## 1AC

### Metaethic

#### The metaethic is pluralism or the idea that differing views of ethics are valid,

#### 1] Empirics- Best studies prove pluralistic tendencies are inevitable

Polzler and Wright 19[Thomas Pölzler and Jennifer Cole Wright- “Empirical research on folk moral objectivism” <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6686698/> NCBI. Published July 5th 2019]

Examining these studies' results more closely, however, makes it less clear whether this interpretation is appropriate (Pölzler, 2018b). Take again Goodwin and Darley's study. In this study, almost 30% of subjects' responses to the disagreement measure and almost 50% of their responses to the truth‐aptness measure fell on the option that the researchers took to be indicative of subjectivism (Goodwin & Darley, 2008, pp. 1347, 1351). Moreover, while some moral statements were dominantly classified as objective (e.g., the above statement about robbery), many others were dominantly classified as nonobjective (e.g., the stem cell research statement). This suggests that subjects in Goodwin and Darley's study may have actually favored what Wright, Grandjean, and McWhite (2013) called “metaethical pluralism,” i.e., they sometimes sided with objectivism and other times with nonobjectivism. More recent studies have by and large confirmed this hypothesis of folk metaethical pluralism. Wright et al. (2013) and Wright, McWhite, and Grandjean (2014), for example, replicated Goodwin and Darley's results, using the exact same measures, but letting subjects classify the presented statements as moral and nonmoral themselves. Objectivity ratings for statements that were dominantly self‐classified as moral varied between as little as 5% and as much as 85%. Research based on different measures yielded high proportions of intrapersonal variation as well (e.g., Beebe, 2014; Beebe, Qiaoan, Wysocki, & Endara, 2015; Beebe & Sackris, 2016; Fisher, Knobe, Strickland, & Keil, 2017; Goodwin & Darley, 2012; Heiphetz & Young, 2017; Wright, 2018; Zijlstra, forthcoming.

#### Emperics O/W they are the only verifiable metric and take into account all conditions.

#### 2] Resolvability – Thousands of years of unresolved debates over ethics are on our side. It’s unlikely a 45 minute debate can come to a useful truth.

### Framing

#### Meaning only has value in a frame of reference when it is practical to the individual, James 2K

James, William [William James was an American philosopher, historian, and psychologist, and the first educator to offer a psychology course in the United States.], and Giles B. Gunn. Pragmatism and Other Writings. New York: Penguin Books, 2000. Print.

A glance at the history of the idea will show you still better what pragmatism means. The term is derived from the same Greek word , meaning action, from which our words ‘practice’ and ‘practical’ come. It was first introduced into philosophy by Mr. Charles Peirce in 1878. In an article entitled ‘How to Make Our Ideas Clear,’ in the ‘Popular Science Monthly’ for January of that year,1 Mr. Peirce, after pointing out that our beliefs are really rules for action, said that, to develop a thought’s meaning, we need only determine what conduct it is fitted to produce: that conduct is for **us** its sole significance. And the tangible fact at the root of all our thought-distinctions, however subtle, is that there is no one of them so fine as to consist in anything but a possible difference of practice. To attain perfect clearness in our thoughts of an object, then, we need only consider what conceivable effects of a practical kind the object may involve — what sensations we are to expect from it, and what reactions we must prepare. Our conception of these effects, whether immediate or remote, is then for us the whole of our conception of the object, so far as that conception has positive significance at all. This is the principle of Peirce, the principle of pragmatism. It lay entirely unnoticed by any one for twenty years, until I, in an address before Professor Howison’s philosophical union at the university of California, brought it forward again and made a special application of it to religion.34 By that date (1808) the times seemed ripe for its reception. The word ‘pragmatism’ spread, and at present It fairly spots the pages of the philosophic journals. On all hands we find the ‘pragmatic movement’ spoken of, sometimes with respect, sometimes with contumely, seldom with clear understanding. It is evident that the term applies itself conveniently to a number of tendencies that hitherto have lacked a collective name, and that it has ‘come to stay.’ To take in the importance of Peirce’s principle, one must get accustomed to applying it to concrete cases. I found a few years ago that Ostwald, the illustrious Leipzig chemist, had been making perfectly distinct use of the principle of pragmatism in his lectures on the philosophy of science; though he had not called it by that name.35 “All realities influence our practice,” he wrote me, “and that influence is their meaning for us. I am accustomed to put questions to my classes in this way: In what respects would the world be different if this alternative or that were true? If I can find nothing that would become different, then the alternative has no sense.” That is, the rival views mean practically the same thing, and meaning, other than practical, there is for us none. Ostwald in a published lecture gives this example of what he means. Chemists have long wrangled over the inner constitution of certain bodies called ‘tautomerous.’ Their properties seemed equally consistent with the notion that an instable hydrogen atom oscillates inside of them, or that they are instable mixtures of two bodies. Controversy raged, but never was decided. “It would never have begun,” says Ostwald, “if the combatants had asked themselves what particular experimental fact could have been made different by one or the other view being correct. For it would then have appeared that no difference of fact could possibly ensue; and the quarrel was as unreal as if, theorizing in primitive times about the raising of dough by yeast, one party should have invoked a ‘brownie,’ while another insisted on an ‘elf’ as the true cause of the phenomenon.2 It is astonishing to see how many philosophical disputes collapse into insignificance the moment you subject them to this simple test of tracing a concrete consequence. There can be no difference anywhere that doesn’t make a difference elsewhere — no difference in abstract truth that doesn’t express itself in a difference in concrete fact and in conduct consequent upon that fact, imposed on somebody, somehow, somewhere, and somewhen. The whole function of philosophy ought to be to find out what definite difference it will make to you and me, at definite instants of our life, if this world-formula or that world-formula be the true one. There is absolutely nothing new in the pragmatic method. Socrates was an adept at it.37 Aristotle used it methodically. 38Locke, Berkeley,39and Hume4041made momentous contributions to truth by its means. Shadworth Hodgson keeps insisting that realities are only what they are ‘known as.’ But these forerunners of pragmatism used it in fragments: they were preluders only. Not until in our time has it generalized itself, become conscious of a universal mission, pretended to a conquering destiny. I believe in that destiny, and I hope I may end by inspiring you with my belief.

#### Thus deliberation must be used for moral inquiry, Misak 99

Misak, C. J. (Cheryl J.) [Cheryl J. Misak FRSC is a Canadian philosopher who works in pragmatism, the history of analytic philosophy, and bioethics. She is a University Professor at the University of Toronto, a Fellow of the Royal Society of Canada, and a recipient of a Guggenheim Fellowship in intellectual and cultural history.], “Truth, politics, morality: pragmatism and deliberation”, 1999, https://philpapers.org/rec/MISTPM-4

