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### 1NC – DA

#### Both pills pass now and solve the climate – full-court PC press ensures Manchinema get on board, but new fights complicate the process

Mascaro 11/4 [Lisa, Congressional reporter for the Los Angeles Times “Biden's big bill on brink of House votes, but fighting drags”https://www.startribune.com/bidens-big-bill-on-brink-of-house-votes-but-fighting-drags/600112896/]

WASHINGTON — Democrats in the House appear on the verge of securing President Joe Biden's now-$1.85 trillion-and-growing domestic policy package alongside a companion $1 trillion infrastructure bill in what would be a dramatic political accomplishment — if they can push it to passage.

The House prepared late Thursday for votes now likely on Friday, and White House officials worked the phones to lock in support for the president's signature proposal. House passage of the big bill would be a crucial step, sending to the Senate Biden's ambitious effort to expand health care, child care and other social services for countless Americans and deliver the nation's biggest investment yet fighting climate change.

Alongside the slimmer roads-bridges-and-broadband package, it adds up to Biden's answer to his campaign promise to rebuild the country from the COVID-19 crisis and confront a changing economy.

But they're not there yet.

House Speaker Nancy Pelosi was working furiously Thursday and kept the House late to shore up the votes. The party has been here before, another politically messy day like many before that are being blamed for the Democrats' dismal showing in this week's elections. On and off Capitol Hill, party leaders declared it's time for Congress to deliver on Biden's agenda.

"We're going to pass both bills," Pelosi insisted at a midday press briefing.

Her strategy now seems focused on passing the most robust bill possible in her chamber and then leaving the Senate to adjust or strip out the portions its members won't agree to.

Half the size of Biden's initial $3.5 trillion package, the now sprawling 2,135-page bill has won over most of the progressive Democratic lawmakers, even though the bill is smaller than they wanted. But the chamber's more centrist and fiscally conservative Democrats continued to mount objections.

Overall the package remains more far-reaching than any other in decades. Republicans are fully opposed to Biden's bill, which is called the "Build Back Better Act" after the president's 2020 campaign slogan.

The big package would provide large numbers of Americans with assistance to pay for health care, raising children and caring for elderly people at home.

There would be lower prescription drug costs, limiting the price of insulin to $35 a dose, and Medicare for the first time would be able to negotiate with pharmaceutical companies for prices of some other drugs, a long-sought Democratic priority.

Medicare would have a new hearing aid benefit for older Americans, and those with Medicare Part D would see their out-of-pocket prescription drug costs capped at $2,000.

The package would provide some $555 billion in tax breaks encouraging cleaner energy and electric vehicles, the nation's largest commitment to tackling climate change.

With a flurry of late adjustments, the Democrats added key provisions in recent days — adding back a new paid family leave program, work permits for immigrants and changes to state and local tax deductions.

Much of package's cost would be covered with higher taxes on wealthier Americans, those earning more than $400,000 a year, and a 5% surtax would be added on those making over $10 million annually. Large corporations would face a new 15% minimum tax in an effort to stop big businesses from claiming so many deductions that they end up paying zero in taxes.

From the White House, "the president has been very clear, he wants to get this moving," said principal deputy press secretary Karine Jean-Pierre.

As night fell, Democratic leaders struggled to resolve a catalogue of remaining issues as lawmakers balanced the promise of Biden's sweeping vision with the realities of their home-district politics.

Biden has few votes to spare in the narrowly-divided House and none when the bill ultimately arrives for consideration in the evenly-split 50-50 Senate.

A group of five centrist Democratic lawmakers want a full budgetary assessment before they vote. Others from more Republican-leaning regions are objecting to a new state-and-local tax deduction that favors New York, California and other high-tax states. Another group wants changes to the immigration-related provisions.

In recent days, both the overall price tag and the revenue to pay for it have grown. A new White House assessment Thursday said revenue from the taxes on corporations and the wealthy and other changes are estimated to bring in $2.1 trillion over 10 years, according to a summary obtained by The Associated Press. That's up from what had been $1.9 trillion in earlier estimates.

Pelosi noted a similar assessment Thursday by the bipartisan Joint Committee on Taxation, and she echoed Biden's frequent comment that the overall package will be fully paid for.

But another model from the Wharton School at the University of Pennsylvania suggested a shortfall in revenue for covering the cost, breeding fresh doubts among some of the Democratic lawmakers.

Still, the Democrats in the House are anxious to finish up this week, eager to deliver on the president's agenda and, as some lawmakers prepare to depart for a global climate change summit in Scotland, show the U.S. taking the environmental issue seriously.

Democrats have been working to resolve their differences, particularly with holdout Sens. Joe Manchin of West Virginia and Kyrsten Sinema of Arizona, who forced cutbacks to Biden's bill but championed the slimmer infrastructure package that had stalled amid deliberations.

#### Manchin’s broadly opposed to strike activity – plan causes a fight

Furman & Winant 10/17/21 [Jonah Furman is a labor movement organizer and writer for Labor Notes based in Maryland. Gabriel Winant is an assistant professor of history at the University of Chicago. He is the author of “The Next Shift: The Fall of Industry and the Rise of Health Care in Rust Belt America.” "The John Deere Strike Shows the Tight Labor Market Is Ready to Pop." https://theintercept.com/2021/10/17/john-deere-strike-labor-market/]

In terms of strike activity, the current private sector wave picks up where the teachers left off, after an interlude of relative inaction during the height of the pandemic. In 2020, moreover, teachers formed the first major group of workers to refuse to accept whatever terms the employer dictated for reopening the workplace. It is difficult to imagine teachers speaking out against returning to work in unsafe conditions as much as they did without the national wave of militant teachers’ strikes in the two preceding years. This resistance has now spread across the economy, in both organized and individual forms.

TODAY, WORKERS’ ECONOMIC resistance — whether through organized strikes or in the refusal of dangerous, underpaid, and unappealing jobs — is shaping the political agenda. Many of the policies in the Democrats’ $3.5 trillion budget proposal would pursue the same ends as workers’ actions but in the realm of social policy. Proposed subsidies for home health care and child care, the child tax credit, Medicaid expansion, and investments in housing and green energy would all indirectly support workers’ power. Either by increasing demand for labor further or by alleviating some of the grotesque social pressures that have forced employees to accept whatever terms employers offered them, the federal government would strengthen workers’ bargaining position. When Sen. Joe Manchin, D-W.Va., warns against becoming an “entitlement society,” what he is opposing is the shift in labor market power that such policy measures help secure.

