# 1AR

### AT Kant Homophobic

#### 1] Doesn’t disprove a thing – if Hitler said 1+1=2 that doesn’t make it untrue.

#### 2] Deontology is NOT homophobic – something is non-universalizable if and ONLY if it produces an internal contradiction, i.e. I can’t will stealing is universalized as that would imply others may take what I own against my will, but I’d be willing against my will. Universalizing same-sex attraction MIGHT have the consequence of no reproduction, but doesn’t produce an internal contradiction. Also TURN – their narrative that same-sex couples can’t reproduce is a blatant lie to reinforce discrimination and new voter in the round.

Liebelson 14 [Dana Liebelson was formerly a reporter in Mother Jones' Washington bureau. Her work also appears in Marie Claireand The Week, Mother Jones, Mother Jones was founded as a nonprofit in 1976 because we knew corporations and billionaire owners wouldn't fund the type of hard-hitting journalism we set out to do, “Kentucky: We Can’t Legalize Same-Sex Marriage Because Gay Couples Don’t Have Babies,” May 13th, 2014, [https://www.motherjones.com/politics/2014/05/kentucky-interracial-marriage-same-sex-birth-rate-ban/]/](https://www.motherjones.com/politics/2014/05/kentucky-interracial-marriage-same-sex-birth-rate-ban/%5d/) lm

“Kentucky’s marriage laws are rationally related to the state’s interest of preserving the traditional man-woman marriage model,” the appeal reads. According to the state, the case for legalizing same-sex marriage in Kentucky is different from Loving v. Virginia—the landmark 1967 Supreme Court case that invalidated state laws banning interracial marriage—because “man-man and woman-woman couples cannot procreate” and Kentucky has an interest in encouraging procreation in the name of promoting “long-term economic stability through stable birth rates.”

The state claims that marriage benefits cost the state money, and stable birth rates offset that cost. However, the appeal does not cite any research supporting this, nor does it provide any evidence that legalizing same-sex marriage decreases the birth rate. The appeal does not mention the economic impact of same-sex couples having children through alternative means, such as artificial insemination, nor does it address the costs to the state of allowing infertile heterosexual men or women to get married, allowing straight couples who don’t want children to get married, or housing foster children. (In 2012, Kentucky had almost [7,000 children](http://www.acf.hhs.gov/programs/cb/resource/fy2003-2012-foster-care-entries-exits) in foster care, according to the latest government data.)

“The argument is ridiculous,” says Greg Bourke, one of the plaintiffs in the case, who has been with his husband for 32 years (they married in Canada a decade ago) and has two adopted children. “This argument is not only offensive to same-sex couples, but is equally insulting to opposite-sex couples who are unable to have children, choose not to have children, or are beyond childbearing years.” James Trussell, a Princeton University economics and public affairs professor who has co-authored more than 350 scientific publications, primarily in the areas of reproductive health and demographic methodology, says that the state’s argument “sounds like nonsense.” (Beshear’s office declined to comment on the case.)

This is hardly the first time that states have tried to cite procreation as a reason that same-sex marriage shouldn’t be legalized. Earlier this year, after Utah’s ban was knocked down in federal court, Republican Gov. Gary Herbert’s appeal also [cited](http://www.scribd.com/doc/204502188/13-4178-6285-Utah-Opening-Brief) birth rates as a reason to defend the state’s ban, arguing that states that have legalized same-sex marriage, like Massachusetts, have low birth rates. The Utah appeal conceded, however, that those statistics “do not prove a causal link between same-sex marriage and declining birthrates, [but] they do create cause for concern.”

In February, a federal judge [ruled](http://www.nytimes.com/2014/02/13/us/part-of-kentucky-marriage-law-overturned.html) that Kentucky must recognize legal same-sex marriages performed outside of the state. Gov. Beshear, a Democrat, was forced to [hire outside counsel](http://www.reuters.com/article/2014/03/04/us-usa-gaymarriage-kentucky-idUSBREA231JF20140304) to defend the state’s ban after state Attorney General Jack Conway, a fellow Democrat, refused to defend the ban, calling it discrimination. (Earlier this year, Attorney General Eric Holder [said](http://www.nytimes.com/2014/02/25/us/holder-says-state-attorneys-general-dont-have-to-defend-gay-marriage-bans.html) that state attorneys general are not obligated to defend laws they believe to be discriminatory.) After the Supreme Court struck down a key section of the Defense of Marriage Act last year, state laws banning same-sex marriage began [falling like dominoes](http://www.motherjones.com/politics/2014/02/map-states-legalize-same-sex-marriage-equality-over-time). Camilla Taylor, marriage project director at Lambda Legal, which advocates on behalf of LGBT clients, says that since that decision, every judge that has considered the constitutionality of marriage bans—14 in all—has rejected procreation-related arguments.

“Kentucky already has a problem with perception throughout the country of being backward and ultra-conservative,” notes Bourke, the plaintiff in the case. “Here was an opportunity for a Democratic governor to make a progressive move, and he chose to bow to political pressure instead.”

### Adv

#### Moral uncertainty means you should prioritize preventing extinction over all else.

Bostrom 13 (Nick. &quot;Existential risk prevention as global priority.&quot; Global Policy 4.1 (2013): 15-31. (Faculty ofPhilosophy and Oxford Martin School University of Oxford.)

These reflections on moral uncertainty suggest an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate. Our present understanding of axiology might well be confused. We may not now know — at least not in concrete detail — what outcomes would count as a big win for humanity; we might not even yet be able to imagine the best ends of our journey. If we are indeed profoundly uncertain about our ultimate aims, then we should recognize that there is a great option value in preserving — and ideally improving — our ability to recognize value and to steer the future accordingly. Ensuring that there will be a future version of humanity with great powers and a propensity to use them wisely is plausibly the best way available to us to increase the probability that the future will contain a lot of value. To do this, we must prevent any existential catastrophe.