Pragmatism, I have suggested, can offer such protection. Unlike noncognitivism, it does provide the theoretical wherewithal to think that one’s reasons are more than just what one happens to think. For a judgement aims at being true, where being true amounts to being the belief which would best fit with reasons and experience. And pragmatism provides the theoretical wherewithal to criticise others. For a methodological principle has been justified: engaging in genuine moral inquiry – searching for principles and for particular judgements which will not be susceptible to recalcitrant experience and argument – requires that we take our beliefs to be responsive to new arguments and sensibilities about what is good, cruel, kind, oppressive, worthwhile, or just. Those who neglect or denigrate the experiences of others because of their gender, skin colour, or sexual orientation are adopting a very bad means for arriving at true and rational beliefs. They can be criticised as failing to aim at truth properly. This methodological criticism will come into play in relatively few cases. The project is not to derive the whole of morals and politics from a general and proven principle. The methodological point is not a fountain from which all policy must flow, although it supports a certain direction for policy, rich and possibly radical. For the most part, moral debate will be conducted in the usual way, with reasons offered of the sort: that someone fails to see how much pain she is causing; that lying to a person in order to get what you want is treating him as a means to an end and that this is an inappropriate way to treat a person; that keeping a class oppressed in order to maintain a luxurious lifestyle indicates a perverse ordering of the importance of various needs, and so on. That is, once the pragmatist/cognitivist ethics is up and running, there will be countless familiar principles which will provide grounds of justification and criticism. But these principles will not have the general justification that the methodological principle enjoys. Their justifications will be even more low profile and fallible. Agreement on this or that issue must always be taken to be possibly wrong, for we do not know that inquiry or debate has been pursued as far as it could go. We have seen that not even the methodological principle should pretend that it is necessarily true and this holds even more sharply for the first-order principles. But the fact that our judgements are fallible does not mean that the arguments for them are weak. We can have good reasons to think that a way of life, a conception of the good, a comprehensive doctrine, a religious commitment, a norm of behaviour, an ideal of virtue, a kind of character, a Moral deliberation 105 cultural value, or a recommendation for action in a particular context is right or wrong. It is clearly crucial for the pragmatist theory that wanting to get the truth is something which cuts across whatever divides us from others. Luckily for that theory, we are indeed hard pressed to find opponents in our moral and political lives who do not assert or believe or claim that their position is true, or best, or that which ought to be enforced. This is all we need in order to see them as participating in inquiry and all we need in order to see them as bound to the minimal requirement of taking experience seriously. Once our Schmittian and other illiberal opponents are brought into the epistemic fold, they can be criticised as failing to really hold beliefs – things which are responsive to reasons. For they refuse to take the reasons of all seriously. So despite the fact that the pragmatist’s methodology is sparse and is something that is relatively easy to accept, it gives us what Habermas wants and what everyone should want – critical bite. And despite the fact that the pragmatist says that we must start our theory with ongoing practice, that theory can provide us with a guide for future practice. We can debate substantive moral issues and, over and above the first-order criticisms which we will level, we are guided by a methodological normative principle. An inquirer can fail to aim at truth, can fail to hold genuine beliefs or genuine assertions, or he can follow a method that is unlikely to get him true beliefs. The first-order reasons we may invoke for or against some proposal are not reducible to the second-order reasons – to the epistemological arguments about truth and inquiry. The epistemological arguments tell us what it is to have a belief which aims at truth, moral belief being a special case of that general type (a case where arguments about the rightness of respecting others happen to take primacy of place). The first-order reasons will be about moral properties, such as the fair distribution of resources and how we ought to treat others when we interact personally with them. It is the first-order reasons which will constantly come into play in our ethical and political lives, unlike the epistemological reasons. And there will be plenty of first-order reasoning which bears on the question of whether we ought to treat the experience of others with respect. But that does not damage the point that the epistemological arguments give us something additional to the first-order reasons to say to ourselves about why and how we can criticise those who denigrate the experiences of others. It does not damage the point that the epistemological arguments give additional weight or justification to the idea that we must take the experiences of others seriously. David Estlund (1997) and Henry Richardson (1997) can be seen as offering the following justification for deliberative democracy, which has affinities with the justification offered here. Assume that impartiality and fairness are a part of our aim in morals and politics. We have a preference for deliberative over random ways of achieving these aims. We think that flipping a coin would 106 Truth, Politics, Morality be a bizarre method of making political decisions, even though it exemplifies a kind of impartiality. This preference reflects something – it reflects that there are standards which require our respect. A legitimate procedure must be answerable to reasons – it must be capable of paying attention to the reasons that matter. If, for instance, a vote – which exemplifies another kind of impartiality – failed to provide minimal resources to the most needy, we would reject it. For it would fail to meet standards of charity or generosity which demand respect. Since reasons come out in debate and deliberation, a legitimate procedure must be one that proceeds by debate and deliberation. Flipping a coin or simple voting cannot guarantee that standards and reasons will be respected and so we need to deliberate. That is the only methodology which is justified for those who hold that random methods of impartiality are not preferable over methods which pay attention to reasons. My argument, along similar but more all-embracing lines, is that any method for arriving at genuine beliefs (beliefs which aim at truth) must be a method which is driven by reasons and experience. The argument embraces more because having a belief that is aimed at truth, or at getting things right, is something that every believer is committed to, whereas impartiality is not. So the point I have been urging is stronger than Estlund’s and Richardson’s. The shared point is that if you want to have your beliefs governed by reasons, then you will have to expose yourself to different reasons, different perspectives, different arguments. You will have to engage in debate and deliberation. The stronger point is that a case can be made that any opponent is committed to having her beliefs governed by reasons, so any opponent is committed, whether he acknowledges it or not, to debate and deliberation. It will be asked here whether I am not trying to give a sort of transcendental argument for the principle that we must take the experience of others seriously – a kind of argument for which I criticised Habermas and Apel. Do I not also try to have democratic principles fall out of the very ideas of belief, assertion, and truth? Indeed, my argument is that the requirements of genuine belief show that we must, broadly speaking, be democratic inquirers. But the argument avoids the difficulties which accompany Habermas’ and Apel’s view. First, many problems for Habermas and Apel arise because their account of the necessary preconditions of communication seems to rest on an unintuitive definition of communication as an attempt at mutual understanding. Communication often, it seems, flies in the face of the democratic principles. I have argued that certain things are required for genuine belief and my argument, I hope, is based on a plausible and thin understanding of what is involved in the concept. A belief is something that one gives, or would give, or could give, reasons for, something that one takes to be responsive to the way things are. And that seems right. Second, I have offered an independent argument for the thought that truth is what would be agreed upon. I do not take for granted an identification of truth with the results of inquiry when I try to justify the democratic method. Moral deliberation 107 And one of my arguments for that method – that adopting a method which ignores the experience of others is a bad means for getting beliefs which best account for all experience and argument – has no transcendental ring at all to it. It does not suggest that the possibility of language or communication depends on a certain conception of how to live (i.e. freely and equally). Rather, it is a hypothetical imperative of the sort: if you want beliefs which will withstand the force of experience, then do such-and-such. The additional empirical or sociological claim is then added – virtually everybody claims to be after such beliefs. So my argument rests on a conception of deliberation or inquiry which tries to be relatively uncontentious. All it takes for someone to be a participant in these practices is a commitment to wanting beliefs which will not be overturned by subsequent experience and reason. Again, it is extremely easy for a state to qualify itself as a belief on this view. All it takes is that acknowledgement, explicit or implicit, that the belief answers to something. This is not Popper’s claim that a belief must be straightforwardly falsifiable. A belief merely must be sensitive to something. And in those cases in which I fail in my commitment to have my belief sensitive to reasons, all that can be said is that I fail to have a genuine belief aimed at truth, not, contra Habermas in some moods, that my humanity is compromised. I merely do not aim at the state I say I aim at, or I adopt a method which is not appropriate to my stated aim. One reason for the thin conception of inquiry here is to avoid the kind of difficulties that face Habermas and Apel. But another is to avoid an objection often put to liberalism. The charge is that the liberal tries to elevate a particular conception of the good – something like ‘rational’ debate – to the status of an obvious and universal good. Rawls, for instance, has been accused of having a conception of the self as a rational chooser who wants to maximise her own advantage. The charge is that it is far from obvious that such a conception of the rational self ought to be written in stone for all. I try to defend a view which has it that all conceptions of good be on the table for discussion. There appears to be no built-in bias here, no bias which will ensure that certain conceptions will be declared best. But is the pragmatist not sectarian in that she thinks that the life of active citizenship, or the life of deliberation, or some other variation on a liberal ideal is the life we must live?2 Some will see in pragmatism an unpleasant privileging of the inquirer, the debater, or the investigator. Perhaps pragmatism merely enshrines the culturally specific values of argumentation, impartiality, and experimentation. We shall see in the following sections that, for a number of reasons, this is not right. The pragmatist does not think that deliberation is always appropriate. And the nature of deliberation is left entirely open. For hand in hand with the idea that truth would be the product of human inquiry is the idea that what is true, what is rational, and what the standards of good deliberation are is a matter of what human inquiry would take to be true, rational, and good by way of standards of inquiry. There is no truth beyond our human inquiries, 108 Truth, Politics, Morality which always take place in a particular context. So even the kind of deliberation that is appropriate is something that will come out only through thought and deliberation. Indeed, the self will only be formed through thinking and decision-making. It is only in the midst of inquiry that we discover who and what we are, what we want, and what fits best with the evidence and argument. But we shall see that this kind of process can take all kind of forms, not all of them resembling self-conscious, organised, and systematic investigation. Again, the point is that it is much more plausible to think that all inquirers aim at getting beliefs which will not disappoint them than to think that all inquirers aim at being rational, in the fairly narrow sense meant by some Western academics. The pragmatist rejects the idea that the nature of reason (that it is neutral, that it abides by first-order logic, or whatever) is identifiable in advance of inquiry. Rather than require all to conform to such purportedly objective standards, the pragmatist makes the thinner and more plausible requirement that all inquirers aim at getting beliefs which will stand up to the test of experience. It is very easy to qualify oneself as an inquirer on this conception of inquiry. Neutrality: three senses Although the pragmatist puts forward a methodology for moral and political deliberation which is thin and low-profile, it would be a mistake to suggest that it is thereby neutral, in the sense most often meant by liberal political theorists. ‘Neutral’ is one of those words that is so overused that confusion about just what is meant