character, of man and society. . . . It is individualist, in that it asserts the moral primacy of the person against the claims of any social collectivity; egalitarian, inasmuch as it confers on all men the same moral status and denies the relevance to legal or political order of differences in moral worth among human beings; universalist, affirming the moral unity of the human species and according a secondary importance to specific historic associations and cultural forms; and meliorist in its affirmation of the corrigibility and improvability of all social institutions and political arrangements. It is this conception of man and society which gives liberalism a definite identity which transcends its vast internal variety and complexity.2 What generate the different varieties of liberalism are different concepts of individualism, different claims about how egalitarianism should be con- strued or realized, more or less inclusionary readings of universalism [Gray’s characterization sanitizes liberalism’s actual sexist and racist history), dif- ferent views of what count as desirable improvements, conﬂicting normative balancings of liberal values (freedom, equality) and competing theoretical prognoses about how best they can be realized in the light of (contested) soda-historical facts. The huge potential for disagreement about all of these explains how a common liberal core can produce such a wide range of vari- ants. Moreover, we need to take into account not merely the spectrum of actual liberalisms but also hypothetical liberalisms that could be generated through novel framings of some or all of the above. So one would need to differentiate dominant versions of liberalism from Oppositional versions, and actual from possible variants. Once the breadth of the range of liberalisms is appreciated—dominant and subordinate, actual and potential—the obvious question then raised is: Even if actual dominant liberalisms have been conservative in various ways (corporate, patriarchal, racist) why does this rule out the development of emancipatory, radical liberalisms? One kind of answer is the following [call this the internalist answer): Because there is an immanent conceptual/ normative logic to liberalism as a political ideology that precludes any emancipatory development of it. Another kind of answer is the following [call this the externalist an- swer): It doesn't. The historic domination of conservative exclusionary lib- eralisms is the result of group interests, group power, and successful group political projects. Apparent internal conceptual /normative barriers to an emancipatory liberalism can be successfully negotiated by drawing on the conceptual/normative resources of liberalism itself, in conjunction with a revisionist socio-historical picture of modernity. Most self-described radicals would endorse—indeed, reﬂexively, as an obvious truth-the first answer. But as indicated from the beginning, I think the second answer is actually the correct one. The obstacles to developing a “radical liberalism” are, in my opinion, primarily externalist in nature: material group interests, and the way they have shaped hegemonic varieties of liberalism. So I think we need to try to justify a radical agenda with the normative resources of liberalism rather than writing off liberalism. Since liberalism has always been the dominant ideology in the United States, and is now globally hegemonic, such a project would have the great ideological advantage of appealing to values and principles that most people already endorse. All projects of egalitarian social transformation are going to face a combination of material, political, and ideological obstacles, but this strategy would at least reduce somewhat the dimensions of the last. One would be trying to win mass support for policies that—and the challenge will, of course, be to demonstrate this—are justifiable by majoritarian norms, once reconceived and put in conjunction with facts not always familiar to the majority. Material barriers [vested group interests) and political barriers [organizational difficulties) will of course remain. But they will constitute a general obstacle for all egalitarian political programs, and as such cannot be claimed to be peculiar problems for an emancipatory liberalism. But the contention will be that such a liberalism cannot be developed. Why? Here are ten familiar objections, variants of internalism, and my re- plies to them. Ten Reasons Why Liberalism Cannot Be Radicalized (And My Replies) 1. Liberalism Has an Asocial, Atomic Individualist Ontology This is one of the oldest radical critiques of liberalism; it can be found in Marx’s derisive comments, for example in the Grundrisse, about the “Robin- sonades” of the social contract theory whose “golden age” [1650—1800) had long passed by the time he began his intellectual and political career: The individual and isolated hunter or fisher who forms the starting-point with Smith and Ricardo belongs to the insipid illusions of the eighteenth century. They are Robinson Crusoe stories . . . . no more based on such a naturalism than is Rousseau’s contrat social which makes naturally inde— pendent individuals come in contact and have mutual intercourse by con- tract... . . Man is in the most literal sense of the word a zoon politikon, not only a social animal, but an animal which can develop into an individual only in society. Production by individuals outside society . . . is as great an absurdity as the idea of the development of language without individuals living together and talking to one another.3 But several replies can be made to this indictment. To begin with, even if the accusation is true of contractarian liberalism, not all liberalisms are contractarian. Utilitarian liberalism rests on different theoretical founda- tions, as does the late nineteenth—century British liberalism of T. H. Green and his colleagues: a l-legelian, social liberalism.4 Closer to home, of course, we have [ohn Dewey’s brand of liberalism. MoreOver, even within the so- cial contract tradition, resources exist for contesting the assumptions of the Hobbesian/Lockean version of the contract. Rousseau's Discourse on the Origins of Inequality [1755) (nowhere given proper credit by Marxs) re- thinks the “contract” to make it a contract entered into after the formation of society, and thus the creation of socialized human beings. So the ontology presupposed is explicitly a social one. In any case, the contemporary revival of contractarianism initiated by John Rawls's 1971 A Theory of ] ustice makes the contract a thought experiment, a “device of representation," rather than a literal or even metaphorical anthropological account. The communitar- ian/contractarian debates of the 19805 onwards recapitulated much of the “asocial” critique of contractarian liberalism (though usually without a radi- cal edge). But as Rawls pointed out against Michael Sandel, for example, one needs to distinguish the figures in the thought experiment from real hu- man beings.6 And radicals should be wary about accepting a communitarian ontology and claims about the general good that deny or marginalize the dynamics of group domination in actual societies represented as “communi- ties.” The great virtue of contractarian liberal individualism is the conceptu- al room it provides for hegemonic norms to be critically evaluatedthrough the epistemic and moral distancing from Sittiichkeit that the contract, as an intellectual device, provides. 2. Liberalism Cannot Recognize Groups and Group Oppression in Its Ontology—I (Macro) The second point needs to be logically distinguished from the first, since a theory could acknowledge the social shaping of individuals while denying that group oppression is central to that shaping. [So #1 is necessary, but not sufficient, for #2.) The Marxist critique, of course, was supposed to encapsulate both points: people were shaped by society and society (post- “primitive communism") was class-dominated. The ontology was social and it was an ontology of class. Today radicals would demand a richer ontology that can accommodate the realities of gender and racial oppression also. But whatever candidates are put forward, the ‘key claim is that a liberal frame- work cannot accommodate an ontology of groups in relations of domination and subordination. To the extent that liberalism recognizes social groups, these are basically conceived of as voluntary associations that one chooses to join or not join, which is obviously very different from, say, class, race, and gender memberships. But this evasive ontology, which obfuscates the most central and obvious fact about all societies since humanity exited the hunting-and-gathering stage—viz, that they are characterized by oppressions of one kind or another—is not a definitional constituent of liberalism. Liberalism has certainly recognized some kinds of oppression: the absolutism it opposed in the seventeenth to nineteenth centuries, the Nazism and Stalinism it opposed in the twentieth century. Liberalism’s failure to systematically address structural oppression in supposedly liberal-democratic societies is a contingent artifact of the group perspectives and group interests privileged by those structures, not an intrinsic feature of liberalism’s conceptual apparatus.