### AT Hobbes

#### Reject Hobbes’ social contract theory.

#### 1] Empirically denied – there is no evidence of the ‘state of nature’ as total anarchy, since humans were hunter gatherers working together.

#### 2] His pessimistic view of human nature as worse than beasts is exaggerated – especially b/c some animals are cannibalistic while humans aren’t.

#### 3] One sided – Contracts are supposed to be agreed upon by two parties, but Hobbes puts the sovereign outside the contract.

#### 4] Contradictory – Hobbes said the state of nature is prepolitical and presocial but also said that they had natural rights and political freedom.

#### 5] Totalitarianism – Hobbes justifies the sovereign having unlimited power over citizens which justifies dictatorships like the Nazis, colonialism, and racism. Independent voter since it creates a hostile environment in debate.

#### Next – Hobbes collapses to Kant

#### 1] Only Kant’s political philosophy and deontology can explain the nature of the state and how we leave the state of nature.

**Otteson 9** \*\*brackets in original\*\* James R. Otteson (professor of philosophy and economics at Yeshiva University) “Kantian Individualism and Political Libertarianism” The Independent Review, v. 13, n. 3, Winter 2009

In a crucial passage in Metaphysics of Morals, Kant writes that the “Universal Principle of Right” is “‘[e]very action which by itself or by its maxim enables the freedom of each individual’s will to co-exist with the freedom of everyone else in accordance with a universal law is right.’” He concludes, “Thus the universal law of right is as follows: let your external actions be such that the free application of your will can co-exist with the freedom of everyone in accordance with a universal law” (1991, 133, emphasis in original).5 This stipulation becomes for Kant the grounding 5. Other statements of this law of equal freedom appear in the Critique of Pure Reason (Kant [1781] 1965, 312; see also 1991, 191, “Universal History,” 45 and 50, and “Theory and Practice,” 73 and 80). 394 ✦ JAMES R. OTTESON THE INDEPENDENT REVIEW justification for the existence of a state, its raison d’être, and the reason we leave the state of nature is to secure this sphere of maximum freedom compatible with the same freedom of all others. Because this freedom must be complete, in the sense of being as full as possible given the existence of other persons who demand similar freedom, it entails that the state may—indeed, must—secure this condition of freedom, but undertake to do nothing else because any other state activities would compromise the very autonomy the state seeks to defend. Kant’s position thus outlines and implies a political philosophy that is broadly libertarian; that is, it endorses a state constructed with the sole aim of protecting its citizens against invasions of their liberty. For Kant, individuals create a state to protect their moral agency, and in doing so they consent to coercion only insofar as it is required to prevent themselves or others from impinging on their own or others’ agency. In his argument, individuals cannot rationally consent to a state that instructs them in morals, coerces virtuous behavior, commands them to trade or not, directs their pursuit of happiness, or forcibly requires them to provide for their own or others’ pursuits of happiness. And except in cases of punishment for wrongdoing,6 this severe limitation on the scope of the state’s authority must always be respected: “The rights of man must be held sacred, however great a sacrifice the ruling power may have to make. There can be no half measures here; it is no use devising hybrid solutions such as a pragmatically conditioned right halfway between right and utility. For all politics must bend the knee before right, although politics may hope in return to arrive, however slowly, at a stage of lasting brilliance” (Perpetual Peace, 1991, 125). The implication is that a Kantian state protects against invasions of freedom and does nothing else; in the absence of invasions or threats of invasions, it is inactive.

# Kant AC

[brackets for clarification]

### 1AC – Framing

#### The meta ethic is practical reason – ethics begins with the rational capacity to set ends, which necessitates recognizing that capacity in others.

Korsgaard 83 Two Distinctions in Goodness Author(s): Christine M. Korsgaard Source: The Philosophical Review , Apr., 1983, Vol. 92, No. 2 (Apr., 1983), pp. 169-195 Published by: Duke University Press on behalf of Philosophical Review Stable URL: <http://www.jstor.com/stable/2184924>

The argument shows how Kant's idea of justification works. It can be read as a kind of regress upon the conditions, starting from an important assumption. The assumption is that when a rational being makes a choice or undertakes an action, he or she [they] supposes the object to be good, and its pursuit to be justified. At least, if there is a categorical imperative there must be objectively good ends, for then there are necessary actions and so necessary ends (G 45-46/427-428 and Doctrine of Virtue 43-44/384-385). In order 17A much fuller treatment of the ideas of this section is in my paper "Kant's Formula of Humanity," forthcoming in Kant-Studien. 181 This content downloaded from 98.148.2.15 on Sat, 29 Aug 2020 20:12:58 UTC All use subject to h CHRISTINE M. KORSGAARD for there to be any objectively good ends, however, there must be something that is unconditionally good and so can serve as a suffi- cient condition of their goodness. Kant considers what this might be: it cannot be an object of inclination, for those have only a conditional worth, "for if the inclinations and the needs founded on them did not exist, their object would be without worth" (G 46/428). It cannot be the inclinations themselves because a rational being would rather be free from them. Nor can it be external things, which serve only as means. So, Kant asserts, the uncondi- tionally valuable thing must be "humanity" or "rational nature," which he defines as "the power set to an end" (G 56/437 and DV 51/392). Kant explains that regarding your existence as a rational being as an end in itself is a "subjective principle of human action." By this I understand him to mean that we must regard ourselves as capable of conferring value upon the objects of our choice, the ends that we set, because we must regard our ends as good. But since "every other rational being thinks of his existence by the same rational ground which holds also for myself' (G 47/429), we must regard others as capable of conferring value by reason of their rational choices and so also as ends in themselves. Treating another as an end in itself thus involves making that person's ends as far as possible your own (G 49/430). The ends that are chosen by any rational being, possessed of the humanity or rational nature that is fully realized in a good will, take on the status of objective goods. They are not intrinsically valuable, but they are objectively valuable in the sense that every rational being has a reason to promote or realize them. For this reason it is our duty to promote the happi- ness of others-the ends that they choose-and, in general, to make the highest good our end.

