# 1NC

## 1 – Truth Testing

**The role of the ballot is to determine the truth or falsity of the resolution.**

**[1] Linguistics – five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true. That outweighs – a) Controls the internal link to predictability and prep which is key for clash and substantive education b)** **Key to jurisdiction since the judge can only endorse what is within their burden c) Even if another role of the ballot is better for debate, that is not a reason it ought to be the role of the ballot, just a reason we ought to discuss it.**

#### [2] Every statement is a question of truth – for example, saying “the res is false” is the same as saying, “it is true that the res is false.” That means other ROTBs collapse to truth testing.

**[3] Inclusion – their ROTB excludes all strategies but theirs, which is bad for inclusive debates because people without comprehensive debate knowledge are shut out of your scholarship which turns their ROTB.**

**[4] Isomorphism – ROTBs that aren’t phrased as binaries maximize leeway for interpretation as to who is winning offense. Scalar framing mechanisms necessitate that the judge has to intervene to see who is closest at solving a problem. Truth testing is a binary of truth or falsity – there isn’t a closest estimate.**

#### Permissibility negates:

#### [1] The res says they have to prove obligation. Permissibility is sufficient to negate because you can’t be obligated and lack an obligation simultaneously.

#### [2] Moral statements are more often false than true since I can prove something false in infinite ways but true in only one.

## 2 – Korsgaard

### Framework

**I negate, resolved: A just government ought to recognize an unconditional right of workers to strike.**

**The metaethic is non-naturalism – ethics are derived from a priori principles.**

**[1] Is-ought gap – we only perceive what is, not what ought to be. It’s impossible to derive prescriptive moral obligation from descriptive premises.**

**[2] Uncertainty – a posteriori ethics is subject to uncertainty. We could be dreaming, hallucinating, or being deceived by an evil demon. Infinitely outweighs because ethics would be escapable and therefore pointless.**

**[3] Infinite regress – we can always ask “why should I follow this framework,” leading to infinite regress, but asking for a reason for reason concedes its authority, meaning only my framework solves for regress**

**That entails universal maxims.**

**[1] Non-contradiction – there is no world in which p and ~p are both true. Acting recognizes the validity of others to take the action, which makes universal maxims a logical side constraint to other frameworks.**

**[2] Reason implies universalizability.**

Korsgaard 85 Christine M. Korsgaard, professor of philosophy at Harvard University, “Kant's Formula of Universal Law,” 1985, Pacific Philosophical Quarterly 66, no. 1-2: 24-47, accessed 6 September 2021, pg. 1, https://dash.harvard.edu/bitstream/handle/1/3201869/Korsgaard\_KantForumulaUniversalLaw.pdf?sequence=2&isAllowed=y //ACCS JM recut

A few lines later, Kant says that this is equivalent to acting as though your maxim were by your will to become a law of nature, and he uses this latter formulation in his examples of how the imperative is to be applied. Elsewhere, Kant specifies that the test is whether you could will the universalization for a system of nature "of which you yourself were a part" (C2 69/72); and in one place he characterizes the moral agent as asking "what sort of world he would create under the guidance of practical reason, . . . a world into which, moreover, he would place himself as a member." 2 But how do you determine whether or not you can will a given maxim as a law of nature? **Since the will is practical reason, and since everyone must arrive at the same conclusions in matters of duty, it cannot be the case that what you are able to will is a matter of personal taste, or relative to your individual desires. Rather, the question of what you can will is a question of what you can will without contradiction.**

**Thus, the standard is consistency with universal maxims.**

**Prefer additionally:**

**[1] Performativity – freedom is key to argumentation. Abiding by their ethical theory presupposes we own ourselves, making it incoherent to justify a standard without first willing ours.**

#### [2] Resource disparities – focus on evidence puts small school debaters without huge files at a disadvantage, but my framework can be won without prep, which means it’s theoretically preferable.

### Offense

#### **[1] Striking intrinsically violates the contractual relationship workers agree to – it justifies employees’ ability to violate contract but enforces employers’ duty to uphold it.**

Gourevitch 16 Alex Gourevitch, assistant professor of political science at Brown University, “Quitting Work but Not the Job: Liberty and the Right to Strike,” 2016, American Political Science Association, accessed 20 October 2021, Pg. 309, <https://sci-hub.do/10.1017/S1537592716000049> ~ST~ Gourevitch does not agree with the terminal conclusion of the aff

The right to strike is peculiar. It is not a right to quit. The right to quit is part of freedom of contract and the mirror of employment-at-will. Workers may quit when they no longer wish to work for an employer; employers may fire their employees when they no longer want to employ them. Either of those acts severs the contractual relationship and the two parties are no longer assumed to be in any relationship at all. The right to strike, however, assumes the continuity of the very relationship that is suspended. Workers on strike refuse to work but do not claim to have left the job. After all, the whole point of a strike is that it is a collective work stoppage, not a collective quitting of the job. This is the feature of the strike that has marked it out from other forms of social action.