#### European populism causes nuke war

von der Heyden 17 [Karl von der Heyden, Co-Chairman of the American Academy in Berlin, was awarded the Duke University Medal for Distinguished Meritorious Service, recipient of The International Center in New York's Award of Excellence, M.B.A. from the Wharton School of the University of Pennsylvania, “I Survived World War II. Nationalism Is a Path to War”, 2017, https://time.com/4815170/wwii-nationalism-donald-trump-america-first/]

This collective tendency to forget is not a new phenomenon. After the horrors of the Napoleonic Wars, Europe was given a new order of nation states under the Treaty of Vienna, signed in 1815. The new order lasted relatively well, surviving the revolutions of 1848 and the subsequent Crimean and Franco-Prussian wars. By the time World War I began in 1914, institutional and personal memories of the post-Napoleonic order had been weakened or forgotten.

Similarly, seventy years after World War II, millions of people in the U.S. and Europe have forgotten the lessons learned from that war and from the peace that followed. Nascent nationalist and popular movements converged in Britain to produce a vote to leave the [European Union](https://time.com/4696437/european-union-future-maastricht/). Similar coalitions heavily influence the American political scene today, as they do in Poland, Hungary and even the Netherlands. White House communications that appear to realign foreign policy put in place over the last half-century are beginning to concern America’s allies.

I understand why the “[America First](https://time.com/4569845/donald-trump-america-first/)” movement propagated by Donald Trump sounds patriotic to many voters, as do other movements that favor isolationism. It is natural to blame others for our failure to adjust to new technologies, to immigration and to competition from countries whose growth rates are higher than our own. But the truth is that the “America First” movement runs the risk that it could trigger a global decline in productivity. Free trade has benefitted the U.S, Europe and much of the rest of the world. Many new businesses, particularly in information technology, can now start with a global footprint on Day One instead of being confined to a local market. NATO has preserved the freedom of the Western World from Communism. It has recently become more relevant again in view of the Russia’s efforts to disrupt it.