#### For ethics to be binding it must be universal and constitutive of all individuals.

#### 1] Problem of regress – I can keep asking ‘why value this’ to other frameworks, which falls to moral skep; the only value which solves this is ‘reason,’ as to ask for a reason to value reason, you concede reason’s authority.

#### 2] Universality – for ethics to be objective it must be universal; 1+1=2 can’t be true for me but not for you.

#### 3] Action Theory – Every action can be broken down to infinite movements. Only reason can unify the parts of an action into one, thus all action collapses to reason.

#### 4] Is-ought gap – external conditions can never prescribe action since no set of is statements can ever prove we ought to do something objectively.

#### 5] Culpability – you can only have responsibility over your actions if you freely choose them – if I rob a bank that’s bad but if someone forces me at gunpoint it’s not.

#### Bindingness outweighs a] for the resolution to be true or false it must be binding, otherwise the round is irresolvable, b] it presupposes bindingness since ought implies moral obligations, and c] otherwise people could just ignore ethics and do whatever they want.

#### Thus the standard is consistency with Categorical Imperative

#### Prefer –

#### 1] Actor spec – governments use Kantian conceptions of the state when implementing policies.

Ripstein 15 [Arthur Ripstein (Professor of Law and Philosophy at the University of Toronto). “Just War, Regular War, and Perpetual Peace” (2015). AS 7/16/15] lm

Sophisticated contemporary legal systems work either implicitly or explicitly with some version of this Kantian idea of the state as a public rightful condition. Constitutional courts review legislation to make sure that it is properly within the state's legitimate mandate, and throughout the world recent awareness of problems of institutional corruption reflect the recogni[ze]tion of the fundamental importance of the distinction between properly public and improperly private purposes in the internal management of states. Conversely, its widely appreciated that the proper role of the state is not simply to bring about as much good as possible in the world, and that states have a special responsibility to their own citizens and residents.

#### 2] Universality – any universal ethic necessitates freedom as unconditionally good.

Sorens 17 Jason Sorens, 2-10-2017, "Immanuel Kant and the Philosophy of Freedom," No Publication, <https://fee.org/articles/immanuel-kant-and-the-philosophy-of-freedom/>

The Categorical Imperative The moral law takes the form of an unconditional or categorical imperative. It says, for instance, “Do not murder, even if you can achieve your goals by doing so.” It’s not a hypothetical imperative like “if you don’t want to burn your hand, don’t touch the hot stove,” or “if you don’t want to go to jail, don’t murder.” It commands our wills regardless of what our particular goals are. Kant thinks all particular moral commands can be summed up in a fundamental, categorical imperative. It takes three forms. I’ll mention two of them here. The equal freedom of each individual is perfectly consistent with the utmost inequality in the degree of possessions. One form of the categorical imperative focuses on the notion that human beings are special because of our capacity for moral responsibility. Kant assumes that this capacity gives each individual human being a dignity, not a price. What that means is that we must not trade off the legitimate rights and interests of any human being for anything else. We must not treat other people or ourselves as means only to some other end, but always as ends in ourselves. The other, perhaps more frequently cited form of the imperative is highly abstract: “Always act according to that maxim that you can will as a universal law of nature.” In other words, think about the principle or rule that justifies your action; then figure out whether it’s universalizable. If so, it is an acceptable principle or rule for you to follow; if not, it is not. “Steal when I can gain an advantage thereby” [stealing] is not universalizable because it implies that others may steal from me, that is, take what I own against my will. But I cannot will against my own will. Rights and Freedoms Now, this understanding of the dignity of the individual human being implies that persons have rights, in other words, that we have an enforceable duty to respect the freedoms of all persons. So we can’t trample on the freedoms of one person to help one or many others (contra the “act utilitarians”). For instance, it would be wrong to kill one healthy person to distribute [t]he[i]r organs to several sick people, even if doing so was necessary to [would] save two or more lives. Each person has a dignity that must not be trampled, no matter what. (Another misunderstanding of Kant says that he thinks your intentions are the only thing that matter and you can ignore the consequences of your actions. To the contrary, to ignore consequences is to act with ill intent. Consequentialists differ from Kant in believing that only aggregate consequences of actions need be taken into account. Kant’s political theory is individualistic, while consequentialist theories are inevitably collectivist.) In an essay titled “Theory and Practice” (short for a much longer title), Kant gives an overview of his political theory. Once a civil state has been established to secure our rights, he says, No one can compel me to be happy in accordance with his conception of the welfare of others, for each may seek his happiness in whatever way he sees fit, so long as he does not infringe upon the freedom of others to pursue a similar end which can be reconciled with the freedom of everyone else within a general workable law — i.e. he must accord to others the same right as he enjoys himself. Kant, therefore, endorses the law of equal freedom, that everyone should have maximum freedom to pursue happiness consistent with the like freedom of everyone else, or what some libertarians have called the “Non-Aggression Principle.” This principle applies under government, not just in the state of nature. The only justification for coercion in his philosophy seems to be [is] the defense of self or others. The equal freedom of each subject in a civil state, Kant says, “is, however, perfectly consistent with the utmost inequality of the mass in the degree of its possessions, whether these take the form of physical or mental superiority over others, or of fortuitous external property and of particular rights (of which there may be many) with respect to others.” Kant is no Rawlsian; he is a classical liberal who realizes that liberty upsets patterns and should be preserved in spite of (or because of) that. In the same essay, Kant endorses Locke’s view of the social contract. A legitimate state with a right to rule can emerge only after unanimous consent to the initial contract. To do otherwise would be to violate the non-consenters’ rights. We now know that unanimous consent to the social contract has rarely occurred in human history, and so Kant’s strong theory of individual rights sets us up for a rejection of political authority. If we reject political authority, the largest state we can possibly justify is a minimal state, and, according to some, not even that. Kantian Liberalism Kant’s moral philosophy justifies extremely strong individual rights against coercion. The only justification for coercion in his philosophy seems to be the defense of self or others. His ideal government, therefore, seems to be extremely limited and to allow for the free play of citizens’ imaginations, enterprise, and experiments in living.