If a right to strike is not a right to quit, what is it? It is the right that workers claim to refuse to perform work they have agreed to do while retaining a right to the job. Most of what is peculiar, not to mention fraught, about a strike is contained in that latter clause. Yet, surprisingly, few commentators recognize just how central and yet peculiar this claim is.16 Opponents of the right to strike are sometimes more alive to its distinctive features than defenders. One critic, for instance, makes the distinction between quitting and striking the basis of his entire argument:

#### Breaking work contracts, which are promises of labor, is non-universalizable.

Lumen no date Lumen Learning, “Kantian Ethics (Main Concepts),” no date, Lumen Learning, accessed 20 October 2021, <https://courses.lumenlearning.com/sanjacinto-philosophy/chapter/kantian-ethics-main-concepts/> ~ST~

When someone acts, it is according to a rule, or maxim. For Kant, an act is only permissible if one is willing for the maxim that allows the action to be a universal law by which everyone acts.[15] Maxims fail this test if they produce either a contradiction in conception or a contradiction in the will when universalized. A contradiction in conception happens when, if a maxim were to be universalized, it ceases to make sense because the “…maxim would necessarily destroy itself as soon as it was made a universal law.”[16] For example, if the maxim ‘It is permissible to break promises’ was universalized, no one would trust any promises made, so the idea of a promise would become meaningless; the maxim would be self-contradictory because, when universalized, promises cease to be meaningful. The maxim is not moral because it is logically impossible to universalize—we could not conceive of a world where this maxim was universalized.[17]A maxim can also be immoral if it creates a contradiction in the will when universalized. This does not mean a logical contradiction, but that universalizing the maxim leads to a state of affairs that no rational being would desire. For example, Driver argues that the maxim ‘I will not give to charity’ produces a contradiction in the will when universalized because a world where no one gives to charity would be undesirable for the person who acts by that maxim.[18]

#### [2] A strike uses the employer and society as a means to an end.

Fourie 17 Johan Fourie, professor of Economics and History at Stellenbosch University, "Ethicality of Labor-Strike Demonstrates by Social Workers," 30 November 2017, accessed 19 October 2021, Other Papers, <https://www.otherpapers.com/essay/Ethicality-of-Labor-Strike-Demonstrates-by-Social-Workers/62694.html> JG recut

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

#### Strikes specifically in essential services reduces society to a mere means.

Loewy 2000 Erich H. Lowey, professor of bioethics at University of California, "Of healthcare professionals, ethics, and strikes," Cambridge Q. Healthcare Ethics 9 (2000): 513. Accessed 19 October 2021, Pg. 516-517, sci-hub.se/10.1017/S0963180100904092 JG recut

In the medical setting, furthermore, workers are much more apt to deal with identified lives: they know their patients and often have known them for some time. Striking against their employer (even if it is done in part to benefit the patient) is denying meaningful and often essential services to some of these identified lives. We tend to relate differently with those lives we know and therefore call “identified” from those whom we consider “unidentified” or statistical lives, in part, because we have obligations as a result of relationships; in part because we fail to recognize that these so-called unidentified lives are not in fact unidentified but are merely not identified by us.4 When strikes are called by healthcare professionals, both types of lives are apt to be injured or, at least, severely inconvenienced.

Except in the pocketbook, strikes in the healthcare setting generally do not directly hurt the employer. The employer is hurt through the patient. The patient thus becomes a means toward the employees’ ends, a football being kicked between two contending parties—even if one of the employees’ goals is to serve the good of patients in general. Theoretically, patients will then bring pressure on the employer (be it the government or a managed care organization), thus, quite frankly, using the patient as a means toward the ends of the health professionals.5 The dilemma, of course, is that without significantly inconveniencing or even endangering patients, no pressure is likely to be brought and, therefore, no amelioration of working conditions is effected. To be effective, a strike of healthcare professionals has to “hurt” patients and often patients known to the healthcare professionals.

#### Using people as a means to an end ignores their intrinsic freedom as a rational agent and is therefore non-universalizable.

1. <http://dictionary.com/browse/negate> (Dictionary.com, accessed 11 September 2021)

   <http://www.merriam-webster.com/dictionary/negate> (Merriam-Webster, accessed 11 September 2021)

   <http://www.thefreedictionary.com/negate> (The Free Dictionary, accessed 11 September 2021)

   <https://www.vocabulary.com/dictionary/negate> (Vocabulary.com, accessed 11 September 2021)

   <http://www.oxforddictionaries.com/definition/english/negate> (Oxford Dictionaries, accessed 11 September 2021) [↑](#footnote-ref-1)
2. <https://www.dictionary.com/browse/affirm> (Dictionary.com, accessed 11 September 2021)

   <https://www.merriam-webster.com/dictionary/affirm> (Merriam-Webster, accessed 11 September 2021)

   <http://www.thefreedictionary.com/affirm> (The Free Dictionary, accessed 11 September 2021)

   <https://www.vocabulary.com/dictionary/affirm> (Vocabulary.com, accessed 11 September 2021)

   <http://www.oxforddictionaries.com/definition/english/affirm> (Oxford Dictionaries, accessed 11 September 2021) [↑](#footnote-ref-2)