Perhaps most worrisome is the apparent cooling of relations between European NATO allies and the United States, which has compelled German Chancellor [Angela Merkel](https://time.com/4797241/angela-merkel-us-german-tensions-g7-summit/) to say, “The times when we could fully rely on others are to some extent over… We Europeans must really take our fate into our own hands.”

Problems arise when we start classifying our own and other countries as “winners” or “losers.” Free trade, immigration and the treatment of refugees will never be perfect — far from it. But the alternatives of walling off people, as well as trade, are worse. Appealing to ultra-nationalist and xenophobic feelings is playing with fire. With easy access to weapons of mass destruction, the danger is greater than ever.

Growing up in Germany, I saw the dangers of fascism and nationalism. I saw leaders who only made matters worse by appealing to the majority of voters who feared minorities and foreigners.

Anyone who appreciates history would know better than to make even casual references to the possibility of [nuclear war](http://www.cnn.com/2017/04/18/politics/kfile-trump-north-korea-nuclear-war/index.html).

#### Now is key – Trump stress-tested global democracy, shoring up cohesion now solves norms on emerging tech

Rasmussen 12/15 [Anders Fogh Rasmussen was NATO secretary general, 2009-14. He founded the Alliance of Democracies Foundation in 2017, "A New Way to Lead the Free World", 12/15/20, https://www.wsj.com/amp/articles/a-new-way-to-lead-the-free-world-11608053780]

President-elect Joe Biden has a queue of America’s weary allies outside his door. We are yearning for a determined leader and, from experience, I believe Joe Biden will seize this opportunity.

In 2018 I launched the first Copenhagen Democracy Summit, under the auspices of my Alliance of Democracies Foundation. The summit convenes national leaders, democracy activists, and representatives from tech and civil society to strengthen the forces of democracy. The former vice president opened the first summit and co-founded a new trans-Atlantic initiative, with former Republican Secretary of Homeland Security Michael Chertoff and me, to fight foreign election meddling.

Mr. Biden’s speech made a strong argument for renewing alliances and standing up for democracy. “Democracy’s all about one simple thing,” he said: “freedom, freedom, freedom.” During his campaign this year, he pledged to host a similar summit of democratic leaders as president.

America will lead the endeavor, but it won’t be alone. Democracies in the Indo-Pacific, from Taiwan to Australia, India and Japan, are also looking for like-minded friends to counter China’s aggressive posture.

In Europe, a post-Brexit U.K. will host the Group of Seven summit in 2021, bringing together the world’s top democratic and economic firepower. London intends to use this opportunity to make what one senior politician described to me as an “overture to the free world.” It has already floated a potential “Democratic 10,” or D-10, opening the top global table to other major democracies such as India, Australia and South Korea. And Britain will try to build new consensus on economic resilience in areas such as foreign subsidies, global trade reform and technological advancement.

It’s that last topic, tech, that poses an existential challenge for democracies. The world is in a figurative technological arms race. Whoever wins that race will lead in setting rules, standards and norms for emerging technological systems, from facial recognition to weapons of war. If China wins the race, freedom will wane

The free world should learn from its internal tussles over Huawei and TikTok and build a digital alliance to prepare for the next set of challenges. This includes setting common privacy standards for transferring the metadata needed to develop cutting-edge artificial intelligence, cooperating on how to regulate internet platforms, and combining firepower to develop telecom networks, quantum computing and artificial intelligence—all faster, better and freer than China.

Not every U.S. ally is fully convinced of the need for a global democratic caucus. France and Germany may be concerned that an alliance of democracies would supplant the global multilateral system represented by the United Nations. And a resurgence of the trans-Atlantic alliance could reduce the imperative for Europe to develop strategic independence from the U.S.

On both of these concerns, I disagree. Strengthening the global democratic alliance would enable member nations to rebuild multilateralism, not bypass it. We need to talk to China, about climate change and other struggles, but let’s do so from a position of relative strength. And Europe should simultaneously continue to be more self-sufficient and invest more in its own security, because a stronger Europe means a freer world.

Thirty years ago advanced democracies were told that they’d reached the “end of history,” and that the continued advance of freedom was inevitable. The opposite has been the case: Freedom has retreated as America retreated from its place as the global leader. We may not see a better opportunity again to recover from the West’s crippling disease of democratic self-doubt. It’s time to build an alliance of democracies.