#### Manchin and Sinema hate the plan – they’re anti-labor because of lobbies, and don’t care about their constituencies

Harold 21 [Zack, staf reporter for The Guardian, “US minimum wage activists face their toughest foe: Democrat Joe Manchin” https://www.theguardian.com/us-news/2021/feb/22/us-15-dollar-minimum-wage-joe-manchin-west-virginia]

Hopes that the US will finally increase the federal minimum wage for the first time in nearly 12 years face a seemingly unlikely opponent: a Democrat senator from one of the poorest states in the union.

Joe Manchin of West Virginia, the state’s former governor and the Democrats’ most conservative senator, has long opposed his party’s progressive wing and is on record saying he does not support increasing the minimum wage from $7.25 to $15 an hour, the first increase since 2009. “I’m supportive of basically having something that’s responsible and reasonable,” he told the Hill. He has advocated for a rise to $11.

Industry lobbying allied to Republican and – until relatively recently – Democrat opposition has locked the US’s minimum wage at $7.25 since the last raise in 2009.

'Hopefully it makes history': Fight for $15 closes in on mighty win for US workers

None of this has found favor with some low-wage workers in a state where an estimated 278,734 West Virginians lived in poverty in 2019, 16% of the population and the sixth highest poverty rate in the US.

Last Thursday Manchin reaffirmed his stance during a virtual meeting with members of the West Virginia Poor People’s Campaign (WVPPC), a group pushing for an increased minimum wage and other policy changes that would benefit the working class.

That meeting was closed to the media but at an online press conference immediately afterward, participants said Manchin refused to budge. “He was kind of copping out,” said WVPPC member Brianna Griffith, a restaurant worker and whitewater rafting guide who, due to exemptions for tipped workers, only makes $2.62 an hour.

As a result of her sub-minimum wage job, Griffith received only $67 a week in unemployment benefits until that ran out in August. She lost her house and was forced to move in with her grandmother. Although she has now returned to work, business is slow and she estimates tips have fallen by 75%.

When Griffith told Manchin about her plight on Thursday, she said he asked about the $600 stimulus check approved by Congress in December. “He seemed to think that $600 … was enough to get me by,” she said. “I feel like he’s got his head in the clouds and he doesn’t understand what’s happening to poor people in West Virginia.”

Despite Manchin’s insistence on an $11 minimum wage, according to MIT’s living wage calculator, even a $15 minimum wage would only provide a living wage for single West Virginians without children. For a West Virginia family with two working parents and two children, both parents would need to be making at least $20.14 an hour to make ends meet.

Griffith said if the minimum wage was increased to $15 an hour, “I could afford to live on my own. I could afford a car that’s not 25 years old.”

The Rev Dr William Barber, co-chair of the national Poor People’s Campaign, was in last week’s meeting and said Manchin agreed the current $7.25 minimum wage was “not enough”.

But Barber said he was “amazed” Manchin could hear from people like Griffith and still oppose increasing the minimum wage to $15.

“What he is suggesting would just further keep people in poverty and hurting,” he said.

Raising the minimum wage was a key part of Democrats’ 2020 platform. The former presidential candidate and now Senate budget committee chairman, Bernie Sanders, has referred to the current $7.25 rate as “a starvation wage”.

The wage hike, formally known as the Raise the Wage Act of 2021, is now part of a proposed $1.9tn Covid-19 relief bill. The measure would incrementally raise the minimum wage from $7.25 to $15 over the next four years.

With only a razor-thin majority in the Senate, all 50 Democrat senators need to be onboard for the bill to pass. But in addition to Manchin, Kyrsten Sinema of Arizona has told Politico she does not want the minimum wage increase to be part of the Covid relief package.

#### Passage allows an unprecedented investment in combatting climate change

Morton 10/28 [Joseph Morton, "Democrats tout climate spending in reconciliation", 10/28/21, https://www.rollcall.com/2021/10/28/framework-includes-clean-energy-tax-credits-omits-methane-fee/]

“At the same time, substantial investments in electric vehicle charging stations and clean heavy-duty vehicles, like school buses, will serve the dual purpose of slashing our carbon emissions while helping American manufacturing stay globally competitive,” Pallone said.

Rep. Cindy Axne, D-Iowa, had pushed for funding to support biofuels infrastructure, complaining it was left out of the bipartisan infrastructure bill even as that measure delivered significant funding for electric vehicles.

The latest reconciliation package text includes $1 billion over 10 years in funding for the Agriculture Department to provide grants for expanding biofuel pump infrastructure, upgrade existing infrastructure and increase usage of higher blends of ethanol and biodiesel.

“Not only does the Build Back Better Act represent the largest investment in clean energy and combating climate change ever — it also confirms that my colleagues have listened to my central argument in our clean energy discussions: biofuels can and should be a part of our fight against climate change,” Axne said in a statement.

The White House framework released earlier in the day envisions that $320 billion would be delivered in the form of clean energy tax credits to accelerate the transition from coal and gas-fired power plants to renewable energy sources such as wind turbines and solar panels.

That includes incentives for both utilities and residents and support for additional transmission and storage capacity — areas where bottlenecks have hampered the development of renewable energy sources.

The framework includes incentives intended to cut the cost for Americans to put rooftop solar panels on their homes and make it easier to purchase electric vehicles. New EV tax credits would lower the cost of a vehicle by $12,500 for a middle-class family, according to the White House.

The framework calls for $105 billion for climate resiliency and addressing legacy pollution in communities.

For example, a new Clean Energy and Sustainability Accelerator that would invest in climate-related projects around the country would allocate 40 percent of those benefits to disadvantaged communities — part of a pledge the Biden administration has made to deliver climate spending to communities traditionally on the front lines of environmental damage.

It also would fund grants to support environmental justice in disadvantaged communities and create a new Civilian Climate Corps with more than 300,000 members working on conservation projects that could help mitigate climate change.

The framework includes $110 billion in spending and incentives to boost domestic supply chains supporting solar power and batteries. It also would fund grants, loans and tax credits aimed at moving steel, cement and aluminum industries toward decarbonization.