often accompanies it. The sense of neutrality which I am concerned to distance myself from is what I shall call the neutrality principle and it is the pillar of many a liberal theory. The neutrality principle holds that government should not encourage or discourage conceptions of what it is to lead a good life. On this kind of neutrality, as long as the pursuit of a conception of the good does not directly harm others, the state should take a principled position of non-interference. The view is often summarised by saying that conceptions of the good are off the public agenda – the state cannot explicitly encourage them and citizens, in their public roles, cannot appeal to them in debate and argument. I shall argue, on the contrary, that often an appeal to reasons which refer to one’s conception of what is valuable can and should be made in public deliberation. If the relevant distinction is between the neutral and the public/ political willingness to judge ways of life, then we shall see that the pragmatist wants to allow for such judgement and declare this kind of neutrality unwise. There are other distinctions, which issue in other senses of neutrality, which we would do well to keep in mind. One is between the neutral and the committed and another is between the neutral and the biased. Moral deliberation 109 We have seen that central to the pragmatist’s argument is that it is impossible to be neutral in the first sense – to be uncommitted.3 There is no way of thinking of neutrality as a kind of perspectivelessness. One must have some perspective, some commitments. If being impartial involves the thought that an individual can rise above a particular context and somehow make a judgement which stands apart from her background beliefs, then impartiality is indeed not to be had.4 Our policies and beliefs arise from deliberation between individuals with particular, partial, views, views laden with the reasoner’s background beliefs, education, and cultural expectations. It is, however, possible and desirable in politics to be neutral in the second sense, to try to eradicate bias. A person is biased if he holds to his commitments in such a way as to close his mind to other beliefs. So being unbiased requires, amongst other things, that one try to put oneself in the other’s shoes, so to speak – that one try to imagine what it would be like to see the issue from the perspective of others. If we pull together the thoughts regarding these two distinctions, we can see that having commitments, being steeped in a fallible point of view, having a perspective, need not be a form of illusion, bias, or distortion. As with one’s location in perceiving an object, one must perceive from a particular perspective. But a range of perspectives will be consistent with each other and consistent with a particular description of the object or situation. If we are careful to try to shift perspectives, we can get a more complete take on matters.5 An individual occupies a perspective, and can occupy any one of a number of perspectives. Attention to these possibilities can produce a judgement that is not biased. There are of course difficulties in drawing the line between having a perspective and having a bias. For instance, in 1994 the Ontario Court of Appeal dealt with a charge of bias against a member of a Police Services Board of Inquiry into the conduct of officers who strip-searched a black woman in public. The board member in question was the president of a Chapter of the Congress of Black Women of Canada and the majority in the court agreed that the statements about the prevalence of racism, which the Congress had made in the past, created a reasonable apprehension of bias. The dissenting judge, however, noted that affiliation with an organisation which by its very nature might be said to favour one side in a dispute could not be enough to show bias. The other board members, after all, were recommended by the Ontario Police Association and the Ontario Association of Municipalities.6 The difficulty is that a board member on a tribunal always has some view, fallible and defeasible, about what constitutes discrimination and what should be done about it. Did this woman’s having the view she had constitute a bias that made her unsuitable to make judgements of improper searches by police officers? Should a candidate be disqualified from being a Constitutional Court judge who has to decide on same-sex gender legislation because he believes that homosexuals should have the same rights as heterosexuals? Should he 110 Truth, Politics, Morality be disqualified if he is a gay rights activist? What makes it more likely that someone who is a believer in ‘family-values’ can be fair in thinking about such legislation? They also have a view or a perspective. The fact that it is difficult to draw these lines does not mean that we can or should avoid thinking about them. We must make judgements about when someone is biased. One way I have suggested making them is to ask whether that person is taking the experience of all seriously. And there will be a host of other kinds of searching questions to be asked. There are of course limitations on the exercise of viewing matters from different perspectives. (Can I really get a sense of what it is to be a black unemployed male with no prospects at all?) But again, we must not draw a too-pessimistic conclusion from the difficulties. They do not entail that one should not do one’s best. Indeed, as Kymlicka argues, without the attempt to get into the shoes of another, elected representatives cannot even begin to do what they are supposed to do (1995: 140f). If understanding the needs and interests of those who differ from oneself is impossible, then those who are supposed to represent citizens cannot do so, for they are sure to differ in some respects from all whom they are supposed to represent. We assume that empathy with others can produce some understanding. Indeed, the assumption behind our attempts to understand others must be right, if we accept the point which is stressed by Onora O’Neil and Donald Davidson. If we can translate and interpret the utterances of others, if we can communicate at all, this reveals a great deal of shared belief. (Davidson argues that in order to have an idea or a concept at all, we have to communicate and thus share a picture of the world.) If we succeed in talking together and thinking together, if we succeed in disagreeing with others, rather than simply failing to comprehend others, then we share a great deal. Agreement and disagreement are parasitic on mutual understanding. And thus the idea that we have different conceptual schemes, that we live in different worlds, so to speak, is scuttled. Let us now turn to the neutrality principle, the principle on which a central dispute between the pragmatist and the mainstream liberal lies. The advocate of this kind of neutrality holds that politics is not the place for debate about what is good. He thinks it always undesirable or impossible to judge, in a public forum, the way of life or the practices of another. The pragmatist argues, on the other hand, that we sometimes can and ought to make these judgements. In what follows, I shall show how the pragmatist can shut out the neutrality principle without shutting out the things that it is designed to promote – autonomy, equality, and tolerance. The upshot will be that multiculturalism must be promoted by the institutions of a pragmatist democracy. The liberal who thinks the neutrality principle important will be attracted to a policy of benign neglect of minority groups. We shall see that the pragmatist, on the other hand, will think that a policy upon which minority groups are encouraged and perhaps even granted special group rights and powers might be warranted. Moral deliberation 111 We might, that is, find ourselves heeding Kymlicka’s advice to treat different kinds of group claims differently (1995: 58–60). For instance, what is in the interests of justice for African-Americans, with their history of slavery, segregation and exclusion from the majority culture, may not be in the interests of Native Americans with their history of forced inclusion into the majority culture. ‘Colour-blind’ laws may be what is required in the first case, but not in the second. The ‘may’ here is important. The negative side of colour-blind laws is that they can rule out affirmative action and encourage laws which are merely ‘facially neutral’ – for instance, heavy mandatory sentences for crack cocaine in the US, which tend to impact severely on blacks. So one has to go carefully before making such a recommendation. As I shall argue below, it is not the philosopher’s place to say that such-and-such a policy is what is required. It is the philosopher’s place to make theoretical room for the controversies to come to the surface and for the right public policy to be made. The principle of neutrality The liberal neutrality principle is prompted by a worry. History shows us that if the state takes it upon itself to evaluate conceptions of the good, then the likes of homosexual acts, possession of soft drugs, and divorce can get prohibited. For such things can be thought by those in power to be worse than worthless. So Ronald Dworkin expresses his reasons for the importance of the neutrality principle thus: Government must… leave people free to live as they think best so long as they do not harm others. But the Reverend Jerry Falwell, and other politicians who claim to speak for some ‘moral majority,’ want to enforce their own morality with the steel of the criminal law. They know what kind of sex is bad, which books are fit for public libraries, what place religion should have in education and family life, when human life begins, that contraception is sin, and that abortion is capital sin. (1983: 1) If we want to keep at bay the likes of the moral majority, we must prohibit appeals to any particular parochial morality (in this case, the fundamentalist Christian morality) in politics. That some moral majority will enforce their beliefs upon all is indeed a worry. But it is just a worry. It is not a necessary result of allowing conceptions of the good a voice on the public agenda. And the worry might be quieted by any one of a number of different policies, the neutrality principle being one of the many. We ought to be concerned about the possibility that certain ways of life will be wrongly denigrated, but neutrality may not be the only, or the best, way to prevent that from happening. 112 Truth, Politics, Morality One argument for the neutrality principle begins from a scepticism about morality. If it is impossible to make objective judgements about what is valuable, then a government cannot do it. And citizens, when they are arguing about policy and about justice, cannot do it either. We saw in Chapter 1 that Schmitt turns this argument on its head so that it is an argument not for, but against the idea of liberal neutrality. If it is not possible to aim at making rational and true judgements about the good, then all that one can do is plumb for one’s own conception. Some of these conceptions will undermine the liberal framework, and thus that framework only thinks itself neutral, when in fact it really cannot help but be an upholding of the liberal view of the good under the bogus name of neutrality. So a consideration against the argument from scepticism is that it crumbles internally and that it just as easily leads to intolerance within a society, not tolerance. Another consideration against the argument is the bundle of reasons given in Chapter 2 about how we are better advised to think of moral judgements as genuine beliefs and assertions which aim at truth. There is a perspective – a human, not a God’s eye perspective – from which values and conceptions of the good can be judged. Not every advocate of the neutrality principle, however, is a sceptic about moral judgement. Some argue that even if it is possible to adjudicate between conceptions of the good, governments ought to avoid it and leave such deliberation to individuals in private forums. These arguments start from the thought that something like autonomy, or equality, or respect for persons, is basic.7 Dworkin, for instance, argues that equality and respect require neutrality: a government which forces or encourages its citizens to live what it takes to be the good life puts constraints on citizens which ‘they could not accept without abandoning [their] sense of [their] equal worth’ (1983: 3). If a government is going to treat its citizens as equals, it must be neutral with respect to the nature of the good life. Or one could claim that if individuals are to retain their autonomy – their capacity to stand apart from their current interests and aims in order to revise, question, discover, and choose their ends – their ends cannot be chosen by an authority. They must be free to choose what kind of life plan they will adopt, free to change that plan, and free to make mistakes. Governments ought not to decide what the best lifestyle is and use their coercive power to then interfere with individuals who fail to adopt it or happen to fall outside of it. I shall suggest that the pragmatist can have autonomy, equality and respect for persons, without adopting the neutrality principle. This is a good thing, for I shall also set some arguments against the non-sceptical version of the neutrality principle. One argument is Andrew Kernohan’s recent claim that the liberal’s commitment to the moral equality of persons requires the liberal to think that governments must act, in a non-neutral way, to discourage a polluted cultural Moral deliberation 113 climate (Kernohan 1998). An oppressive culture, such as one in which women are treated as inferior, and encouraged to see themselves as inferior, can cause real accumulative harm. It can undermine self-respect, it can cause stereotypes to be internalised by those who are oppressed,8 and it can harm our interest in knowing the good. Thus a government which is committed to liberal principles of equality and respect for persons should not be neutral about such oppression – it ought to use its persuasive power to try to reform a polluted climate.