#### 3] The structure of action necessitates that freedom is the first and primary good.

Gewirth 84 [Alan Gewirth, () "The Ontological Basis of Natural Law: A Critique and an Alternative" American Journal of Jurisprudence: Vol. 29: Iss. 1 Article 5, 1984, https://scholarship.law.nd.edu/ajj/vol29/iss1/5/]

Let me briefly sketch the main line of argument that leads to this conclusion. As I have said, the argument is based on the generic features of human action. To begin with, every agent acts for purposes [t]he[y] regards as good. Hence, [t]he[y] must regard as necessary goods the freedom and well being that [is] are the generic features and necessary conditions of his action and successful action in general. From this, it follows that every agent logically must hold or accept that he has rights to these conditions. For if he were to deny that he has these rights, then he would have to admit that it is permissible for other persons to remove from him the very conditions of freedom and well-being that, as an agent, he must have. But it is contradictory for him to hold both that he must have these conditions and also that he may not have them. Hence, on pain of self-contradiction, every agent must accept that he has rights to freedom and well-being. Moreover, every agent must further admit that all other agents also have those rights, since all other actual or prospective agents have the same general characteristics of agency on which he must ground his own right-claims. What I am saying, then, is that every agent, simply by virtue of being an agent, must regard his freedom and well being as necessary goods and must hold that he and all other actual or prospective agents have rights to these necessary goods. Hence, every agent, on pain of self-contradiction, must accept the following principle: Act in accord with the generic rights of your recipients as well as of yourself. The generic rights are rights to the generic features of action, freedom, and well-being. I call this the Principle of Generic Consistency (PGC), because it combines the formal consideration of consistency with the material consideration of the generic features and rights of action.

#### 4] Textuality – the word ‘unconditional’ implies apriori ethics which isn’t contingent on stuff like consequences.

Merriam Webster 21“Unconditional.” Merriam-Webster.com Dictionary, Merriam-Webster, https://www.merriam-webster.com/dictionary/ought. Accessed 4 Oct. 2021

un·​con·​di·​tion·​al | \ ˌən-kən-ˈdish-nəl , -ˈdi-shə-nᵊl \ Definition of unconditional 1: not conditional or limited : [ABSOLUTE](https://www.merriam-webster.com/dictionary/absolute), [UNQUALIFIED](https://www.merriam-webster.com/dictionary/unqualified) unconditional surrender unconditional love Synonyms for unconditional Synonyms [absolute](https://www.merriam-webster.com/dictionary/absolute), [all-out](https://www.merriam-webster.com/dictionary/all-out), [arrant](https://www.merriam-webster.com/dictionary/arrant), [blank](https://www.merriam-webster.com/dictionary/blank), [blooming](https://www.merriam-webster.com/dictionary/blooming) [chiefly British], [bodacious](https://www.merriam-webster.com/dictionary/bodacious) [Southern & Midland], [categorical](https://www.merriam-webster.com/dictionary/categorical) (also [categoric](https://www.merriam-webster.com/dictionary/categoric)), [clean](https://www.merriam-webster.com/dictionary/clean), [complete](https://www.merriam-webster.com/dictionary/complete), [consummate](https://www.merriam-webster.com/dictionary/consummate), [cotton-picking](https://www.merriam-webster.com/dictionary/cotton-picking), [crashing](https://www.merriam-webster.com/dictionary/crashing), [damn](https://www.merriam-webster.com/dictionary/damn), [damned](https://www.merriam-webster.com/dictionary/damned), [dead](https://www.merriam-webster.com/dictionary/dead), [deadly](https://www.merriam-webster.com/dictionary/deadly), [definite](https://www.merriam-webster.com/dictionary/definite), [downright](https://www.merriam-webster.com/dictionary/downright), [dreadful](https://www.merriam-webster.com/dictionary/dreadful), [fair](https://www.merriam-webster.com/dictionary/fair), [flat](https://www.merriam-webster.com/dictionary/flat), [flat-out](https://www.merriam-webster.com/dictionary/flat-out), [out-and-out](https://www.merriam-webster.com/dictionary/out-and-out), [outright](https://www.merriam-webster.com/dictionary/outright), [perfect](https://www.merriam-webster.com/dictionary/perfect), [plumb](https://www.merriam-webster.com/dictionary/plumb), [profound](https://www.merriam-webster.com/dictionary/profound), [pure](https://www.merriam-webster.com/dictionary/pure), [rank](https://www.merriam-webster.com/dictionary/rank), [regular](https://www.merriam-webster.com/dictionary/regular), [sheer](https://www.merriam-webster.com/dictionary/sheer), [simple](https://www.merriam-webster.com/dictionary/simple), [stark](https://www.merriam-webster.com/dictionary/stark), [stone](https://www.merriam-webster.com/dictionary/stone), [straight-out](https://www.merriam-webster.com/dictionary/straight-out), [thorough](https://www.merriam-webster.com/dictionary/thorough), [thoroughgoing](https://www.merriam-webster.com/dictionary/thoroughgoing), [total](https://www.merriam-webster.com/dictionary/total), [unadulterated](https://www.merriam-webster.com/dictionary/unadulterated), [unalloyed](https://www.merriam-webster.com/dictionary/unalloyed), [unmitigated](https://www.merriam-webster.com/dictionary/unmitigated), [unqualified](https://www.merriam-webster.com/dictionary/unqualified), [utter](https://www.merriam-webster.com/dictionary/utter), [very](https://www.merriam-webster.com/dictionary/very)