There’s also $20 billion for the government to purchase new technologies such as long-duration storage, small modular reactors and clean construction materials.

While the size of the package falls short of initial proposals, some Capitol Hill Democrats declined to say they were disappointed with the climate portion.

Sen. Christopher S. Murphy, D-Conn., said he didn’t want to undersell the framework, as it would represent the most significant spending on climate policy since he joined Congress.

The fact that climate makes up about one-third of the overall spending shows how much the issue has been elevated within the Democratic Party, he said, and negotiations over bolstering it aren’t finished.

“I think there's a number of things that we can still find consensus on that might not be in this agreement. So climate is something you’ve got to work on every single day,” Murphy said. “If we're not passing climate change legislation every year, then we're not doing our job. So this is just one admittedly very big piece of the overall policy puzzle.”

#### It causes extinction.

Dunlop 17. (Ian Dunlop chaired the Australian Coal Association in 1987-88, chaired the Australian Greenhouse Office Experts Group on Emissions Trading from 1998-2000 and was CEO of the Australian Institute of Company Directors from 1997-2001. He has a particular interest in the interaction of corporate governance, corporate responsibility and sustainability. An engineer by qualification, he holds an MA (Mechanical Sciences) degree from the University of Cambridge, he is a Fellow of the Australian Institute of Company Directors, the Australasian Institute of Mining and Metallurgy, and the Energy Institute (UK), and a Member of the Society of Petroleum Engineers of AIME (USA). He also chairs the Australian National Wildlife Collection Foundation. David Spratt is a Research Director for Breakthrough and co-author of Climate Code Red: The case for emergency action (Scribe 2008). His recent reports include Recount: It’s time to “Do the math” again; Climate Reality Check and Antarctic Tipping Points for a Multi-metre Sea-level Rise. A Failure of Imagination on Climate Risks. July 26, 2017. www.resilience.org/stories/2017-07-26/a-failure-of-imagination-on-climate-risks/)

Climate change is an existential risk that could abruptly end human civilisation because of a catastrophic “failure of imagination” by global leaders to understand and act on the science and evidence before them. At the London School of Economics in 2008, Queen Elizabeth questioned: “Why did no one foresee the timing, extent and severity of the Global Financial Crisis?” The British Academy answered a year later: “A psychology of denial gripped the financial and corporate world… [it was] the failure of the collective imagination of many bright people… to understand the risks to the system as a whole”. A “failure of imagination” has also been identified as one of the reasons for the breakdown in US intelligence around the 9/11 attacks in 2001. A similar failure is occurring with climate change today. The problem is widespread at the senior levels of government and global corporations. A 2016 report, Thinking the unthinkable, based on interviews with top leaders around the world, found that: “A proliferation of ‘unthinkable’ events… has revealed a new fragility at the highest levels of corporate and public service leaderships. Their ability to spot, identify and handle unexpected, non-normative events is… perilously inadequate at critical moments… Remarkably, there remains a deep reluctance, or what might be called ‘executive myopia’, to see and contemplate even the possibility that ‘unthinkables’ might happen, let alone how to handle them. Such failures are manifested in two ways in climate policy. At the political, bureaucratic and business level in underplaying the high-end risks and in failing to recognise that the existential risk of climate change is totally different from other risk categories. And at the research level in underestimating the rate of climate change impact and costs, along with an under-emphasis on, and poor communication of, those high-end risks. Existential risk An existential risk is an adverse outcome that would either annihilate intelligent life or permanently and drastically curtail its potential. For example, a big meteor impact, large-scale nuclear war, or sea levels 70 metres higher than today. Existential risks are not amenable to the reactive (learn from failure) approach of conventional risk management, and we cannot necessarily rely on the institutions, moral norms, or social attitudes developed from our experience with managing other sorts of risks. Because the consequences are so severe — perhaps the end of human global civilisation as we know it — researchers say that “even for an honest, truth-seeking, and well-intentioned investigator it is difficult to think and act rationally in regard to… existential risks”. Yet the evidence is clear that climate change already poses an existential risk to global economic and societal stability and to human civilisation that requires an emergency response. Temperature rises that are now in prospect could reduce the global human population by 80% or 90%. But this conversation is taboo, and the few who speak out are admonished as being overly alarmist. Prof. Kevin Anderson considers that “a 4°C future [relative to pre-industrial levels] is incompatible with an organized global community, is likely to be beyond ‘adaptation’, is devastating to the majority of ecosystems, and has a high probability of not being stable”. He says: “If you have got a population of nine billion by 2050 and you hit 4°C, 5°C or 6°C, you might have half a billion people surviving”. Asked at a 2011 conference in Melbourne about the difference between a 2°C world and a 4°C world, Prof. Hans Joachim Schellnhuber replied in two words: “Human civilisation”.

## 2

### 1NC – Util

#### The standard is maximized expected well-being.

#### 1] Extinction comes first under any framework

Pummer 15 [Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

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)

#### 2] No intent-foresight distinction—

#### A] Uncertainty and social contract require governments use util

Gooden, 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.

#### B] Governments have unique responsibility.

Enoch 07 – David. “Intending, Foreseeing, and the State” The Hebrew University in Jerusalem, 9-13-2007. Published by: Legal Theory.

The general difficulty of the intending-foreseeing distinction here stemmed, you will recall, from the feeling that attempting to pick and choose among the foreseen consequences of one’s actions those one is more and those one is less responsible for looks more like the preparation of a defense than like a genuine attempt to determine what is to be done. Hiding behind the intending-foreseeing distinction seems like an attempt to evade responsibility, and so thinking about the distinction in terms of responsibility serves to reduce even further the plausibility of attributing to it intrinsic moral significance.

This consideration—however weighty in general—seems to me very weighty when applied to state action and to the decisions of state officials. For perhaps it may be argued that individuals are not required to undertake a global perspective, one that equally takes into account all foreseen consequences of their actions. Perhaps, in other words, individuals are entitled to (roughly) settle for having a good will, and beyond that let chips fall where they may. But this is precisely what stateswomen and statesmen—and certainly states—are not entitled to settle for.44 In making policy decisions, it is precisely the global (or at least statewide, or nationwide, or something of this sort) perspective that must be undertaken. Perhaps, for instance, an individual doctor is entitled to give her patient a scarce drug without thinking about tomorrow’s patients (I say “perhaps” because I am genuinely not sure about this), but surely when a state committee tries to formulate rules for the allocation of scarce medical drugs and treatments, it cannot hide behind the intending-foreseeing distinction, arguing that if it allows45 the doctor to give the drug to today’s patient, the death of tomorrow’s patient is merely foreseen and not intended. When making a policy-decision, this is clearly unacceptable.