#### Thus, the standard is promoting pragmatic deliberation.

#### Prefer:

#### 1] Materiality- Our framework moves away from abstraction and understands knowledge as changing in order to base social change and revision of ideas. Glaude 7’ Eddie S. (Eddie S. Glaude Jr. is the chair of the Center for African-American Studies and the William S. Tod Professor of Religion and African-American Studies at Princeton University.) In a Shade of Blue : Pragmatism and the Politics of Black America. University of Chicago Press, 2007. EBSCOhost. (5-7) Recut from Dulles AS

In a Shade of Blue is my contribution to the tradition I have just sketched. My aim is to think through some of the more pressing conceptual problems confronting African American political life, and I do so as a Deweyan prag-matist. I should say a bit about what I mean by this self-description. John Dewey thought of philosophy as a form of cultural and social criticism. He held the view that philosophy, properly understood as a mode of wis-dom, ought to aid us in our efforts to overcome problematic situations and worrisome circumstances. The principal charge of the philosopher, then, is to deal with the problems of human beings, not simply with the problems of philosophers. For Dewey, over the course of his long career, this involved bridging the divide between science, broadly understood, and morals—a divide he traced to a conception of experience that has led philosophers over the centuries to tilt after windmills. Dewey declared, “The problem of restoring integration and co-operation between man’s beliefs about the world in which he lives and his beliefs about values and purposes that should direct his conduct is the deepest problem of any philosophy that is not isolated from life.”9Dewey bases this conclusion on several features of his philosophy: (1) anti foundationalism, (2) experimentalism, (3) contextualism, and (4) soli-darity.10 Antifoundationalism, of course, is the rejection of foundations of knowledge that are beyond question. Dewey, by contrast, understands knowledge to be the fruit of our undertakings as we seek “the enrichment of our immediate experience through the control over action it exercises.”**11He insists that we turn our attention from supposed givens to actual consequences**, pursuing a future fundamentally grounded in values shaped by experience and realized in our actions. This view makes clear the experimental function of knowledge. Dewey emphasized that knowledge entails efforts to control and select future experience and that we are always con-fronted with the possibility of error when we act. We experiment or tinker, with the understanding that all facts are fallible and, as such, occasionally afford us the opportunity for revision.12Contextualism refers to an understanding of beliefs, choices, and actions as historically conditioned. Dewey held the view that inquiry, or the pursuit of knowledge, is value-laden, in the sense that we come to problems with interests and habits that orient us one way or another, and that such pursuits are also situational, in the sense that “knowledge is pursued and produced somewhere, some when, and by someone.”13Finally, solidarity captures the associational and cooperative dimensions of Dewey’s thinking. Dewey conceives of his pragmatism as “an instrument of social improvement” aimed principally at expanding democratic life and broadening the ground of individual self-development.14Democracy, for him, constitutes more than a body of formal procedures; it is a form of life that requires constant attention if we are to secure the ideals that purportedly animate it. Individuality is understood as developing one’s unique capacities within the context of one’s social relations and one’s community. The formation of the democratic character so important to our form of associated living involves, then, a caring disposition toward the plight of our fellows and a watchful concern for the well-being of our democratic life.

#### 2] Social relations are dynamic and constantly being decentered from normative systems of knowledge; only pragmatism’s understanding of interactive knowledge production can mitigate entrenched violence.

Kadlec 8, Alison. "Critical pragmatism and deliberative democracy." Theoria 55.117 (2008): 54-80. (doctorate in political science from the University of Minnesota and bachelor's degrees from Michigan State University in political theory, constitutional democracy and English literature.)//Dulles AS