#### 5] Reject consequences – a] we can only observe the consequence of an action after it has occurred which means they can’t prescribe actions, b] the problem of induction precludes looking at consequences and undermines causality.

Vickers 14 [John Vickers, 2014, The Problem of Induction, https://plato.stanford.edu/entries/induction-problem/]

The original problem of induction can be simply put. It concerns the support or justification of inductive methods; methods that predict or infer, in Hume's words, that “instances of which we have had no experience resemble those of which we have had experience” (THN, 89). Such methods are clearly essential in scientific reasoning as well as in the conduct of our everyday affairs. The problem is how to support or justify them and it leads to a dilemma: the principle cannot be proved deductively, for it is contingent, and only necessary truths can be proved deductively. Nor can it be supported inductively—by arguing that it has always or usually been reliable in the past—for that would beg the question by assuming just what is to be proved.

#### c] aggregation fails – pleasure and pain are incommunicable, since each person has their own scale of pain and we can’t experience each other’s feelings, d] resolvability – margin of errors make weighing impossible, only libertarianism solve by having a brightline for ethical violations, e] butterfly effect – actions have infinite cascading consequences which effect vast numbers of people,

### 1AC – Contention

#### **1] The right to strike is inherent to individual autonomy of moral agents, and cannot be taken away.**

Chima 13 [Chima, S. C. (2013). Global medicine: Is it ethical or morally justifiable for doctors and other healthcare workers to go on strike? BMC Medical Ethics, 14(Suppl 1), S5. doi:10.1186/1472-6939-14-s1-s5]

Some philosophers have described moral obligations or duties, which ought to guide ethical behavior, such as the duty of fidelity or the obligation to keep promises, and beneficence - the obligation to do ‘good’ [10]. However, it has been suggested that some other equally compelling moral duties or ethical obligations may conflict with the above duties, such as the right to justice. Justice is the right to fair treatment in light of what is owed a person [63]. For example, it may be argued that everybody is equally entitled to a just wage for just work. The philosopher Immanuel Kant based his moral theory on a categorical imperative which encourages moral agents to act, based on a principle, which they would deem to become a universal law [64]. One can argue that the decision by any HCW to go on strike may not be universalisable. However, looking at this decision from the principle of respect for autonomy, or freedom of choice, one can conclude that individual autonomy is a sentiment which is desirable for all human beings. Accordingly, every worker should be free to choose whether to work or not, based on a whether any specific set of conditions of their own choosing have been met. Kant argues further that moral agents or individuals should be treated, “whether in your own person or in that of any other, never solely as a means, but always as an end” [64]. This idea that individuals should be treated as ends in themselves has influenced political philosophy for centuries, and stresses the libertarian ideology that people should not have their individual freedoms curtailed either for others or for the good of society in general [10,64]. From this axiomatic considerations, one can conclude that it would be unethical for people to be used as slaves or be forced to work for inadequate wages or under slave-like conditions [4,10,12,51]. The issue of HCW strikes can also be analyzed from utilitarian principles as formulated by one of its major disciples JS Mills as follows [65]: The creed which accepts as the foundation of morals, utility, or the greatest happiness principle, holds that Chima BMC Medical Ethics 2013, 14(Suppl 1):S5 http://www.biomedcentral.com/1472-6939/14/S1/S5 Page 6 of 10 actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness.

#### 2] Denying the right to strike uses workers as a means to an end.

Howard 20 [Danielle Howard,, Mar 2020, "What Should Physicians Consider Prior to Unionizing?," Journal of Ethics | American Medical Association, [https://journalofethics.ama-assn.org/article/what-should-physicians-consider-prior-unionizing/2020-03 //](https://journalofethics.ama-assn.org/article/what-should-physicians-consider-prior-unionizing/2020-03%20/)]

When discussing ethics, practicalities, and outcomes of physician unions, the focus is almost always entirely on physicians. Yet to place the weight of responsibility for patient care entirely on unionized clinicians is unjust, as Kant’s reasoning applies to the employing organization as well (hereafter referred to as “the health system”). The health system benefits from physicians providing patient care; if it then creates working conditions that its employed clinicians do not find sustainable, it violates the categorical imperative by using clinicians as a means to its end. The same can be said of patients, who are used as means to an end if the health system places restrictions on patient care for financial gain. When evaluating the ethics of physician unionization, it is important to realize that the health system has its own corporate social responsibility to both patients and physicians that is independent of physicians’ commitment to patient care.26 Physicians are expected to consider the effects that their unionization will have on the patient population because they have a responsibility to patient care. The health system shares equally in this responsibility.