Or think about it this way (I follow Daryl Levinson here):46 perhaps restrictions on the responsibility of individuals are justified because individuals are autonomous, because much of the value in their lives comes from personal pursuits and relationships that are possible only if their responsibility for what goes on in the (more impersonal) world is restricted. But none of this is true of states and governments. They have no special relationships and pursuits, no personal interests, no autonomous lives to lead in anything like the sense in which these ideas are plausible when applied to individuals persons. So there is no reason to restrict the responsibility of states in anything like the way the responsibility of individuals is arguably restricted.47

States and state officials have much more comprehensive responsibilities than individuals do. Hiding behind the intending-foreseeing distinction thus more clearly constitutes an evasion of responsibility in the case of the former. So the evading-responsibility worry has much more force against the intending-foreseeing distinction when applied to state action than elsewhere.

#### C] If we foresee a consequence, then it becomes part of our deliberation which makes it intrinsic to our action since we intend it to happen.

#### That means their framework collapses to util because we have to weigh foreseen violations of [freedom, equal deliberation, etc.]

#### Predictions are possible and useful

**Mearsheimer, 01** (John, professor of political science at the University of Chicago, The Tragedy of Great Power Politics, 2001 p. 8, googleprint)

As a result, all political forecasting is bound to include some error. Those who venture to predict, as I do here, should therefore proceed with humility, take care not to exhibit unwarranted confidence, and admit that hindsight is likely to reveal surprises and mistakes. Despite these hazards, social scientists should nevertheless use their theories to make predictions about the future. Making predictions helps inform policy discourse, because it helps make sense of events unfolding in the world around us. And by clarifying points of disagreement, making explicit forecasts helps those with contradictory views to frame their own ideas more clearly. Furthermore, trying to anticipate new events is a good way to test social science theories, because theorists do not have the benefit of hindsight and therefore cannot adjust their claims to fit the evidence (because it is not yet available). In short, the world can be used as a laboratory to decide which theories best explain international politics. In that spirit I employ offensive realism to peer into the future, mindful of both the benefits and the hazards of trying to predict events.

#### 3] Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first.

#### 4] No act-omission distinction –

#### A] States are responsible for everything in the public sphere.

Sunstein et al 05 – Cass R. Sunstein and Adrian Vermeule. The University of Chicago Law School. “Is Capital Punishment Morally Required? The Relevance of Life‐Life Tradeoffs.” JOHN M. OLIN LAW & ECONOMICS WORKING PAPER NO. 239. The Chicago Working Paper Series. March 2005

In our view, **both the argument from causation and the argument from intention go wrong by overlook**ing **the distinctive features of government** as a moral agent. Whatever the general status of the act-omission distinction as a matter of moral philosophy,38 the distinction is least impressive when applied to government.39 The most fundamental point is that **unlike individuals, governments always and necessarily face a choice between** or among possible **policies for regulating third parties.** The distinction between acts and omissions may not be intelligible in this context, and even if it is, the distinction does not make a morally relevant difference. Most generally, **government** is in the business of **creat**ing **permissions and prohibitions. When** **it** explicitly or **implicitly authorizes private action, it is not** omitting to do anything, or **refusing to act.**40 **Moreover, the distinction between authorized and unauthorized private action—for example, private killing—becomes obscure when the government formally forbids private action, but chooses a set of policy instruments that do not** adequately or **fully discourage it.**

#### B] We are responsible for intentional omissions because we actively choose not to act—we intend and act upon omissions.

#### That means util because only aggregation can make our actions more ethical than if we omitted.

#### 5] Util is a lexical pre-requisite to any other framework: Threats to bodily security and life preclude the ability for moral actors to effectively utilize and act upon other moral theories since they are in a constant state of crisis that inhibit the ideal moral conditions which other theories presuppose – so, util comes first and my offense outweighs theirs under their own framework.

#### 6] Use epistemic modesty for evaluating the framework debate: that means compare the probability of the framework times the magnitude of the impact under a framework. Prefer:

#### A] Substantively true since it maximizes the probability of achieving net most moral value—beating a framework acts as mitigation to their impacts but the strength of that mitigation is contingent.

#### B] Clash—disincentives debaters from going all in for framework which means we get the ideal balance between topic ed and phil ed—it’s important to talk about contention-level offense

#### 9] Default to util if there’s any uncertainty

Walter **Sinnott-Armstrong 14** [American philosopher. He specializes in ethics, epistemology, and more recently in neuroethics, the philosophy of law, and the philosophy of cognitive science], "Consequentialism", The Stanford Encyclopedia of Philosophy (Spring 2014 Edition), Edward N. Zalta (ed), BE

Even if consequentialists can accommodate or explain away common moral intuitions, that might seem only to answer objections without yet giving any positive reason to accept consequentialism. However, **most people begin with the presumption that we morally ought to make the world better when we can. The question then is only whether any moral constraints or moral options need to be added to the basic consequentialist factor in moral reasoning.** (Kagan 1989, 1998) **If no objection reveals any need for anything beyond consequences, then consequences alone seem to determine what is morally right or wrong, just as consequentialists claim.**

## 3

### 1NC – CP

#### CP: A just government should recognize an unconditional right for non-military workers to strike.

#### Armed forces can’t strike now

LII 6 [Cornell Legal Information Institute, 2006, "10 U.S. Code § 976," Cornell Legal Information Institute, https://www.law.cornell.edu/uscode/text/10/976]/Kankee