#### That prevents extinction from automation, strategic stability, genetic engineering

Jain 19 [Ash Jain is a senior fellow with the Scowcroft Center for Strategy and Security, where he oversees the Atlantic Council’s Democratic Order Initiative and D-10 Strategy Forum, Matthew Kroenig, "Present at the Re-Creation: A Global Strategy for Revitalizing, Adapting, and Defending a Rules-Based International System", 2019, https://www.atlanticcouncil.org/wp-content/uploads/2019/10/Present-at-the-Recreation.pdf]

The system must also be adapted to deal with new issues that were not envisioned when the existing order was designed. Foremost among these issues is emerging and disruptive technology, including AI, additive manufacturing (or 3D printing), quantum computing, genetic engineering, robotics, directed energy, the Internet of things (IOT), 5G, space, cyber, and many others. Like other disruptive technologies before them, these innovations promise great benefits, but also carry serious downside risks. For example, AI is already resulting in massive efficiencies and cost savings in the private sector. Routine tasks and other more complicated jobs, such as radiology, are already being automated. In the future, autonomous weapons systems may go to war against each other as human soldiers remain out of harm’s way.

Yet, AI is also transforming economies and societies, and generating new security challenges. Automation will lead to widespread unemployment. The final realization of driverless cars, for example, will put out of work millions of taxi, Uber, and long-haul truck drivers. Populist movements in the West have been driven by those disaffected by globalization and technology, and mass unemployment caused by automation will further grow those ranks and provide new fuel to grievance politics. Moreover, some fear that autonomous weapons systems will become “killer robots” that select and engage targets without human input, and could eventually turn on their creators, resulting in human extinction.

The other technologies on this list similarly balance great potential upside with great downside risk. 3D printing, for example, can be used to “make anything anywhere,” reducing costs for a wide range of manufactured goods and encouraging a return of local manufacturing industries.61 At the same time, advanced 3D printers can also be used by revisionist and rogue states to print component parts for advanced weapons systems or even WMD programs, spurring arms races and weapons proliferation.62 Genetic engineering can wipe out entire classes of disease through improved medicine, or wipe out entire classes of people through genetically engineered superbugs. Directed-energy missile defenses may defend against incoming missile attacks, while also undermining global strategic stability.

Perhaps the greatest risk to global strategic stability from new technology, however, comes from the risk that revisionist autocracies may win the new tech arms race. Throughout history, states that have dominated the commanding heights of technological progress have also dominated international relations. The United States has been the world’s innovation leader from Edison’s light bulb to nuclear weapons and the Internet. Accordingly, stability has been maintained in Europe and Asia for decades because the United States and its democratic allies possessed a favorable economic and military balance of power in those key regions. Many believe, however, that China may now have the lead in the new technologies of the twenty-first century, including AI, quantum, 5G, hypersonic missiles, and others. If China succeeds in mastering the technologies of the future before the democratic core, then this could lead to a drastic and rapid shift in the balance of power, upsetting global strategic stability, and the call for a democratic-led, rules-based system outlined in these pages.63

The United States and its democratic allies need to work with other major powers to develop a framework for harnessing emerging technology in a way that maximizes its upside potential, while mitigating against its downside risks, and also contributing to the maintenance of global stability. The existing international order contains a wide range of agreements for harnessing the technologies of the twentieth century, but they need to be updated for the twenty-first century. The world needs an entire new set of arms-control, nonproliferation, export-control, and other agreements to exploit new technology while mitigating downside risk. These agreements should seek to maintain global strategic stability among the major powers, and prevent the proliferation of dangerous weapons systems to hostile and revisionist states.

#### **The right to strike prohibits interfering, impeding, or diminishing the ability to engage in concerted activities for the purpose of collective bargaining.**

NLRB ND [National Labor Relatons Board. "NLRA and the Right to Strike." https://www.nlrb.gov/about-nlrb/rights-we-protect/your-rights/nlra-and-the-right-to-strike]

NLRA and the Right to Strike

The Right to Strike. Section 7 of the Act states in part, “Employees shall have the right. . . to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.” Strikes are included among the concerted activities protected for employees by this section. Section 13 also concerns the right to strike. It reads as follows:

Nothing in this Act, except as specifically provided for herein, shall be construed so as either to interfere with or impede or diminish in any way the right to strike, or to affect the limitations or qualifications on that right.

It is clear from a reading of these two provisions that: the law not only guarantees the right of employees to strike, but also places limitations and qualifications on the exercise of that right.