Social Intelligence: The Critical Potential Lived Experience Though human nature is intersubjectively generated on an ongoing basis, we are not merely the products of Platonic conceptions of ourselves. Individuals are cultivated in and by society through experiential processes in which we are acted upon, and act back upon a dynamic environment. For Dewey, 'experience' connotes a very specific process that stands in stark contrast to the traditional conception of experience as a matter of private consciousness. Because Dewey's notion of experience is **social, active, and educative,** what he calls the 'experiential continuum' is the process by which we are best able to develop social intelligence. The 'experiential continuum' is characterised by our enduring and undergoing the consequences of our actions, and intelligence is to be understood as the self-conscious and ongoing process of adjusting our attitudes in light of these consequences.25 In The Public and Its Problems , Dewey gives this view of intelligence a decidedly deliberative spin when he says, 'we lie, as Emerson said, in the lap of an immense intelligence. But that intelligence is dormant and its communications are broken, inarticulate and faint until it possesses the local community as its medium'.26 In 'Ethical Principles Underlying Education', Dewey is more explicit in explaining his view of the relationship between social intelligence and the normative commitment to democracy in his declaration that 'ultimate moral motives and forces are nothing more nor less than social intelligence the power of observing and comprehending social situations and social power trained capacities of control at work in the service of social interest and aims'.27 Dewey's unflagging faith in the transformative potential of social intelligence intrinsic to democracy as a way of life **is not Utopian**, nor is it based on a belief that all problems are finally solvable. Rather, it expresses a moral commitment that suggests that a working faith in social intelligence is our best shot at crafting habits and institutions that will further encourage us to identify **new opportunities for the expansion of our capacities** moving forward. The upshot here is that democracy as a way of life means, above all, that we stop thinking of democracy as a thing and start thinking about it as a way. Democracy is belief in the ability of human experience to generate the aims and methods by which further experience will grow in ordered richness. . . . Democracy is the faith that the process of experience is more important than any special result attained, so that the special results achieved are of ultimate value only as they are used to enrich and order the ongoing process. Since the process of experience is capable of being **educative**, faith in democracy is all one with faith in experience and education. All ends and values that are cut off from the ongoing process become arrests and fixations. They strive to fixate what has been gained instead of using it to open the road and point the way to new and better experiences.28 On this account, social intelligence is not a possession, it is a de-centred and educative process of ordering our **experiences** through manifold **communication**. The guiding principles, then, of social intelligence are 1) the protection and expansion of our capacity for free and communicative inquiry and 2) the protection and expansion of our capacity to perceive the shared consequences of our habits and policies. We judge the goodness or badness of these consequences by evaluating the way they act back on and impact our individual capacities for free inquiry that inform the ongoing development of social intelligence In turn, the 'proper conditions' for social intelligence then are those that increase our ability to perceive the complex shared consequences of our choices and practices. Intelligence is social in pragmatism because it requires the development of both firstand second-order attitudes that can only take place in an ongoing process of communication. Free inquiry is not just a matter of having the opportunity to seek information that will allow for the generation of thoughtful attitudes about issues, it is also a matter of appreciating and harnessing the democratic potential of second-order attitudes (attitudes about our attitudes). We are not passive receivers of information, **but dynamic interactors**, and therefore intelligence is intrinsically communicative. Free inquiry is the engine of social intelligence, which is in turn based on our willingness to have our firstorder attitudes adjusted in light of our second-order attitudes.29 The ongoing mutual adjustment of our first-order and second-order attitudes through a back and forth process between the two emerges only to the extent that we have the opportunities to communicate freely with others, and this is none other than the 'method' of social intelligence. The goal of communicative inquiry then is to build an ever richer context for the ongoing development of our ability to perceive the relationship between our beliefs, practices, and institutions. By taking a principal focus on increasing our ability for evermore sophisticated perception of the consequences of our habits of thought and action, we will be better equipped to distinguish between those habits that improve and those that impede our capacities for free inquiry. This is the material of problem-solving, as it is just this capacity for free inquiry that makes it possible to identify common problems in a way that they may be productively addressed. Turning back to the challenges leveled by radical democratic theorists, we can begin to see the opportunities made possible by critical pragmatism. Tapping into the critical potential of lived experience under conditions of unalterable changefulness begins with the therapeutic recognition that there is no such thing as a unified field of power directed entirely by stable and fixed interests. The first implication here is that there are always new opportunities to exploit cracks and fissures in various structurally **entrenched forms of power**. Second, the essentially complexity and flux of our world is always **producing new opportunities for transformative resistance** and for the development of more creative approaches to meaningful deliberation. Critical pragmatism pivots on the notion that under such conditions what we most need are not fixed and static foundations, we need the flexible habits of inquiry and **communication** that make it possible to both identify pernicious obstacles to deliberation and to challenge, circumvent, or neutralise their impact.

#### 3] Actor spec – governments use pragmatism i.e. ancient Greece or in 2005 the US working with thousands of ordinary citizens to rebuild after hurricane katrina. Plus it’s a theory specific to democracies like the plan. o/w on real world and specificity since differnet agents have differnet obligations

#### 4] Rule following paradox – we can infinitely question why to follow that rule, which will eventually terminate at some base assumption with no external justification. Only the pragmatic deliberation solves since we realize what it means to follow rules is to participate in the common good because we look at multiple interpretation of the rules

#### 5] Performativity- Responding to our framework concedes the validity of pragmatism since that in and of itself is a process of contestation that pragmatism would say is valuable and necessary for spaces like debate to function.

#### 6] Value Pluralism- Other ethical theories rely on minimalistic criteria as their foundation, our framework resolves this by using these criteria to better inform our judgments LaFollete 2K

"Pragmatic Ethics" [Hugh LaFollette](http://www.hughlafollette.com/index.htm) In [Blackwell Guide to Ethical Theory](http://www.hughlafollette.com/papers/b-guide.htm) 2000. Hugh LaFollette is Marie E. and Leslie Cole Professor in Ethics at the University of South Florida St. Petersburg. He is editor-in-chief of The International Encyclopedia of Ethics. <https://www.hughlafollette.com/papers/b-guide.htm> recut from Dulles AS

Pragmatic ethics takes a more aggressive approach, insisting that mankind is responsible for determining the best ethical system possible, which will be refined as new discoveries are made. Put simply; truth does not exist in some abstract realm of thought independent of social relationship or actions; instead, the truth is a function of an active … Pragmatism, according to William James, is derived from the Greek word pragma, which means action and serves as the basis of our English words practical and practice. Pragmatism originated in the United States around 1870, and now presents a growing third alternative to both analytic and Continental philosophical traditions worldwide. 1 - Acceptance . Ethics is a branch of philosophy that is responsible for studying the principles that govern the conduct of an individual. Employs criteria, but is not criterial The previous discussions enable us to say more precisely why pragmatists reject a criterial view of morality. Pragmatism's core contention that practice is primary in philosophy rules out the hope of logically prior criteria. Any meaningful criteria evolve from our attempt to live morally – in deciding what is the best action in the circumstances. Criteria are not discovered by pure reason, and they are not fixed. As ends of action, they are always revisable. As we obtain new evidence about ourselves and our world, and as our worlds changes, we find that what was appropriate for the old environment may not be conducive to survival in the new one. A style of teaching that might have been ideal for one kind institution (a progressive liberal arts college) at one time (the 60s) may be wholly ineffective in another institution (a regional state university) at another time (the 80s). But that is exactly what we would expect of an evolutionary ethic. Neither could criteria be complete. The moral world is complex and changeable. No set of criteria could give us univocal answers about how we should behave in all circumstances. If we cannot develop an algorithm for winning at chess, where there are only eighteen first moves, there is no way to develop an algorithm for living, which has a finitely large number of "first moves." Moreover, while the chess environment (the rules) stays constant, our natural and moral environments do not. We must adapt or fail. While there is always one end of chess -- the game ends when one player wins – the ends of life change as we grow, and as our environments change. Finally, we cannot resolve practical moral questions simply by applying criteria. We do not make personal or profession decisions by applying fixed, complete criteria. Why should we assume we should make moral decisions that way? Appropriates insights from other ethical theories Nonetheless, there is a perfectly good sense in which a pragmatic ethic employs what we might call criteria, but their nature and role dramatically differ from that in a criterial morality (Dewey 1985/1932) . Pragmatic criteria are not external rules we apply, but are tools we use in making informed judgements. They embody learning from previous action, they express our tentative efforts to isolate morally relevant features of those actions. These emergent criteria can become integrated into our habits, thereby informing the ways that we react to, think about, and imagine our worlds and our relations to others. This explains why pragmatists think other theories can provide guidance on how to live morally. Standard moral theories err not because they offer silly moral advice, but because they misunderstand that advice. Other moral theories can help us isolate (and habitually focus on) morally relevant features of action. And pragmatists take help wherever they can get it. Utilitarianism does not provide an algorithm for deciding how to act, but it shapes habits to help us "naturally" attend to the ways that our actions impact others. Deontology does not provide a list of general rules to follow, but it sensitizes us to ways our actions might promote or undermine respect for others. Contractarianism does not resolve all moral issues, but it sensitizes us to the need for broad consensus. That is why it is mistaken to suppose that the pragmatist makes specific moral judgements oblivious to rules, principles, virtues, and the collective wisdom of human experience. The pragmatist absorbs these insights into her habits, and thereby shapes how she habitually responds, and how she habitually deliberates when deliberation is required. This also explains why criterial moralities tend to be minimalistic. They specify minimal sets of rules to follow in order to be moral. Pragmatism, on the other hand, like virtue theories, is more concerned to emphasize exemplary behavior – to use morally relevant features of action to determine the best way to behave, not the minimally tolerable way

#### Impact Calc:

#### Deliberation is procedural not substantive, which means that we are first concerned with the decision-making procedure of deliberation and then evaluation of what impacts matter most. To clarify, consequences are a sequencing question. Serra 09,

Juan Pablo Serra. What Is and What Should Pragmatic Ethics Be? Some Remarks on Recent Scholarship*.* EUROPEAN JOURNAL OF PRAGMATISM AND AMERICAN PHILOSOPHY. 2009. Francisco de Vitoria College, Humanities Department, Faculty member. Dulles AS

BY WAY OF CONCLUSION: As LaFollette presents it, the key to understanding pragmatist ethics is that it is not an ethical theory per se, but rather it is an anthropology, a way of understanding the human being and his moral action. Therefore, pragmatist ethics in reality does not propose a new ethical theory, but rather “reconstructs” through a new prism the basic intuitions of the best ethical theories. The fundamental element on which the attention of pragmatist ethics centers is deliberation. Deliberationisnotdirectlyresponsible for directing action,butonly doessoindirectly**,** bymeans of a critique of past actions, theefforttocorrect or reinforce certain habits and mental experiments that each actor performs in order to determine his own future conduct, and even to determine in a general manner the way in which one wishes to live one’s life (or, what amounts to the same thing, the type of person one wishes to be). Thetaskofapragmatistethics, therefore**,** isnottoprovidefinalsolutions**,** butrather to indicate that it is onlyvia thetestingandcommunicationofexperiencesthatthe superiorityof onemoral ideaover another can be demonstrated. In this sense, one of the principal missions of any given version of pragmatist ethics is to indicate some general manner in which habits can be acquired which, later, will facilitate personal deliberation – both internal and external – in the broad variety of circumstances which make up the moral life.