(a)In this section: (1)The term “member of the armed forces” means (A) a member of the armed forces who is serving on active duty, (B) a member of the National Guard who is serving on full-time National Guard duty, or (C) a member of a Reserve component while performing inactive-duty training. (2)The term “military labor organization” means any organization that engages in or attempts to engage in— (A)negotiating or bargaining with any civilian officer or employee, or with any member of the armed forces, on behalf of members of the armed forces, concerning the terms or conditions of military service of such members in the armed forces; (B)representing individual members of the armed forces before any civilian officer or employee, or any member of the armed forces, in connection with any grievance or complaint of any such member arising out of the terms or conditions of military service of such member in the armed forces; or (C)striking, picketing, marching, demonstrating, or any other similar form of concerted action which is directed against the Government of the United States and which is intended to induce any civilian officer or employee, or any member of the armed forces, to— (i)negotiate or bargain with any person concerning the terms or conditions of military service of any member of the armed forces, (ii)recognize any organization as a representative of individual members of the armed forces in connection with complaints and grievances of such members arising out of the terms or conditions of military service of such members in the armed forces, or (iii)make any change with respect to the terms or conditions of military service of individual members of the armed forces. (3)The term “civilian officer or employee” means an employee, as such term is defined in section 2105 of title 5. (b)It shall be unlawful for a member of the armed forces, knowing of the activities or objectives of a particular military labor organization— (1)to join or maintain membership in such organization; or (2)to attempt to enroll any other member of the armed forces as a member of such organization. (c)It shall be unlawful for any person— (1)to enroll in a military labor organization any member of the armed forces or to solicit or accept dues or fees for such an organization from any member of the armed forces; or (2)to negotiate or bargain, or attempt through any coercive act to negotiate or bargain, with any civilian officer or employee, or any member of the armed forces, on behalf of members of the armed forces, concerning the terms or conditions of service of such members; (3)to organize or attempt to organize, or participate in, any strike, picketing, march, demonstration, or other similar form of concerted action involving members of the armed forces that is directed against the Government of the United States and that is intended to induce any civilian officer or employee, or any member of the armed forces, to— (A)negotiate or bargain with any person concerning the terms or conditions of service of any member of the armed forces, (B)recognize any military labor organization as a representative of individual members of the armed forces in connection with any complaint or grievance of any such member arising out of the terms or conditions of service of such member in the armed forces, or (C)make any change with respect to the terms or conditions of service in the armed forces of individual members of the armed forces; or (4)to use any military installation, facility, reservation, vessel, or other property of the United States for any meeting, march, picketing, demonstration, or other similar activity for the purpose of engaging in any activity prohibited by this subsection or by subsection (b) or (d). (d)It shall be unlawful for any military labor organization to represent, or attempt to represent, any member of the armed forces before any civilian officer or employee, or any member of the armed forces, in connection with any grievance or complaint of any such member arising out of the terms or conditions of service of such member in the armed forces. (e)No member of the armed forces, and no civilian officer or employee, may— (1)negotiate or bargain on behalf of the United States concerning the terms or conditions of military service of members of the armed forces with any person who represents or purports to represent members of the armed forces, or (2)permit or authorize the use of any military installation, facility, reservation, vessel, or other property of the United States for any meeting, march, picketing, demonstration, or other similar activity which is for the purpose of engaging in any activity prohibited by subsection (b), (c), or (d). Nothing in this subsection shall prevent commanders or supervisors from giving consideration to the views of any member of the armed forces presented individually or as a result of participation on command-sponsored or authorized advisory councils, committees, or organizations. (f)Whoever violates subsection (b), (c), or (d) shall be fined under title 18 or imprisoned not more than 5 years, or both, except that, in the case of an organization (as defined in section 18 of such title), the fine shall not be less than $25,000. (g)Nothing in this section shall limit the right of any member of the armed forces— (1)to join or maintain membership in any organization or association not constituting a “military labor organization” as defined in subsection (a)(2) of this section; (2)to present complaints or grievances concerning the terms or conditions of the service of such member in the armed forces in accordance with established military procedures; (3)to seek or receive information or counseling from any source; (4)to be represented by counsel in any legal or quasi-legal proceeding, in accordance with applicable laws and regulations; (5)to petition the Congress for redress of grievances; or (6)to take such other administrative action to seek such administrative or judicial relief, as is authorized by applicable laws and regulations.

Amendments 1997—Subsec. (f). Pub. L. 105–85 substituted “shall be fined under title 18 or imprisoned not more than 5 years, or both, except that, in the case of an organization (as defined in section 18 of such title), the fine shall not be less than $25,000.” for “shall, in the case of an individual, be fined not more than $10,000 or imprisoned not more than five years, or both, and in the case of an organization or association, be fined not less than $25,000 and not more than $250,000.” 1987—Subsec. (a)(1) to (3). Pub. L. 100–26 inserted “The term” after each par. designation and struck out uppercase letter of first word after first quotation marks in each paragraph and substituted lowercase letter. 1986—Subsec. (a)(1). Pub. L. 99–661 struck out the second of two commas before “(B)”. 1984—Subsec. (a)(1). Pub. L. 98–525 added cl. (B) and redesignated existing cl. (B) as (C). Findings; Purpose Pub. L. 95–610, § 1, Nov. 8, 1978, 92 Stat. 3085, provided that: “(a)The Congress makes the following findings: “(1)Members of the armed forces of the United States must be prepared to fight and, if necessary, to die to protect the welfare, security, and liberty of the United States and of their fellow citizens. “(2)Discipline and prompt obedience to lawful orders of superior officers are essential and time-honored elements of the American military tradition and have been reinforced from the earliest articles of war by laws and regulations prohibiting conduct detrimental to the military chain of command and lawful military authority. “(3)The processes of conventional collective bargaining and labor-management negotiation cannot and should not be applied to the relationships between members of the armed forces and their military and civilian superiors. “(4)Strikes, slowdowns, picketing, and other traditional forms of job action have no place in the armed forces. “(5)Unionization of the armed forces would be incompatible with the military chain of command, would undermine the role, authority, and position of the commander, and would impair the morale and readiness of the armed forces. “(6)The circumstances which could constitute a threat to the ability of the armed forces to perform their mission are not comparable to the circumstances which could constitute a threat to the ability of Federal civilian agencies to perform their functions and should be viewed in light of the need for effective performance of duty by each member of the armed forces. “(b)The purpose of this Act [enacting this section] is to promote the readiness of the armed forces to defend the United States.”