#### Ensuring the right to strike solves democracy and inequality

Kiai 17 [Mr. Maina Kiai, Special Rapporteur on freedom of peaceful assembly and of association, took up his functions as the first Special Rapporteur on the rights to freedom of peaceful assembly and of association in May 2011. He is appointed in his personal capacity as an independent expert by the UN Human Rights Council. "UN rights expert: “Fundamental right to strike must be preserved”." https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21328&LangID=E]

The right to strike is also an intrinsic corollary of the fundamental right of freedom of association. It is crucial for millions of women and men around the world to assert collectively their rights in the workplace, including the right to just and favourable conditions of work, and to work in dignity and without fear of intimidation and persecution. Moreover, protest action in relation to government social and economic policy, and against negative corporate practices, forms part of the basic civil liberties whose respect is essential for the meaningful exercise of trade union rights. This right enables them to engage with companies and governments on a more equal footing, and Member States have a positive obligation to protect this right, and a negative obligation not to interfere with its exercise.

Moreover, protecting the right to strike is not simply about States fulfilling their legal obligations. It is also about them creating democratic and equitable societies that are sustainable in the long run. The concentration of power in one sector – whether in the hands of government or business – inevitably leads to the erosion of democracy, and an increase in inequalities and marginalization with all their attendant consequences. The right to strike is a check on this concentration of power.

I deplore the various attempts made to erode the right to strike at national and multilateral levels. In this regard, I welcome the positive role played by the ILO’s Government Group in upholding workers’ right to strike by recognizing that ‘without protecting a right to strike, freedom of association, in particular the right to organize activities for the purpose of promoting and protecting workers’ interests, cannot be fully realized.’

I urge all stakeholders to ensure that the right to strike be fully preserved and respected across the globe and in all arenas”, the expert concluded.

#### Strikes cultivate a moral economy that transforms political climates in other areas of political life

Reddy 21 [Diana S. Reddy, Doctoral Fellow at the Law, Economics, and Politics Center at UC Berkeley Law, and a PhD candidate in UCB's Jurisprudence and Social Policy. "“There Is No Such Thing as an Illegal Strike”: Reconceptualizing the Strike in Law and Political Economy." https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy]

For those who believe that a stronger labor movement is needed to counterbalance the concentrations of economic and political power in this new Gilded Age, the question is not just whether the law is bad (it is), but whether strikes can be effective nonetheless. If labor activists are correct that there is “no such thing” as an illegal strike, just an unsuccessful strike, the question follows: what makes a strike successful enough, under current conditions, to transcend legal constraints?154 To some extent this is an empirical question, and one on which there are many opportunities for generative research. Beginning with the theoretical, however, I suggest that the success of strikes must be measured in more than economic wins in the private sphere. Like their Progressive Era progenitors, their success must be in raising political consciousness in the public sphere—in making the stakes of the twenty-first century labor question apparent.155

As noted above, under current labor law, strikes are conceptualized as “economic weapons,” as hard bargaining.156 And while legal terminology is distinct from on-the-ground understandings, unions have often emphasized the economic nature of the strike as well. Strikes are “[t]he power to stop production, distribution and exchange, whether of goods or services.”157 A strike works because “we withhold something that the employer needs.”158 At the same time, there has been a corresponding tendency to dismiss the more symbolic aspects of the strike. To quote White again, “while publicity and morale are not irrelevant, in the end, they are not effective weapons in their own right.”159

These arguments are important. A strike is not simply protest; it is direct action, material pressure. But with union density lower than ever, ongoing automation of work tasks that renders employees increasingly replaceable, and decades of neoliberal cultural tropes celebrating capital as the driver of all economic growth and innovation, it is a mistake to think of publicity and morale as nice-to-haves, rather than necessities. Instead, striking must be part of building what sociologists have described as the “moral economy,” cultural beliefs about fair distribution untethered to technocratic arguments about what is most efficient.160 And in that way, striking is and must be understood as political.

The term political, of course, has many meanings—engendered by law, culture, and the relationship between the two. Building on the work of other scholars, I have argued that neo-Lochnerian readings of the First Amendment which have categorized labor protest as solely economic, and therefore apolitical, are one mechanism by which unions have lost legitimacy (and legal protection) as a social movement.161 Under current law, what precisely constitutes the political is less than clear, though. In distinguishing “political” speech from other kinds of speech for the purpose of First Amendment analysis, the Supreme Court has at times equated the political with: electioneering;162 speech directed to or about the government;163 or most broadly, “speech and debate on public policy issues.”164 Within labor parlance, by contrast, the term “political strike” is specifically used to refer to strikes that are “designed to win a specific political outcome, such as the passage of legislation or a change inregulation.”165 Consistent with the NLRA’s construction of unions as economic entities, strikes which are solely “political” and without sufficient nexus to the employment relationship, are deemed unlawful secondary boycotts.166

But my argument here for reconceptualizing the strike as political is not about more “political strikes,” or about electoral politics, or even necessarily about state action. Based on a vision of the “political” as normative engagement directed towards collective decision-making—it is about destabilizing jurisprudential line drawing between the economic and the political in the first place.167 It is recognizing that all strikes are political or have the potential to be—in that all strikes are protest meant to transform collective conditions, not merely bargaining towards immediate, transactional ends. To use political science terminology, strikes are contentious politics: “[E]pisodic, public, collective interaction among makers of claims and their objects.”168 They are a way through which workers engage in claims-making when business and politics as usual have proven nonresponsive.169 They do not only address the employer; they engage the polity.