### Contention

#### 1] Forces worker and government deliberation, Jakarta Post 20

Jakarta Post, 9-30-2020, "Trade unions to skip labor strike protesting jobs bill deliberation," https://www.thejakartapost.com/news/2020/09/30/trade-unions-to-skip-labor-strike-protesting-jobs-bill-deliberation.html

The National Federation of Trade Unions (KSPN) says it has instructed its members to not take part in a national strike set to be held from Oct. 6 to 8 to oppose the deliberation of the jobs bill. Five million workers planned to stage a strike as the House of Representatives and the government concluded the deliberation of labor issues in the omnibus bill on job creation on Sunday, abandoning an earlier plan to drop the articles. The House is expected to hold plenary sessions to pass the bill into law. The federation said in a statement on Tuesday that joining the strike was not necessary as its members had already provided critical advocacy.

#### 2] Strikes allow worker to speak out against unjust rules, Zimmermann 3-29

Antonia Zimmermann, 3-29-2021, "German union leads 4-day Amazon strike," POLITICO, https://www.politico.eu/article/german-union-leads-four-day-amazon-strike/

Just one week after a major strike by [Amazon workers in Italy](https://www.politico.eu/?p=1650658), their German counterparts look to be following suit. German trade union ver.di has called on Amazon employees in six warehouses — or "fulfillment centers" — across Germany to stop work from Monday through Thursday. The strikes are taking place in warehouses in Rheinberg, Werne, Koblenz, Leipzig and two sites in Bad Hersfeld. The union [called on](https://www.verdi.de/presse/pressemitteilungen/++co++8bdc942a-8e49-11eb-80ec-001a4a16012a) the online retailer to recognize collective agreements for the retail sector in addition to a collective agreement for “good and healthy work.” The company has yet to sign a collective agreement in Germany. Orhan Akman, the ver.di representative for retail and mail order, estimated around 2,000 employees across the six warehouses would participate in the strike. An Amazon spokesperson said over 90 percent of the company's employees in its Germany sites are working as regularly scheduled. “We think Amazon is ill-advised to resist its employees’ and unions’ interests,” Akman said in an interview. “A social company pays adequate wages according to retail collective agreements and holds conversations with unions.” Ver.di also criticizes Amazon for failing to maintain COVID-19 safety regulations. “Due to the perpetual rush, keeping distance and respecting other guidelines against an infection is often nearly impossible. But Amazon still refuses to sign a binding wage agreement to protect workers,” Akman [said](https://www.verdi.de/presse/pressemitteilungen/++co++8bdc942a-8e49-11eb-80ec-001a4a16012a). An Amazon spokesperson countered: "We have a well-established cooperation with the works councils, elected by all associates, representing all — unlike the union, who represents a minority only." "We already offer excellent pay, excellent benefits and excellent opportunities for career growth, all while working in a safe, modern work environment," the spokesperson added.

#### 3] Strikes create more open forums which allow for more deliberation. Simms 18

Melanie Simms, 3-23-2018, "Why workers go on strike," Conversation, https://theconversation.com/why-workers-go-on-strike-93815

Both of these demonstrate how a strike around a fairly technical employment issue can develop a momentum of its own and become a catalyst for a much wider expression of dissatisfaction about the changing bargains being made. As with the concerns raised by junior doctors about [the management of the NHS](https://www.theguardian.com/society/2016/sep/01/what-you-need-to-know-about-the-junior-doctors-strike), the higher education pension dispute has rapidly become a space in which to question the [broader direction of the sector](https://theconversation.com/university-lecturer-explains-why-academics-are-striking-over-pension-cuts-93039). In this context, emotions can run high. Many relationships are strengthened, but some inevitably become strained. By definition, strikes are not business as usual. What then becomes important, is how the parties can explicitly negotiate compromises that smooth the way back to work – even if that means negotiating a new normal.

### Advocacy

#### Thus the plan,

#### Resolved: The Norwegian Government ought to recognize an unconditional right of workers to strike.

#### CX checks to avoid frivolous spec shells.

#### I’ll defend enforcement through modelling the NLRA, Bondi 95

Victor Bondi , 1995, "American Decades: 1940-1949," No Publication, <https://www.cengage.com/search/productOverview.do?N=197+4294921854+4294916915+4294904579&amp;Ntk=P_EPI&amp;Ntt=15051676421114137871909840985170930831&amp;Ntx=mode%2Bmatchallpartial>

Durin g the 1930s and World War II, organized labor made progress on many fronts. Various labor unions also formed an alliance with the Democratic Party, then in control, and promoted legislation and government regulation to cement these gains. However, in the 1946 election the Republican Party won control of Congress and set about to eliminate or roll back what they perceived to be the excessive power of labor unions. The Republican controlled Congress passed the Taft-Hartley Act over the veto of President Harry S Truman, reducing or eliminating many labor union advantages provided for in the **National Labor Relations Act of 1935**. These **included** the unconditional closed shop; the checkoff system, which enabled unions to collect dues from all employed members; the **unconditional right to strike at any time;** and immunity from employer lawsuits over breaches of contract and strike damages.

