# 1AC vs Dougherty Valley KZ

## 1AC

### Framing

#### The meta-ethic is procedural moral realism.

#### This entails that moral facts stem from procedures while substantive realism holds that moral truths exist independently of that in the empirical world. Prefer procedural realism –

#### Next is regress – I can keep asking “why should I follow this” which results in skep since obligations are predicated on ignorantly accepting rules. Only reason solves since asking “why reason?” requires reason which is self-justified.

#### That justifies universalizability –

#### Thus, the standard is Consistency with the Categorical Imperative. Prefer:

#### [1] Performativity –

#### [2] Humanity –

#### [3] Ethical frameworks must be theoretically legitimate. All frameworks are functionally topicality interpretations of the word ought so they must theoretically justified. Prefer our standard –

### Offense

#### I affirm – Resolved: A just government ought to recognize an unconditional right of workers to strike. Presumption & Permissibility affirms

**Gourevitch 18:** Gourevitch, Alex. “A Radical Defense of the Right to Strike.” *Jacobin* 2018. <https://jacobinmag.com/2018/07/right-to-strike-freedom-civil-liberties-oppression> // King CP recut

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

#### [2] The humanity principle mandates no exploitation of agents.

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

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

#### Now, the neg must not contest the aff framework a) forces a more in-depth phil debate which is constitutive of LD which means it o/w

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

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

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

### Underview

#### [1] Aff gets 1AR theory

#### [2] Use a truth testing paradigm

#### [3] Practices are assumed to exist for the purposes of discussion. However, denying the assumptions behind statements just proves them valid. The only time the statement is invalid is when the consequent is false.

Stanford <https://web.stanford.edu/~bobonich/dictionary/dictionary.html> Abbreviated Dictionary of Philosophical Terminology An introduction to philosophy Stanford University //ACCS JM

[In a] Conditional statement: an “if p, then q” compound statement (ex. If I throw this ball into the air, it will come down); p is called the antecedent, and q is the consequent. A conditional asserts that if its antecedent is true, its consequent is also true; any conditional with a true antecedent and a false consequent must be false. For any other combination of true and false antecedents and consequents, the conditional statement is true.