### 1AC – Framing

#### 1 - Only the consequences of any action should be analyzed because [a] only they are measurable and verifiable [b] only consequences have an intrinsic impact on others such as harm or death.

#### 2 - The goodness of a consequence should be measured through hedonism because [a] everyone can feel the goodness of pleasure and badness of pain in some form [b] all other goods collapse to pleasure – eg freedom matters because it lets agents pursue their own ends but those ends matter to us because they terminate in some sort of desirable pleasure.

#### 3 - This should be maximized for everyone because [a] it logically follows that we should maximize something good [b] util treats everyone as equal in its decision calculus rather than privileging certain lives [c] privileging certain subsets allows cooption by dominant groups which increases inequity.

#### Thus, the standard is maximizing expected wellbeing.

#### 1. Science proves non util ethics are impossible and our version of util solves all aff offense

#### **Greene 10** – Joshua, Associate Professor of Social science in the Department of Psychology at Harvard University

(The Secret Joke of Kant’s Soul published in Moral Psychology: Historical and Contemporary Readings, accessed: www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf)

**What turn-of-the-millennium science** **is telling us is that human moral judgment is not a pristine rational enterprise**, that our **moral judgments are driven by a hodgepodge of emotional dispositions, which themselves were shaped by a hodgepodge of evolutionary forces, both biological and cultural**. **Because of this, it is exceedingly unlikely that there is any rationally coherent normative moral theory that can accommodate our moral intuitions**. Moreover, **anyone who claims to have such a theory**, or even part of one, **almost certainly doesn't**. Instead, what that person probably has is a moral rationalization. It seems then, that we have somehow crossed the infamous "is"-"ought" divide. How did this happen? Didn't Hume (Hume, 1978) and Moore (Moore, 1966) warn us against trying to derive an "ought" from and "is?" How did we go from descriptive scientific theories concerning moral psychology to skepticism about a whole class of normative moral theories? The answer is that we did not, as Hume and Moore anticipated, attempt to derive an "ought" from and "is." That is, our method has been inductive rather than deductive. We have inferred on the basis of the available evidence that the phenomenon of rationalist deontological philosophy is best explained as a rationalization of evolved emotional intuition (Harman, 1977). Missing the Deontological Point I suspect that **rationalist deontologists will remain unmoved by the arguments presented here**. Instead, I suspect, **they** **will insist that I have simply misunderstood what** Kant and like-minded **deontologists are all about**. **Deontology, they will say, isn't about this intuition or that intuition**. It's not defined by its normative differences with consequentialism. **Rather, deontology is about taking humanity seriously**. Above all else, it's about respect for persons. It's about treating others as fellow rational creatures rather than as mere objects, about acting for reasons rational beings can share. And so on (Korsgaard, 1996a; Korsgaard, 1996b). **This is, no doubt, how many deontologists see deontology. But this insider's view**, as I've suggested, **may be misleading**. **The problem**, more specifically, **is that it defines deontology in terms of values that are not distinctively deontological**, though they may appear to be from the inside. **Consider the following analogy with religion. When one asks a religious person to explain the essence of his religion, one often gets an answer like this: "It's about love**, really. It's about looking out for other people, looking beyond oneself. It's about community, being part of something larger than oneself." **This sort of answer accurately captures the phenomenology of many people's religion, but it's nevertheless inadequate for distinguishing religion from other things**. This is because many, if not most, non-religious people aspire to love deeply, look out for other people, avoid self-absorption, have a sense of a community, and be connected to things larger than themselves. In other words, secular humanists and atheists can assent to most of what many religious people think religion is all about. From a secular humanist's point of view, in contrast, what's distinctive about religion is its commitment to the existence of supernatural entities as well as formal religious institutions and doctrines. And they're right. These things really do distinguish religious from non-religious practices, though they may appear to be secondary to many people operating from within a religious point of view. In the same way, I believe that most of **the standard deontological/Kantian self-characterizatons fail to distinguish deontology from other approaches to ethics**. (See also Kagan (Kagan, 1997, pp. 70-78.) on the difficulty of defining deontology.) It seems to me that **consequentialists**, as much as anyone else, **have respect for persons**, **are against treating people as mere objects,** **wish to act for reasons that rational creatures can share, etc**. **A consequentialist respects other persons, and refrains from treating them as mere objects, by counting every person's well-being in the decision-making process**. **Likewise, a consequentialist attempts to act according to reasons that rational creatures can share by acting according to principles that give equal weight to everyone's interests, i.e. that are impartial**. This is not to say that consequentialists and deontologists don't differ. They do. It's just that the real differences may not be what deontologists often take them to be. What, then, distinguishes deontology from other kinds of moral thought? A good strategy for answering this question is to start with concrete disagreements between deontologists and others (such as consequentialists) and then work backward in search of deeper principles. This is what I've attempted to do with the trolley and footbridge cases, and other instances in which deontologists and consequentialists disagree. **If you ask a deontologically-minded person why it's wrong to push someone in front of speeding trolley in order to save five others, you will get** characteristically deontological **answers**. Some **will be tautological**: **"Because it's murder!"** **Others will be more sophisticated: "The ends don't justify the means**." "You have to respect people's rights." **But**, as we know, **these answers don't really explain anything**, because **if you give the same people** (on different occasions) **the trolley case** or the loop case (See above), **they'll make the opposite judgment**, even though their initial explanation concerning the footbridge case applies equally well to one or both of these cases. **Talk about rights, respect for persons, and reasons we can share are natural attempts to explain, in "cognitive" terms, what we feel when we find ourselves having emotionally driven intuitions that are odds with the cold calculus of consequentialism**. Although these explanations are inevitably incomplete, **there seems to be "something deeply right" about them because they give voice to powerful moral emotions**. **But, as with many religious people's accounts of what's essential to religion, they don't really explain what's distinctive about the philosophy in question**.