#### 3] Striking is an immutable right.

Waas 12 [Professor Dr. Bernd Waas, Goethe University Frankfurt, Germany [https://islssl.org/wp-content/uploads/2013/01/Strike-Waas.pdf September 2012](https://islssl.org/wp-content/uploads/2013/01/Strike-Waas.pdf%20September%202012)]

Second, entirely different attitudes exist towards strikes. In some countries, strikes are considered “a right to self-defence” which is not necessarily directed at the employer; in other countries, the area of admissible industrial action may be necessarily congruent with the relationship between employers and employees. In yet other countries, strikes are seen as acts of “self-empowerment” which have very little to do with a legal order granting certain powers or rights. Finally, in some countries, the right to strike is viewed as being firmly rooted in human dignity, granted to each individual worker and not waivable by him or her, and in others, the perspective may be more “technical” with a considerable power to dispose of the right to strike.

#### 4] The right to strike can never be considered violent or anti-liberty.

Benjamin 78 [Walter Benjamin, On Violence, Reflections: Essays, Aphorisms, Autobiographical Writings [Walter Bendix Schönflies Benjamin was a German Jewish philosopher, cultural critic and essayist]

This is above all the case in the class struggle, in the form of the workers' guaranteed right to strike. Organized labor is, apart from the state, probably today the only legal subject en­titled to exercise violence. Against this view there is certainly the objection that an omission of actions, a nonaction, which a strike really is, cannot be described as violence. Such a consideration doubtless made it easier for a state power to conceive the right to strike, once this was no longer avoidable. But its truth is not unconditional, and therefore not unrestricted. It is true that the omission of an action, or service, where it amounts simply to a "severing of relations," can be an entirely nonviolent, pure means. And as in the view of the state, or the law, the right to strike conceded to labor is certainly not a right to exercise violence but, rather, to escape from a violence indirectly exercised by the employer, strikes conforming to this may undoubtedly occur from time to time and involve only a "withdrawal" or "estrangement" from the employer. The mo­ment of violence, however, is necessarily introduced, in the form of extortion, into such an omission, if it takes place in the context of a conscious readiness to resume the suspended action under certain circumstances that either have nothing whatever to do with this action or only superficially modify it. Understood in this way, the right to strike constitutes in the view of labor, which is opposed to that of the state, the right to use force in attaining certain ends. The antithesis between the two conceptions emerges in all its bitterness in face of a revolu­tionary general strike. In this, labor will always appeal to its right to strike, and the state will call this appeal an abuse, since the right to strike was not "so intended," and take emer­gency measures.

### 1AC – Plan

#### Thus I affirm the res – A just government ought to recognize an unconditional right of workers to strike. To clarify, a just government must be Kantian, as only a government which protects liberties is just. I’ll defend that actor of an ideal Kantian government would recognize an unconditional right to strike.

Dorn 12 [James A. Dorn, Cato Journal, "The Scope of Government in a Free Society", Fall 2012, https://www.cato.org/sites/cato.org/files/serials/files/cato-journal/2012/12/v32n3-10.pdf]

If laws are just, liberty and property are secure. The most certain test of justice is negative—that is, justice occurs when injustice (the violation of natural rights to life, liberty, and property) is prevented. The emphasis here is on what Hayek (1967) called “just rules of conduct,” not on the fairness of outcomes. No one has stated the negative concept of justice better than the 19th century French classical liberal Frederic Bastiat ([1850] 1964: 65): When law and force confine a man within the bounds of justice, they do not impose anything on him but a mere negation. They impose on him only the obligation to refrain from injuring others. They do not infringe on his personality, or his liberty or his property. They merely safeguard the personality, the liberty, and the property of others. They stand on the defensive; they defend the equal rights of all. They fulfill a mission whose harmlessness is evident, whose utility is palpable, and whose legitimacy is uncontested. In short, the purpose of a just government is not to do good with other people’s money, but to prevent injustice by protecting property and securing liberty.

### 1AC – Climate Advantage

#### Climate strike participants get arrested now.

**Scanlan 19** [Quinn. Quinn Scanlan. Voting, campaigns & elections for [@ABC](https://twitter.com/ABC). “Jane Fonda arrested in climate change strike outside Capitol”. 10-11-2019. ABC News. https://abcnews.go.com/Politics/jane-fonda-arrested-climate-change-strike-capitol/story?id=66209415.]

Academy Award winning actress Jane Fonda, 81, was arrested by police with a group of about a dozen protesters Friday after being warned repeatedly to leave the steps of the U.S. Capitol. Inspired by youth climate activists like Sweden's Greta Thunberg, 16, who herself recently came to Washington to [testify in front of Congress](https://abcnews.go.com/Politics/greta-thunberg-teen-climate-activist-tells-us-lawmakers/story?id=65692288), Fonda, who, throughout her long career, has engaged in activism, dating as far back as the Vietnam War, recently told ABC News that while she's in the nation's capital, every Friday, she'll attend "Fire Drill Friday," a weekly event featuring scientists, celebrities and activists addressing the various facets and impacts of climate change. The event title is a play on Thunberg saying during a speech at the World Economic Forum's annual meeting in Davos, Switzerland in January, "I want you to act as if our house is on fire. Because it is." "11 o'clock every Friday morning come get arrested with me or choose not to it doesn't matter," told ABC News in an earlier interview about her planned effort. Fonda said she decided to leave her home, and comfort zone, through the holidays, and move to Washington for four months, because she wanted to "make a commitment to" the issue of climate change. In an interview with ABC News Deputy Political director MaryAlice Parks for an episode of of ABC News Live's "The Briefing Room," Fonda said that while they bear no blame for causing it, the [kids are leading the charge](https://abcnews.go.com/Politics/teenage-climate-change-activist-greta-thunbeerg-takes-global/story?id=65601228) on fighting climate change. "They're saying, 'Come on, you know, you're taking our future away from us. We need -- we need you to support us.' And so grandmas unite," she said. "I want to stand with them and raise up... their message. This is -- this is serious... This is a crisis unlike anything that has ever faced humankind." Stressing she was not being hyperbolic, Fonda said this is the "one issue" that matters because it "will [determine the survival of our species](https://abcnews.go.com/International/united-nations-report-details-looming-climate-crisis/story?id=58354235)," and said that's why she'll be attending Fire Drill Fridays weekly. David Swanson/AP, FILE *Actress and activist Jane Fonda talks to a crowd of protestors during a global climate rall...Read More* "I think every single human being has to say, 'What can I do to put this at the forefront?'" she said. "(With) everything that's going on in the news, well, we have to fight our way through that and find ways to get climate change in people's minds." The esteemed actress pushed back against criticism that Hollywood's presence could make climate change a more polarizing issue. "What we're facing is so important and so urgent, it doesn't matter. Those -- those things don't even matter," she told Parks. "This is the future. This is whether we're going to survive." Fonda also said that the United States needs "to lead the way" on this issue, so that other countries who contribute heavily to greenhouse gas emissions, like China and India, "follow suit." While she's been passionate about this issue for "decades," she credits her current endeavors on [Thunberg's recurring protest](https://abcnews.go.com/Politics/teenage-climate-change-activist-greta-thunbeerg-takes-global/story?id=65601228) outside Swedish parliament, and other student climate strikers around the world for taking on this issue so passionately.