#### Military unions wreck civilian military relations and US hegemony – extinction

Caforio 18 [Giuseppe Caforio, Brigadier General with degrees in law, political science, and strategic studies (FYI, the author died ~2015, but this was republished in 2018 in an anthology book), 5-20-2018, "Unionisation of the Military: Representation of the Interests of Military Personnel," SpringerLink, https://link.springer.com/chapter/10.1007/978-3-319-71602-2\_19]/Kankee

THE OPPOSITION TO UNIONIZATION OF THE ARMED FORCES But if a convergence between the military establishment and civil society is in progress and has brought the two areas of life and work much closer together, why is there a unionization issue for the armed forces? Why is there opposition to a collective bargaining system for military personnel? The fundamental reason must be sought in the specificity of the military, which is summarized thusly by David R. Segal: Because of its unique social function—the legitimate management of violence—the military requires of its personnel a degree of commitment that differs from that required by other modern organizations. Military personnel, unlike their civilian counterparts, enter into a contract of unlimited liability with their employer. They cannot unilaterally terminate their employment any time they wish. They are subject to moving and working in any environment where the service decides they are needed. They are required to place the needs of service above the needs of their families, and must frequently endure long periods of separation. They are often called upon to work more than an eight-hour day, for which they receive no additional compensation. And in time of war, they must face prolonged danger, and may even forfeit their lives. Obviously, the man on the firing line is required to make a commitment of a different order from that made by the worker on the assembly line. (D. Segal and Kramer, 1977, p. 28). Bernhard Boene, in a study devoted to a different research topic (Boene, 1990), is both precise and efficacious in differentiating military "work" from civilian work. Military specificity, writes Boene, does not lie only in the area of the risks to which one supposes the combatant is exposed, but also in the limits of application of common rationality in combat and in the situation of habitual transgression of social norms that it entails. This implies a particular type of socialization. Notwithstanding partial analogies, according to Boene, civil emergencies belong to a different reality than military ones do. An officer, in particular, is not an ordinary civil servant: he must respond to a "call," consisting of a particular interest in military things, dedication to the common welfare, acceptance of risking his life, and submission to a series of obligations that are peculiar to the military profession. SOME THEORETICAL POSITIONS ON THE ISSUE Discussing a sample survey, David Segal observes that in the United States, in the absence of a union for military personnel, there is a considerable "misfit" between soldiers' perception of the characteristics of their role and the preferred characteristics, while in an analogous sample of civilian manpower this misfit is much smaller. In examining the attempted remedies, Segal states: "Any change to be achieved through organizational interventions, however, is likely to be incremental, and not to resolve the discrepancy between the characteristics that military personnel would like in their jobs and the characteristics that they perceived their jobs to have" (D. Segal and Kramer, 1977, p. 46). According to Segal, unionization can solve this problem, but it presents two dangers that must be carefully weighed: the first is that it tends to extend its influence also to aspects of management and direction of the military apparatus; the second is that it involves a politicisation of the personnel. Gwyn Harries Jenkins examines the consequences that unionisation would have on the operational efficiency of the armed forces and identifies three fundamental ones: 1. The creation of a dual authority structure: Since there has been a change in the basis of authority and discipline in the military establishment and a shift from authoritarian domination to greater reliance on manipulation, persuasion and group consensus, unionization extends the boundaries of these changes: it brings into armed forces the full effects of the organizational revolution which pervades contemporary society, creating a dual authority structure while modifying the traditional basis of compliance. (H. Jenkins, 1977, p. 70) 2. A much greater resemblance of the style of military command to that of civilian management. The new tasks and the introduction of unionization would require commanders to possess skills and orientations more and more like those of civilian managers. 3. An abdication by the officer of his traditional image. Indeed, if the officer "wishes to retain his self-image and ideas of honor, then the introduction of trade unions into the military creates a conflict situation with substantial dysfunctional consequences" (H.Jenkins, 1977, p. 71). Harries Jenkins concludes, however, by affirming that, as a radical criticism of the existing military system, "the unionization of the armed forces can only result in an improvement to an otherwise defective situation" (H. Jenkins, 1977, p. 69). According to William Taylor and Roger Arango (Taylor et al., 1977b), many reasons offered in the United States for or against the unionization of military personnel appear to be rhetorical and not sufficiently investigated. Those who take a negative critical stance, for example, contend that unionization would lead to a breakdown in discipline; threaten the chain of command; and, especially, undermine the military's ability to carry out its assigned mission. Through a concrete field analysis, these authors believe they can shed light on the advantages and disadvantages of this process. Among the advantages are the acquisition of a greater sense of individual security, a valorization of the dignity of individuals, improved social communication, and greater competitiveness with other occupations and professions in recruiting personnel. The real drawbacks would essentially be reduced to two: a risk of divisiveness within units, due to acquired strife between personnel categories; and an increase in personnel costs. Carlo Jean (Jean, 1981) states that in itself, the creation of unions would inevitably produce increased confrontation; without it, the union representatives would have neither prestige nor credibility. He does not believe, however, that the biggest drawback that would derive from it would be that of undermining the internal cohesiveness of the armed forces and their operational capacity. According to this author military leaders would align themselves with the union's demands out of necessity to avoid internal breakup. An unacceptable corporative force would be produced that sooner or later would inevitably oppose it to the political power. The danger that a union of military personnel involves for civil society is, in his opinion, much greater than its negative implications on the efficiency of the military itself. Along the same line is the fear expressed by Sen. Thurmond (reported by David Cortright, cited essay) that unionization might reinforce the military establishment and increase its influence over society at large, decreasing the capacity for political control. This issue had already been treated by Cortright in another essay (Cortright and Thurmond, 1977b), where on the one hand he argued that unionization in the armed forces would help to prevent any form of separateness from civil society while noting on the other that little attention was given to the possibility that unionization substantially strengthens the military's ability to wield influence. Thurmond, again, judges the European experience negatively and asks himself how unionized troops would respond in battle. However, to remain faithful to his position, Thurmond conceives the armed forces as a separate body from civil society, argues that military personnel are not comparable to other labor force categories, and advances the fear that union representation of the interests of military personnel would bring the defence budget to unacceptable levels. Of the countries included in our study, unions for military personnel exist in Denmark, Sweden, Norway, Finland, Germany, Switzerland, Austria, Belgium, and The Netherlands. Unionization is prohibited in England, the United States, Canada, France, Portugal, Turkey, and Greece. Strikes are allowed only in Austria and Sweden. ANALYSIS OF HISTORICAL EXPERIENCES THROUGH THE THOUGHT OF VARIOUS AUTHORS

#### Doesn’t violate their FW – all of their ev is in the context of resisting business power – that doesn’t apply to military workers who don’t work for business

## Case

### Framing

#### 1. Actor Spec – It flows neg.

#### a) Side constraints freeze action because government policies always require trade-offs—the only justifiable way to resolve those conflicts is by benefiting everyone. Actor-specificity comes first because different agents have different ethical obligations.