#### 2. Uncertainty and social contract require governments use util

#### **Goodin, 1995** (Robert, philsopher at the Research School of the Social Sciences, Utilitarianism as Public Philosophy. P. 62-63)

Consider, first, the argument from necessity. Public officials are obliged to make their choices under uncertainty, and uncertainty of a very special sort at that. All choices—public and private alike—are made under some degree of uncertainty, of course. But in the nature of things, private individuals will usually have more complete information on the peculiarities of their own circumstances and on the ramifications that alternative possible choices might have on them. Public officials, in contrast, are relatively poorly informed as to the effects that their choices will have on individuals, one by one. What they typically do know are generalities: averages and aggregates. They know what will happen most often to most people as a result of their various possible choices. But that is all. That is enough to allow public policy-makers to use the utilitarian calculus—if they want to use it at all—to choose general rules of conduct. Knowing aggregates and averages, they can proceed to calculate the utility payoffs from adopting each alternative possible general rules.

#### 3. Reducing existential risks is the top priority in any coherent moral theory

Pummer 15

(Theron, Philosophy @St. Andrews http://blog.practicalethics.ox.ac.uk/2015/05/moral-agreement-on-saving-the-world/)

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### 4. Moral theories must explain degrees of wrongness

- if their framework can’t explain why killing someone is worse than breaking a promise to a friend then it fails to guide action – hurka says the properties that constitute different actions have degrees of wrongness and only consequentialism can explain that distinction – means their framework fails to guide action in the real world since attempting to promote virtue doesn’t help people decide why one action is worse than another

**Hurka 19** [(Thomas, Department of Philosophy University of Toronto) “More Seriously Wrong, More Importantly Right,” Journal of the American Philosophical Association, 2019] TDI

