# 1NC

## 1 – Theory

#### Interpretation: debaters must include the URL in citations for their evidence.

#### Violation: they didn’t – examples include their Wang 18, Robinson 14, Tonstad 16 card(s).

#### Standards:

#### [1] NSDA rules – the unified manual says to include the URL.

NSDA 21 National Speech and Debate Association, “High School Unified Manual,” 1 September 2021, National Speech and Debate Association, accessed 11 September 2021, pg. 30, <https://www.speechanddebate.org/wp-content/uploads/High-School-Unified-Manual-2021-2022.pdf> ~ST~

Written source citation. To the extent provided by the original source, a written source citation must include:

1. Full name of primary author and/or editor

2. Publication date

3. Source

4. Title of article

5. Date accessed for digital evidence

6. Full URL, if applicable

7. Author qualifications

8. Page number(s)

#### That’s a voter – if we can choose what rules to break, I can make speeches however long I want, which is a side constraint to substance. Also proves the shell is reasonable and predictable because it’s by far the most common standard.

#### [2] Evidence ethics – no way to check whether their quote exists because we can’t find it on the internet – they can just make up whatever “evidence” they want, and there’s not enough time for us to verify that it is actually legit evidence. Pasting into a search engine doesn’t solve – a) many texts have weird formatting that prevents it from functioning, and b) difficult to find the correct version or one without a paywall. That’s a voter – a) debate is meaningless if we’re academically dishonest and have no argument credibility, b) uncredible evidence means we don’t know if their claims are true, which also serves as a substantive indict, and c) debate should prepare for the real world, in which small ev ethics violations are punished severely – large repercussions the control internal link to other impacts.

#### Also links to inclusion – small school debaters tend to use cards from the wiki. Bad citations negatively impact their research. That’s a voter because inclusion is a prereq to debate.

#### DTD – a) in real life, you don’t get a quote cut out of your essay; you get a 0 on it – it’s best to teach good norms now, and b) deters future abuse.

#### Competing interps – a) reasonability is arbitrary, b) collapses because brightlines concede offense-defense paradigm, c) only CI prevents abuse since it can set norms, not decide rounds on a case-by-case basis.

#### No RVIs – a) you don’t win for being academically honest, b) people will bait theory to win on the RVI, which causes abuse.

## 2 – Korsgaard

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

### Definition

#### Ought:

Merriam Webster no date Merriam Webster, dictionary, “ought,” no date, Merriam Webster, accessed 21 November 2021, <https://www.merriam-webster.com/dictionary/ought>

moral obligation

### Framework

**The metaethic is non-naturalism.**

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

**[2] Transcendental idealism – we see our representations of reality – only a priori knowledge is a lane to truth. If we remove the subject, constitution would disappear as objects exist only in us and are unknown abstracted from sensibility.**

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

**Next, ethics must begin with practical reason.**

**[1] Action theory – action is infinitely divisible. For example, the action of brewing tea could be broken into many small actions. The actions can’t be moral or immoral since it would be infinitely divisible, but intention to brew tea unifies action.**

**[2] Bindingness – experience is subjective; only practical reason unifies and creates a moral theory.**

**[3] Epistemology – all arguments appeal to reason; otherwise, they are baseless, so reason is a constraint on evaluating their arguments.**

**[4] 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. Only self-justified frameworks are epistemically sound.**

**[5] Knowledge interpretation – only reason can interpret a priori knowledge since it relies on abstract concepts.**

**That entails universal maxims.**

**[1] Arbitrariness – absent universal ethics, morality is arbitrary and can’t guide action, making it useless.**

**[2] 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.**

**[3] 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 willing ours.**

**[2] Other frameworks collapse – they contain conditional obligations which derive authority from the categorical imperative.**

Korsgaard 96 Christine M. Korsgaard, professor of philosophy at Harvard University, introduction to “Groundwork of the Metaphysics of Morals,” 1996, Cambridge University Press, accessed 6 September 2021 pg. xvii-xviii, https://cpb-us-w2.wpmucdn.com/blog.nus.edu.sg/dist/c/1868/files/2012/12/Kant-Groundwork-ng0pby.pdf AG recut

This is the sort of thing that makes even practiced readers of Kant gnash their teeth. A rough translation might go like this: the categorical imperative is a law, to which our maxims must conform. But the reason they must do so cannot be that there is some further condition they must meet, or some other law to which they must conform. For instance, **suppose someone proposed that one must keep one's promises because it is the will of God that one should do so - the law would then "contain the condition" that our maxims should conform to the will of God**. This would yield only a conditional requirement to keep one's promises — if you would obey the will of God, then you must keep your promises - whereas the categorical imperative must give us an unconditional requirement. Since there can be no such condition, all that remains is that the categorical imperative should tell us that our maxims themselves must be laws - that is, that they must be universal, that being the characteristic of laws. There is a simpler way to make this point. What could make it true that we must keep our promises because it is the will of God? **That would be true only if it were true that we must indeed obey the will of God, that is, if "obey the will of God" were itself a categorical imperative. Conditional requirements give rise to a regress; if there are unconditional requirements, we must at some point arrive at principles on which we are required to act, not because we are commanded to do so by some yet higher law, but because they are laws in themselves. The categorical imperative, in the most general sense, tells us to act on those principles**, principles which are themselves laws. Kant continues:

#### [3] Resource disparities – focus on evidence and statistics 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.