#### The Unconditional Right to Strike is defined in the NLRA as,

[National Labor Relations Board](https://www.nlrb.gov/), [The National Labor Relations Board (NLRB) is comprised of a team of professionals who work to assure fair labor practices and workplace democracy nationwide. Since its creation by Congress in 1935, this small, highly respected, independent Federal agency has had daily impact on the way America's companies, industries and unions conduct business. Agency staff members investigate and remedy unfair labor practices by unions and employers.], xx-xx-xxxx, "NLRA and the Right to Strike," No Publication, 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**. **Lawful** and unlawful strikes. The lawfulness of a **strike** may **depend on the object, or purpose, of the strike, on its timing, or on the conduct of the strikers.** The object, or objects, of a strike and whether the objects are lawful are matters that are not always easy to determine. Such issues often have to be decided by the National Labor Relations Board. The consequences can be severe to striking employees and struck employers, involving as they do questions of reinstatement and backpay. Strikes for a lawful object. Employees who strike for a lawful object fall into two classes: economic strikers and unfair labor practice strikers. Both classes continue as employees, but unfair labor practice strikers have greater rights of reinstatement to their jobs. Economic strikers defined. If the object of a strike is to obtain from the employer some economic concession such as higher wages, shorter hours, or better working conditions, the striking employees are called economic strikers. They retain their status as employees and cannot be discharged, but they can be replaced by their employer. If the employer has hired bona fide permanent replacements who are filling the jobs of the economic strikers when the strikers apply unconditionally to go back to work, the strikers are not entitled to reinstatement at that time. However, if the strikers do not obtain regular and substantially equivalent employment, they are entitled to be recalled to jobs for which they are qualified when openings in such jobs occur if they, or their bargaining representative, have made an unconditional request for their reinstatement. Unfair labor practice strikers defined. Employees who strike to protest an unfair labor practice committed by their employer are called unfair labor practice strikers. Such strikers can be neither discharged nor permanently replaced. When the strike ends, unfair labor practice strikers, absent serious misconduct on their part, are entitled to have their jobs back even if employees hired to do their work have to be discharged. If the Board finds that economic strikers or unfair labor practice strikers who have made an unconditional request for reinstatement have been unlawfully denied reinstatement by their employer, the Board may award such strikers backpay starting at the time they should have been reinstated. **Strikes unlawful because of purpose**. A strike may be unlawful because an object, or purpose, of the strike is unlawful. **A strike in support of** a union **unfair labor practice**, or one that would cause an employer to commit an unfair labor practice, may be a strike for an unlawful object. For example, it is an unfair labor practice for an employer to discharge an employee for failure to make certain lawful payments to the union when there is no union security agreement in effect (Section 8(a)(3)). A strike to compel an employer to do this would be a strike for an unlawful object and, therefore, an unlawful strike. Furthermore, Section 8(b)(4) of the Act prohibits strikes for certain objects even though the objects are not necessarily unlawful if achieved by other means. An example of this would be a strike to compel Employer A to cease doing business with Employer B. It is not unlawful for Employer A voluntarily to stop doing business with Employer B, nor is it unlawful for a union merely to request that it do so. It is, however, unlawful for the union to strike with an object of forcing the employer to do so. In any event, employees who participate in an unlawful strike may be discharged and are not entitled to reinstatement. Strikes unlawful because of timing—Effect of no-strike contract. A strike that violates a no-strike provision of a contract is not protected by the Act, and the striking employees can be discharged or otherwise disciplined, unless the strike is called to protest certain kinds of unfair labor practices committed by the employer. It should be noted that not all refusals to work are considered strikes and thus violations of no-strike provisions. A walkout because of conditions abnormally dangerous to health, such as a defective ventilation system in a spray-painting shop, has been held not to violate a no-strike provision. Same—Strikes at end of contract period. Section 8(d) provides that when either party desires to terminate or change an existing contract, it must comply with certain conditions. If these requirements are not met, a strike to terminate or change a contract is unlawful and participating strikers lose their status as employees of the employer engaged in the labor dispute. If the strike was caused by the unfair labor practice of the employer, however, the strikers are classified as unfair labor practice strikers and their status is not affected by failure to follow the required procedure. Strikes unlawful because of misconduct of strikers. Strikers who engage in serious misconduct in the course of a strike may be refused reinstatement to their former jobs. This applies to both economic strikers and unfair labor practice strikers. Serious misconduct has been held to include, among other things, violence and threats of violence. The U.S. Supreme Court has ruled that a “sitdown” strike, when employees simply stay in the plant and refuse to work, thus depriving the owner of property, is not protected by the law. Examples of serious misconduct that could cause the employees involved to lose their right to reinstatement are: • Strikers physically blocking persons from entering or leaving a struck plant. • Strikers threatening violence against nonstriking employees. • Strikers attacking management representatives.

#### Norway doesn’t have an unconditional right to strike, Iossa 18

Andrea Iossa, October 2018, “Norway - Right to strike in public sector.”, EPSU, https://www.epsu.org/sites/default/files/article/files/Norway%20-%20Right%20to%20strike%20in%20public%20sector.pdf

The Constitution of Norway **The Constitution of Norway makes no reference to the right to strike.** However, the Norwegian Supreme Court found in the Holship case (HR-2016-2554-P) that the right to freedom of association according to Section § 101 in the Constitution is framed after article 11 in the ECHR. Section § 101 therefore protects the right to strike to the same extent as article 11 ECHR does. Applicable law(s) • Rules on the exercise of the right to strike and other forms of collective action are included in the Act on Labour Disputes (LDA) (No. 9 of 2012). • Rules on the exercise of the right to strike and other forms of collective action in the public sector are included in the Act on Public Service Labour Disputes (PSLDA) (No. 2 of 1958) (Chapter V). • The Labour Court has jurisdiction to assess the lawfulness of strikes and collective action in relation to a breach of the peace obligation and disregard for procedural requirements.4 • As a general rule, the entry into force of a collective agreement entails a peace obligation between the parties. Basic Agreements (periodically re-negotiated, usually every four years) exist between the major trade union confederations and the employers’ associations in several sectors, including the public sector. The Basic Agreements contain rules on the peace obligation, mediation and other procedural requirements that must be met before calling for strike/collective action. 4 2. Who has the right to call a strike? Any trade union or employee association is entitled to call for strike action. This entitlement derives from the broad definition of ‘trade union’ provided in the Labour Disputes Act, according to which any federation of employees acting for the purpose of safeguarding the employees’ interests vis-à-vis their employer is to be considered as a trade union (fagforening). 5 **Limitations to this general rule can be introduced in exceptional cases by collective agreements**.

#### “A” implies singular,

https://www.merriam-webster.com/dictionary/a

used as a function word before singular nouns when the referent is unspecified

#### A implies specific when put before a modifier like “Just”

CCC (“Articles, Determiners, and Quantifiers”, http://grammar.ccc.commnet.edu/grammar/determiners/determiners.htm#articles, Capital Community College Foundation, a nonprofit 501 c-3 organization that supports scholarships, faculty development, and curriculum innovation) LHSLA JC/SJ

The three articles — a, an, the — are a kind of adjective. The is called the definite article because it usually precedes a specific or previously mentioned noun; a and an are called indefinite articles because they are used to refer to something in a less specific manner (an unspecified count noun). These words are also listed among the noun markers or determiners because they are almost invariably followed by a noun (or something else acting as a noun). caution CAUTION! Even after you learn all the principles behind the use of these articles, you will find an abundance of situations where choosing the correct article or choosing whether to use one or not will prove chancy. Icy highways are dangerous. The icy highways are dangerous. And both are correct. The is used with specific nouns. The is required when the noun it refers to represents something that is one of a kind: The moon circles the earth. The is required when the noun it refers to represents something in the abstract: The United States has encouraged the use of the private automobile as opposed to the use of public transit. The is required when the noun it refers to represents something named earlier in the text. (See below..) If you would like help with the distinction between count and non-count nouns, please refer to Count and Non-Count Nouns. We use a before singular count-nouns that begin with consonants (a cow, a barn, a sheep); we use an before singular count-nouns that begin with vowels or vowel-like sounds (an apple, an urban blight, an open door). Words that begin with an h sound often require an a (as in a horse, a history book, a hotel), but if an h-word begins with an actual vowel sound, use an an (as in an hour, an honor). We would say a useful device and a union matter because the u of those words actually sounds like yoo (as opposed, say, to the u of an ugly incident). The same is true of a European and a Euro (because of that consonantal "Yoo" sound). We would say a once-in-a-lifetime experience or a one-time hero because the words once and one begin with a w sound (as if they were spelled wuntz and won). Merriam-Webster's Dictionary says that we can use an before an h- word that begins with an unstressed syllable. Thus, we might say an hisTORical moment, but we would say a HIStory book. Many writers would call that an affectation and prefer that we say a historical, but apparently, this choice is a matter of personal taste. For help on using articles with abbreviations and acronyms (a or an FBI agent?), see the section on Abbreviations. First and subsequent reference: When we first refer to something in written text, we often use an indefinite article to modify it. A newspaper has an obligation to seek out and tell the truth. In a subsequent reference to this newspaper, however, we will use the definite article: There are situations, however, when the newspaper must determine whether the public's safety is jeopardized by knowing the truth. Another example: "I'd like a glass of orange juice, please," John said. "I put the glass of juice on the counter already," Sheila replied. **Exception: When a modifier appears between the article and the noun, the subsequent article will continue to be indefinite: "I'd like a big glass of orange juice, please," John said. "I put a big glass of juice on the counter already**," Sheila replied. Generic reference: We can refer to something in a generic way by using any of the three articles. We can do the same thing by omitting the article altogether. A beagle makes a great hunting dog and family companion. An airedale is sometimes a rather skittish animal. The golden retriever is a marvelous pet for children. Irish setters are not the highly intelligent animals they used to be. The difference between the generic indefinite pronoun and the normal indefinite pronoun is that the latter refers to any of that class ("I want to buy a beagle, and any old beagle will do.") whereas the former (see beagle sentence) refers to all members of that class

### Underview

#### Aff gets 1AR theory to prevent infinite abuse it’s DTD since the 1AR needs it to make the time investment worth, no RVIs because you can dump on a 30 sec shell for 6 minutes, and competing interps since the 2n can dump on a reasonability bright-line that excludes only what they did wrong – 1AR theory comes first the 1AR is too short to be able to rectify abuse and adequately cover substance.