Wrongness and Degrees That one act is more seriously wrong than another is often intuitively compelling in itself; thus it seems self-evident that murder is morally worse than breaking a promise. But judgments about serious wrongness have further implications. If you have acted wrongly you should feel guilt, but you should feel more guilt—more intense or longer-lasting guilt—if your act was more seriously wrong, for example, if it was murder rather than breaking a promise. You are also other things equal more blameworthy for a more serious wrong, and if retributivism is true, you deserve more severe punishment for it. In general, whenever wrong acts call for negative responses, more serious wrongs call for stronger ones. The idea of serious wrongness therefore connects with several other aspects of our moral thought, and this allows further tests of it. To decide whether one act is more seriously wrong than another we can not only consult direct intuitions about the two but also ask whether you should feel more guilt about the first or whether the first makes you more blameworthy or more deserving of punishment. These tests cannot be applied mechanically, because in each case the effect of more serious wrongness is mixed with others that are not relevant to our topic. Guilt is called for by wrong action, and on at least some views an act’s wrongness is independent of its motive (Ross : ch. ; Scanlon : ch. ). But more serious wrongs are often done from worse motives, and even if these cannot be the objects of guilt they can prompt the different emotion of shame. Shame about your motivation can then mix with guilt to make for an overall negative response to your act in which the specific role of serious wrongness is harder to see. (If motives are relevant to wrongness, they can prompt guilt as well as shame, but the two can still be hard to pull apart.) Something similar holds for blameworthiness and retribution. On many views you are more blameworthy for a wrong act or deserve more punishment for it if you acted from a worse motive, for example, if you killed from sadistic hatred rather than excessive anger at injustice. Your blameworthiness can also depend on other facts about your mental states, such as whether you were culpably ignorant or acted under duress (for views on which your degree of blameworthiness for a wrong depends both on its seriousness and on facts about your mental states see, e.g., Beardsley [: –] and Smith [: –]). In all these tests, the effect of serious wrongness on fitting responses is mixed with effects due to your state of mind. Isolating the former effect requires setting these other influences aside. More serious wrongness may also help to characterize subjective rightness, or rightness relative to your beliefs or evidence. Many philosophers have been persuaded by an example of Frank Jackson that this cannot be done in terms of objective rightness, or rightness relative to the facts; more specifically, the subjectively right act cannot be identified as the one most likely to be objectively right. In Jackson’s example you can give a patient one of three treatments. One of the first two will completely cure him and one will kill him, but you do not know which is which; each has a . probability of doing either. The third treatment will cure his condition almost entirely and is safe. The subjectively right treatment here is clearly the third, but it is certain to be objectively wrong; one or the other of the first two is right relative to the facts (Jackson : –). But a derivation of subjective from objective rightness need not tell you to maximize your probability of acting objectively rightly or, what is the same, to minimize your probability of acting wrongly. As Peter Graham has argued, it can tell you to minimize your probability of acting seriously wrongly, or to minimize the expected objective serious wrongness of what you do. Since in Jackson’s example the act that is certain to be objectively wrong will be only slightly seriously wrong while each of the others has a . probability of being horribly so, this yields the desired result (Graham ). Serious wrongness may also be relevant in cases of moral uncertainty. Imagine that you cannot decide between two moral views and must do either act A or act B, where the first view says A is right and B wrong and the second says the reverse. Andrew Sepielli () has argued that you cannot here consider just the probabilities that the two views are true. If the first says B is only slightly seriously wrong while the second says A is massively so, you should do B even if you think the first view is somewhat more likely to be true. These last uses of serious wrongness are more controversial. It has been argued that, despite its success with Jackson’s example, the proposed account of subjective rightness does not have the implications we want in cases involving permissions, for example, in cases of self-defense or supererogation (Lazar, forthcoming). The account at least needs supplementation to handle these cases. And the account of moral uncertainty requires comparisons of seriousness not only within a moral view, as I will be discussing, but also between moral views, which raises additional difficulties. Nonetheless, these are two further contexts where the concept of serious wrongness may play a role. Some philosophers have denied that there can be degrees relating to wrongness. Some Stoics, for example, thought that all moral wrongs are equal. Diogenes Laertius reports that they ‘see fit to believe that [moral] mistakes are equal . . . [so] he who makes a larger [moral] mistake and he who makes a smaller one are [both] equally not acting correctly’ (: –). Some present-day philosophers may likewise deny that wrongness admits of degrees. For an act to be wrong, they may say, is for it not to be permitted, and since an act either just is permitted or just is not, it cannot be more or less wrong. That there is a concept of wrongness that does not admit of degrees does not mean there cannot be one that does. But I have chosen to avoid this issue by speaking not of one act’s being more wrong than another –I will concede that that is not possible–but of its having the related but different property of being more seriously wrong, which I understand as follows. Because of the supervenience of moral properties, any act that is right or wrong has other properties that make it so. But if these properties admit of degrees, or if their tendencies to make acts right or wrong do, we can use this fact to define a derivative property of serious wrongness that likewise admits of degrees. Compare the properties concerned with height. There is an initial property of tallness that admits of degrees. By making a cut on the scale of tallness we can introduce a property that does not admit of degrees, such as being over six feet tall in the sense of having some height or other above that. We can then combine these two properties to yield a third that again admits of degrees, that of being more than six feet tall in the sense in which someone who is six feet ten is a lot more than six feet tall, whereas someone who is six feet one is only a little more than that height. I think of the right- and wrong-making properties as analogous to tallness, wrongness as analogous to being at least six feet tall, and being seriously wrong as analogous to being more than six feet tall in the sense that admits of degrees. Being seriously wrong combines underlying properties that can be present to differing degrees with a supervening one that cannot to yield a third property that again can (for similar remarks see Berman and Farrell : –, –).

#### Only consequentialism does that – it explains the difference between different impacts based on net increase in pain and pleasure.