#### b) Even if autonomy is theoretically good, governments don’t always respect it – think of examples like pressure for surveillance and security measures that may violate some freedom but are net beneficial

1. Extinction decks autonomy which means that it’s a prereq

#### Extinction outweighs under a framework of respecting autonomy – it’s a mandate under the theory of rationality and moral value

Moynihan 19 — (Thomas Moynihan, completed his PhD at the University of Oxford. His first book, Spinal Catastrophism (2019), is forthcoming., “The end of us”, Aeon, 8-7-19, Available Online at <https://aeon.co/essays/to-imagine-our-own-extinction-is-to-be-able-to-answer-for-it>, accessed 4-2-20, HKR-AM)

And so, given new awareness of the vicissitude of Earth history, of our precarious position within it as a biological species, and of our wider placement within a cosmic backdrop of roaming hazards, we were finally in a position to become receptive to the prospect of human extinction. Yet none of this could truly matter until ‘fact’ was fully separated from ‘value’. Only through full acceptance that the Universe is not itself inherently imbued with value could ‘human extinction’ gain the unique moral stakes that pick it out as a distinctive concept. Alongside descriptions of empirical fact, the discovery of human extinction demanded in-step self-reflections upon the proprieties (and precarities) of axiological value.

This final piece of the puzzle, therefore, came not from empirical science but from critical philosophy. It came from the revolution in philosophy initiated, in the 1780s, by Kant.

Kant realised that moral values are a question of self-legislation. They are maxims that we elect to bind ourselves by, and are accordingly constitutively dependent upon this election. Thus, they should not at all be considered part of the furniture of the natural world independently of our championship and upholding of them. And insofar as such values would not therefore be persistent features of the natural world independently of our ongoing stewardship, they thereby also demand our vigilant guardianship. In other words, ‘mind’ is entirely the responsibility of ‘minded agents’. We first realised that what we think and do matters, existentially so. It was this master idea of the Enlightenment that led us to appreciate the stakes involved in thinking.

Kant himself became increasingly preoccupied with the prospect of human extinction as he matured. Having once proclaimed that we ought ‘not lament’ the perishing of a world ‘as a real loss of Nature’, due to the age-old assumption that the Universe is maximally populated with moral worth and creatures like us, he slowly came to appreciate the precarity, and preciousness, of sapient values within the Universe. In his late works, the spectre of human extinction appears several times. During an essay on futurology, or what he calls ‘predictive history’, Kant’s projections upon humanity’s perfectibility are interrupted by the plausibility of an ‘epoch of natural revolution which will push aside the human race’. And this should come as no surprise, because Kant himself characteristically defined enlightening as humanity’s undertaking of self-responsibility: and human rationality assumes culpability for itself only to the exact extent that it progressively spells out the stakes involved in its precarious project, and stands steadfast in the face of them. This means that predicting increasingly severe threats is part and parcel of our progressive and historical assumption of accountability to ourselves. Only by articulating the stakes involved in our ignorance were we motivated to reason ever better, inasmuch as we realised that, should we not, we might never reason again.

In the 1980s, the German historian Reinhart Koselleck specified modernity as the increase in the ‘demands made of the future’, but we now know that it has ever also been the increase in the demands that the future made of us. We just didn’t quite know this yet. By recollecting the drama of how we came to answer this calling, through coming to care about our extinction, we see how today’s initiatives of prediction and mitigation (such as the Future of Humanity Institute in Oxford or the Centre for the Study of Existential Risk in Cambridge) are continuations and inheritors of this tenacious task: a project that we first began to set for ourselves during the Enlightenment. Though solemn, increasing concern with extinction gives us warrant to hope for our future on this planet and, possibly, beyond.

1. Consequentialism doesn’t fail

#### Only util respects equality by giving the same weight to all- side constraints unduly favor those directly harmed and ignore gov’t obligations to its citizenry. They also freeze actions since states always violate some rights, have no unified intention, and governments have to prohibit and permit action

#### Rarity objection- I could tailor a maxim super specifically to a particular instance so that it wouldn’t fail the test of universalizability but would still be bad- there’s no brightline for what constitutes a morally relevant feature of a maxim.

#### Arguments for deontology are self-defeating.

Mihailov 15 [Emilian Mihailov, Romanian Academy, Iasi Branch. “The Argument from Self-Defeating Beliefs Against Deontology.” Ethical Perspectives 22, no. 4 (2015): 573-600. Centre for Ethics, KU Leuven. doi: 10.2143/EP.22.4.3127268]

There is an increasing tendency to use empirical data to rail against philosophical ethics (Haidt 2001, Doris 2002). Recently, Joshua Greene has launched “an all-out assault on deontological philosophy”, as Mark Timmons puts it (2008). Greene claims that evidence from neuroimaging and experimental psychology indicates that “[...] deontological patterns of moral judgment are driven by emotional responses while consequentialist judgments are driven by ‘cognitive’ processes” (2008, 59). One of his most challenging arguments is that deontological judgements should be discarded because they track morally irrelevant features.1 When Greene says that emotional reactions reflect the influence of morally irrelevant factors, he assumes that emotions are morally irrelevant (2008, 70).

However, Selim Berker (2009) has shown that empirical data does not work against moral theory. Even if we accept that deontological intuitions are emotionally-driven, whereas consequentialist intuitions are more cognitive, it does not follow that consequentialism is superior. Obtaining data is a descriptive task that does not reflect relevant moral features. For this we need a substantive normative intuition or principle. Only in conjunction with a normative standard can empirical data pin-point irrelevant features. As Frances Kamm explains, “[...] all the normative work is being done by a moral theory about what factors make acts right (e.g. impersonal versus personal factors) and also a theory about what factors a deontologist as opposed to a consequentialist thinks are morally relevant, not by neuroscience” (2009, 303).