#### Procedural fairness first a) probability – one round cant alter subjectivity, but it can rectify fairness skews, b) link turns their role of the ballot since it proves we couldn’t engage in it and it is exclusionary, c) answers are self-defeating since they presuppose the judge evals them fairly.

1. **Permissibility and Presumption Affirm**

**A] Dictionary.com defines “ought”: as a verb “used to express justice, moral rightness, or the like” and “wrong” as “not in accordance with what is morally right or good” – proving something isn’t wrong means it’s right.**

**B] Otherwise we’d have to have a proactive justification to do things like drink water.**

**C] If anything is permissible, then definitionally so is the aff since there is nothing that prevents us from doing it.**

**D] Statements are true before false since if I told you my name, you’d believe me.**

**E] Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason.**

**F] Illogical – presuming statements false is illogical since you can’t say things like P and ~P are both wrong.**

### Advantage

#### Oil workers want to strike but can’t, Terje 6-11

Terje Solsviknerijus, 6-11-2021, "More than 1,000 Norway oil drilling workers threaten strike," Reuters, https://www.reuters.com/business/energy/norway-oil-drilling-workers-threaten-strike-2021-06-11/

OSLO, June 11 (Reuters) - Some 1,076 members of three Norwegian labour unions could go on strike on June 17 if wage talks fail, hitting oil exploration and other drilling services, the unions said on Friday. A strike would not affect oil and gas output in the initial round, union officials said. The largest of the three, Industri Energi, said it planned to take an initial 605 members out on strike if talks failed. The Safe union planned to take some 460 members out, while the smaller DSO would see 11 workers strike. [read more](https://www.reuters.com/business/energy/norwegian-oil-drillers-unions-call-mediator-after-wage-talks-fail-2021-05-20/) Initial wage talks between the Norwegian Shipowners' Association (NSA) and the three labour unions broke down last month, and will resume on June 16 under the guidance of a state-appointed mediator. "If there's no agreement, there will be a strike," Safe union leader Hilde-Marit Rysst said in a statement. TALKS COVER OVER 8,000 WORKERS The talks affect the work conditions of more than 8,000 oil drillers and service workers, and any strike could gradually be escalated to encompass some or all of those unions members. Eight companies drilling on behalf of oil firms will each see one rig being affected initially, and three catering and service firms will also be part of any strike, Industri Energi said. The list includes rig owners Transocean , Odfjell Drilling [(ODFJ.OL)](https://www.reuters.com/companies/ODFJ.OL), Maersk Drilling [(DRLCO.CO)](https://www.reuters.com/companies/DRLCO.CO), Archer [(ARCHER.OL)](https://www.reuters.com/companies/ARCHER.OL), Seadrill [(SDRL.OL)](https://www.reuters.com/companies/SDRL.OL), Dolphin, Rowan and KCA Deutag, as well as service firms ESS [(CPG.L)](https://www.reuters.com/companies/CPG.L), NOC and Sodexo [(EXHO.PA)](https://www.reuters.com/companies/EXHO.PA). The Safe, Industri Energi and DSO unions, representing workers on mobile offshore units and platform drilling on permanent installations, asked last month for the settlement to be brought before a state-appointed mediator. Under Norway's tightly regulated collective bargaining system, unions are only eligible to declare a strike if the mediation also fails. Employees directly employed by oil firms separately agreed a wage deal last month, thus preventing a strike. [read more](https://www.reuters.com/business/energy/norwegian-oil-companies-labour-unions-agree-wage-deal-2021-05-05/)

#### Government support for the fossil fuel industry prevents it from leading climate international policy, Arvin 21

Jariel Arvin, 1-15-2021, "How Norway’s oil and gas legacy complicates its climate change leadership," Vox, https://www.vox.com/22227063/norway-oil-gas-climate-change

Norway’s ambition to be an international leader on climate change is at odds with its status as one of the world’s largest oil and gas exporters. In 2019, the country was [15th on the list of the world’s top oil-producing countries](https://www.norskpetroleum.no/en/production-and-exports/exports-of-oil-and-gas/), according to provisional data from the International Energy Agency, and [ranked eighth in the world](https://www.iea.org/reports/key-world-energy-statistics-2020) for natural gas production, behind Australia but ahead of Saudi Arabia. The bulk of revenue from Norway’s oil and gas production is kept in a [sovereign wealth fund](https://www.nbim.no/en/the-fund/about-the-fund/), which was created to keep the money for the Norwegian people and future generations. The fund, which has amassed $1 trillion since its inception in the 1990s, is a source of stability for the nation in times of economic instability, like the coronavirus pandemic. In December, Norway’s Supreme Court [ruled against](https://www.nytimes.com/2020/12/22/world/europe/norway-supreme-court-oil-climate-change.html) environmental activists who sued the government because they felt oil-licensing permits granted in the Arctic threatened their right to a clean environment under the country’s constitution. The decision will now pave the way for more drilling in the Arctic. Experts refer to this as Norway’s “paradox”: **Norway wants to be at the forefront of international efforts to address climate change, yet it continues to rely on heavily polluting fossil fuel extraction for continued economic prosperity.**

#### Climate Change Causes Extinction – 12 studies

Ng ’19 [Yew-Kwang; May 2019; Professor of Economics at Nanyang Technology University, Fellow of the Academy of Social Sciences in Australia and Member of the Advisory Board at the Global Priorities Institute at Oxford University, Ph.D. in Economics from Sydney University; Global Policy, “Keynote: Global Extinction and Animal Welfare: Two Priorities for Effective Altruism,” vol. 10, no. 2, p. 258-266; RP]

Catastrophic climate change Though by no means certain, CCC causing global extinction is possible due to interrelated factors of non‐linearity, cascading effects, positive feedbacks, multiplicative factors, critical thresholds and tipping points (e.g. Barnosky and Hadly, [2016](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0005); Belaia et al., [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0008); Buldyrev et al., [2010](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0016); Grainger, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0027); Hansen and Sato, [2012](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0029); IPCC [2014](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0031); Kareiva and Carranza, [2018](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0033); Osmond and Klausmeier, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0056); Rothman, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0066); Schuur et al., [2015](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0069); Sims and Finnoff, [2016](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0072); Van Aalst, [2006](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0079)).[7](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-note-1009_67) A possibly imminent tipping point could be in the form of ‘an abrupt ice sheet collapse [that] could cause a rapid sea level rise’ (Baum et al., [2011](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0006), p. 399). There are many avenues for positive feedback in global warming, including: the replacement of an ice sea by a liquid ocean surface from melting reduces the reflection and increases the absorption of sunlight, leading to faster warming; the drying of forests from warming increases forest fires and the release of more carbon; and higher ocean temperatures may lead to the release of methane trapped under the ocean floor, producing runaway global warming. Though there are also avenues for negative feedback, the scientific consensus is for an overall net positive feedback (Roe and Baker, [2007](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0065)). Thus, the Global Challenges Foundation ([2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0026), p. 25) concludes, ‘The world is currently completely unprepared to envisage, and even less deal with, the consequences of CCC’. The threat of sea‐level rising from global warming is well known, but there are also other likely and more imminent threats to the survivability of mankind and other living things. For example, Sherwood and Huber ([2010](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0071)) emphasize the adaptability limit to climate change due to heat stress from high environmental wet‐bulb temperature. They show that ‘even modest global warming could … expose large fractions of the [world] population to unprecedented heat stress’ p. 9552 and that with substantial global warming, ‘the area of land rendered uninhabitable by heat stress would dwarf that affected by rising sea level’ p. 9555, making extinction much more likely and the relatively moderate damages estimated by most integrated assessment models unreliably low. While imminent extinction is very unlikely and may not come for a long time even under business as usual, the main point is that we cannot rule it out. Annan and Hargreaves ([2011](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0004), pp. 434–435) may be right that there is ‘an upper 95 per cent probability limit for S [temperature increase] … to lie close to 4°C, and certainly well below 6°C’. However, probabilities of 5 per cent, 0.5 per cent, 0.05 per cent or even 0.005 per cent of excessive warming and the resulting extinction probabilities cannot be ruled out and are unacceptable. Even if there is only a 1 per cent probability that there is a time bomb in the airplane, you probably want to change your flight. Extinction of the whole world is more important to avoid by literally a trillion times.