#### Strikes incentivize companies to take climate action seriously.

**Ivanova 19** [Irin. Work, tech, climate and data for [@CBSNews](https://twitter.com/CBSNews). Priors: [@HuffPost](https://twitter.com/HuffPost), [@CrainsNewYork](https://twitter.com/CrainsNewYork), [@newmarkjschool](https://twitter.com/newmarkjschool). “These businesses are closing for Friday's climate strike”. 9-20-2019. No Publication. https://www.cbsnews.com/news/global-climate-strike-businesses-close-their-doors-in-time-for-climate-strike-2019/.]

Thousands of people are planning to walk out of work or school on Friday to press global leaders for solutions to rapidly escalating climate change. And while it was students who started the movement, more and more workers—and even companies—are joining them in support. Some businesses are letting workers take the day off to protest, while others plan to close their doors outright. They tend to be small or mid-sized businesses — most of the country's largest corporations have yet to weigh in on the strike, although plenty of people who work at them might yet participate when walkouts are set to start Friday afternoon. Here are the ways workers and companies are supporting the strike. **Walkouts** Amazon is expected to see more than 1,500 employees walk out, with the largest contingent exiting its Seattle headquarters, as they push the company to cut ties with fossil-fuel companies and stop funding groups that deny climate science. The company on Thursday announced it would make its operations carbon-neutral by 2040 and run entirely on renewable energy within a decade. More than 900 **Google** workers and unknown numbers of workers from **Facebook, Atlassian, Cobot, Ecosia, Microsoft** and **Twitter** are vowing walkouts. The strikers have details at [Tech Workers Coalition.](https://techworkerscoalition.org/climate-strike/) Some smaller companies are giving workers paid time off to participate in the walkouts. These include **Atlassian, Sustain Natural, Grove Collaborative** and others. **Closures** Ben & Jerry's corporate offices in South Burlington, Vermont, will be closed during the strike on Friday, while shops worldwide will either be closed or open later than usual. The company is also stopping production at its manufacturing plants in Vermont and the Netherlands, according to [Adweek](https://www.adweek.com/brand-marketing/brands-are-closing-their-doors-in-support-of-the-global-climate-strike/). "We recognize that climate change is an existential threat to our planet and all its inhabitants, and therefore we are proud standing with the youth-led movement demanding bold action in response to the climate emergency," a spokesperson said. **Patagonia** is closing its retail stores for 24 hours on Friday. "For decades, many corporations have single-mindedly pursued profits at the expense of everything else — employees, communities and the air, land and water we all share," CEO Rose Marcario wrote on [LinkedIn](https://www.linkedin.com/pulse/enough-join-climate-strikes-demand-action-rose-marcario/?sf219300827=1). "[C]apitalism needs to evolve if humanity is going to survive." Lush Cosmetics will close its manufacturing facilities and retail outlets on September 20 in the U.S. and on September 27 in Canada. It's also halting online sales on Friday. **Badger Balm** is closing for the day and giving workers paid time off to demonstrate or volunteer. The company is also donating 5% of online sales from September 16 to 27 to AmazonWatch.org to aid in preserving the shrinking Amazon's ecological systems, it said. **Burton**, the outdoor retailer, is closing its offices and owned retail stores on September 20th or 27th (depending on their country of location). It also won't make any online sales for 24 hours on Friday. **SodaStream**, the seltzer maker owned by PepsiCo, is shuttering its headquarters and closing e-commerce on Friday. **Digital doings and more** The heart of the strike will be in the streets, but that doesn't mean the action stops there. More than 7,000 [companies](https://digital.globalclimatestrike.net/) have pledged to draw attention to the protest by either donating ad space or putting banners on their sites. Participants include Tumblr, WordPress, Imgur, Kickstarter, BitTorrent, Tor, BoingBoing, Greenpeace, Change.org, among many others.