Berker and Kamm are right to point out that we need an independent normative idea to interpret neuroscientific data, but there is another argument suggested by Greene’s work that avoids the requirement to prove the irrelevance of emotional reactions. Greene writes that deontologists “[...] can’t say that our emotional responses are the basis for the moral truth, however, because they are rationalists” (2008, 69). Here we have an additional meta-ethical assumption about what qualifies as a proper justification, which points to an interesting relationship between explanation and justification. If we can show that a set of beliefs is formed by an epistemically unreliable psychological process, then we can undercut the justificatory status of that set of beliefs. Deontologists believe, according to Greene, that emotional processes cannot be a justifying basis. Thus, if deontologists believe that emotional processes should not be the source of their specific judgements, then empirical research can show that their belief is self-defeating by discovering that emotions are systematically the source of deontological judgments. I will call this the argument from self-defeating beliefs because its upshot is to reveal a psychological basis of deontological judgments which is distrusted by deontologists.2

It should be noted that the scope of this argument is thus limited. It can only show that rational deontology is self-defeating, not that emo-tions are irrelevant in general or that other types of deontology are not reliable, such as a sentimentalist deontology.3 While Greene speaks as if he intends to undermine deontological philosophy in general4, he some-times admits that his target is, in fact, rational deontology: “I believe that one can make a pretty good case against rationalist versions of deontology such as Kant’s” (2008, 68).5

#### AT Koorsgard –

#### 1) This doesn’t collapse to autonomy – literally nothing in the ev substantiates that autonomy is good, just that we should regard ends as good, which is not the same.

#### 2) Koorsgard’s argument is in the context of the categorical imperative, which is distinct from just pure individual autonomy

### Adv 1

#### AT Subpoint A: Even if they win their framework you can still vote neg –

#### 1] Strikes violate individual autonomy by exercising coercion.

Gourevitch 18 [Alex; Brown University; “The Right to Strike: A Radical View,” American Political Science Review; 2018; [https://sci-hub.se/10.1017/s0003055418000321]](https://sci-hub.se/10.1017/s0003055418000321%5d//SJWen) Justin

\*\*Edited for ableist language

Every liberal democracy recognizes that workers have a right to strike. That right is protected in law, sometimes in the constitution itself. Yet strikes pose serious problems for liberal societies. They involve violence and coercion, they often violate some basic liberal liberties, they appear to involve group rights having priority over individual ones, and they can threaten public order itself. Strikes are also one of the most common forms of disruptive collective protest in modern history. Even given the dramatic decline in strike activity since its peak in the 1970s, they can play significant roles in our lives. For instance, just over the past few years in the United States, large illegal strikes by teachers ~~paralyzed~~ froze major school districts in Chicago and Seattle, as well as statewide in West Virginia, Oklahoma, Arizona, and Colorado; a strike by taxi drivers played a major role in debates and court decisions regarding immigration; and strikes by retail and foodservice workers were instrumental in getting new minimum wage and other legislation passed in states like California, New York, and North Carolina. Yet, despite their significance, there is almost no political philosophy written about strikes.1 This despite the enormous literature on neighboring forms of protest like nonviolence, civil disobedience, conscientious refusal, and social movements.

The right to strike raises far more issues than a single essay can handle. In what follows, I address a particularly significant problem regarding the right to strike and its relation to coercive strike tactics. I argue that strikes present a dilemma for liberal societies because for most workers to have a reasonable chance of success they need to use some coercive strike tactics. But these coercive strike tactics both violate the law and infringe upon what are widely held to be basic liberal rights. To resolve this dilemma, we have to know why workers have the right to strike in the first place. I argue that the best way of understanding the right to strike is as a right to resist the oppression that workers face in the standard liberal capitalist economy. This way of understanding the right explains why the use of coercive strike tactics is not morally constrained by the requirement to respect the basic liberties nor the related laws that strikers violate when using certain coercive tactics.

#### 2] Means to an end: employees ignore their duty to help their patients in favor of higher wages which treats them as a means to an end, violating the premises of an agreed upon duty based on freedom

#### 3] The aff homogenizes all strikes as an unconditional right which is unethical.

Loewy 2K, Erich H. "Of healthcare professionals, ethics, and strikes." Cambridge Q. Healthcare Ethics 9 (2000): 513. (Erich H. Loewy M.D., F.A.C.P., was born in Vienna, Austria in 1927 and was able to escape first to England and then to the U.S. in late 1938. He was initially trained as a cardiologist. He taught at Case Western Reserve and practiced in Cleveland, Ohio. After 14 years he devoted himself fully to Bioethics and taught at the University of Illinois for 12 years. In 1996 he was selected as the first endowed Alumni Association Chair of Bioethics at the University of California Davis School of Medicine and has taught there since., rc HKR-RM)

It would seem then that the ethical considerations for workers striking in an industry such as a shoe factory or a chain grocery store are quite different from the ethical considerations for workers in sanitation, police, or fire departments, or for professionals such as teachers or those involved directly in healthcare. Even in the latter “professional” category, there are subtle but distinct differences of “rights” and obligations. However, one cannot conclude that for workers in essential industries strikes are simply ethically not permissible, whereas they are permissible for workers in less essential industries. Strikes, by necessity, injure another, and injuring another cannot be ethically neutral. Injuring others is prima facie ethically problematic —that is, unless a good and weighty argument for doing so can be made, injuring another is not ethically proper. Striking by a worker, inasmuch as doing so injures another or others, is only a conditional right. A compelling ethical argument in favor of striking is needed as well as an ethical argument in favor of striking at the time and in the way planned. It remains to delineate the conditions under which strikes, especially strikes by workers in essential industries and even more so by persons who consider themselves to be “professionals,” may legitimately proceed and yet fulfill their basic purpose.

#### I’ll LBL their contention. They only made two arguments here so their offense is extremely limited

#### First analytic –

#### 1) they consented to taking a job, so the worker’s obligation is to work for their job

#### Bahn

#### 1) This is about strikes addressing the power of monopsony, not a question of respecting individual autonomy, so there’s no offense under their FW

#### AT Subpoint B:

#### Protecting all of it’s citizens justifies consequentlaism because there is a need to ensure they live

### Adv 2

If it can be curbed – proves circumvention

Companies will just argue that every instance is an instance of when this right can be curbed – vote neg on presumption