#### Extinction

Specktor 19 [Brandon writes about the science of everyday life for Live Science, and previously for Reader's Digest magazine, where he served as an editor for five years] 6-4-2019, "Human Civilization Will Crumble by 2050 If We Don't Stop Climate Change Now, New Paper Claims," livescience, <https://www.livescience.com/65633-climate-change-dooms-humans-by-2050.html> Justin

The current climate crisis, they say, is larger and more complex than any humans have ever dealt with before. General climate models — like the one that the [United Nations' Panel on Climate Change](https://www.ipcc.ch/sr15/) (IPCC) used in 2018 to predict that a global temperature increase of 3.6 degrees Fahrenheit (2 degrees Celsius) could put hundreds of millions of people at risk — fail to account for the **sheer complexity of Earth's many interlinked geological processes**; as such, they fail to adequately predict the scale of the potential consequences. The truth, the authors wrote, is probably far worse than any models can fathom. How the world ends What might an accurate worst-case picture of the planet's climate-addled future actually look like, then? The authors provide one particularly grim scenario that begins with world governments "politely ignoring" the advice of scientists and the will of the public to decarbonize the economy (finding alternative energy sources), resulting in a global temperature increase 5.4 F (3 C) by the year 2050. At this point, the world's ice sheets vanish; brutal droughts kill many of the trees in the [Amazon rainforest](https://www.livescience.com/57266-amazon-river.html) (removing one of the world's largest carbon offsets); and the planet plunges into a feedback loop of ever-hotter, ever-deadlier conditions. "Thirty-five percent of the global land area, and **55 percent of the global population, are subject to more than 20 days a year of** [**lethal heat conditions**](https://www.livescience.com/55129-how-heat-waves-kill-so-quickly.html), beyond the threshold of human survivability," the authors hypothesized. Meanwhile, droughts, floods and wildfires regularly ravage the land. Nearly **one-third of the world's land surface turns to desert**. Entire **ecosystems collapse**, beginning with the **planet's coral reefs**, the **rainforest and the Arctic ice sheets.** The world's tropics are hit hardest by these new climate extremes, destroying the region's agriculture and turning more than 1 billion people into refugees. This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to **stress the fabric of the world's largest nations**, including the United States. Armed conflicts over resources, perhaps culminating in **nuclear war, are likely**. The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."

### 1AC – Underview

#### 1] Aff gets 1ar theory, otherwise 1n can be infinitely abusive. 1ar theory is DTD and competing interps – fairness is voter b/c it’ debate is a game, if it’s unfair no-one will want to play, controls the internal link to education.

#### 2] No 2nr RVI, paradigm issues, or theory – they’d dump 6 mins and outspread my 3 min 2ar win every rnd. Yes RVIs for the aff – NC theory is unreciprical and a-priori rvi is k2 checking.

#### 3] Presume aff – you assume statements true until proven otherwise, i.e. if I told you my name was Leo you’d believe it, and we wouldn’t be able to start a strand of reasoning otherwise.

#### 4] Permissibility affirms, otherwise we’d need proactive justification to do things like drink water.

#### 4] The burden of the aff is to defend the truth of the res as a general principle – LD rules prove.

Nelson 8 Adam Nelson (Director of Lincoln-Douglas Debate at the Harker School) “Towards a Comprehensive Theory of LD” The Lincoln-Douglas Debate Theory Journal April 15th 2008 http://ldtheoryjournal.blogspot.com/2008/04/towards-comprehensive-theory-of-ld-adam.html

But the NFL’s new Lincoln Douglas Debate Event Description explicitly repudiates such a model by placing parallel burdens amongst one of the hallmarks of the activity: No question of values can be determined entirely true or false. This is why the resolution is desirable. Therefore neither debater should be held to a standard of absolute proof. No debater can realistically be expected to prove complete validity or invalidity of the resolution. The better debater is the one who, on the whole, proves his/her [their] side of the resolution more valid as a general principle.2 And the truth-statement model of the resolution imposes an absolute burden of proof on the affirmative: if the resolution is a truth-claim, and the affirmative has the burden of proving that claim, in so far as intuitively we tend to disbelieve truth-claims until we are persuaded otherwise, the affirmative has the burden to prove that statement absolutely true. Indeed, one of the most common theory arguments in LD is conditionality, which argues it is inappropriate for the affirmative to claim only proving the truth of part of the resolution is sufficient to earn the ballot.

#### That means PIC/Ks and CPs dont negate since they don’t disprove the aff as a general principle. Cx checks all T and theory, solves shells on aff abuse and incentivizes substance over friv theory dumps.

#### 5] Prefer ideal-theory – it’s inevitable and frames non-ideal judgments which means everything collapses.

**Arvan 14** Posted by Marcus Arvan on 05/03/2014 at 11:05 AM What's not wrong with ideal theory http://philosopherscocoon.typepad.com/blog/2014/05/whats-not-wrong-with-ideal-theory.html#sthash.rHY1Rv7v.dpuf

This is fallacious. I entirely agree that it is important not to confuse the things that Wedgwood mentions, and that philosophers who work in ideal theory often do confuse those things -- but none of this shows that ideal theory is methodologically flawed. It shows, at most, that many people have done it badly! Wedgwood then writes of certain "theoretical mistakes" he sees in ideal theory: For evaluative and normative theorizing, what is most important is to articulate a plausible conception of what it is for one item in the relevant category to be better than another. I think this is just wrong. I don't think "the most important thing" in normative theorizing is to know "what is better than what." That is an important thing to know, but to say it is the most important thing -- without argument -- is simply an assertion. Here, instead, is what I want to say: There are many important things in normative theorizing. We should want to know what is better than what. But that is not all. We have every reason to want to know what would be best. To ignore ideal theory -- without argument for why "what is best" is not something worth knowing -- is to arbitrarily set aside an important question as irrelevant. Second, I do not think that we can [not] specify what is better than what without at least some ideal in the background. To say that it would be better for people of different races to have equal rights than for one race to have more than others is to say that it is more ideal. But, what is it to say that something is more ideal? It is to say that it is closer to some ideal. Thus, I say (along with Rawls), the idea what we can do "nonideal theory" without ideal theory is nonsense. Any attempt to do nonideal theory inevitably -- if only tacitly -- appeals to ideals.