## AC Koorsgaard

#### *Ethics must begin a priori*

#### [A] Empirical Uncertainty – evil demon could deceive us and inability to know others experience make empiricism an unreliable basis for universal ethics. Outweighs since it would be escapable since people could say they don’t experience the same.

#### [B] Constitutive Authority – The meta-ethic is bindingness. Practical reason is the only unescapable authority because to ask why I should be a reasoner concedes it’s authority since you’re actively reasoning.

#### Normativity outweighs: a] Obligations – lack of it doesn’t generate stable ethics so it permits anything except the one thing it condemns b] Collapses – injustices need universal ideal principles to ground them and explain why they are wrong which otherwise justifies skep since no external reason to follow ethics c] Necessity – every arg presupposes ability to set and pursue ends which collapses to my framework d] Is/Ought Gap – description of injustices only tells us what exists, not how to properly fix it or act with it which leaves all harms unresolved.

#### That justifies universality – a] a priori principles like reason apply to everyone since they are independent of human experience and b] any non-universalizable norm justifies someone’s ability to impede on your ends i.e. if I want to eat ice cream, I must recognize that others may affect my pursuit of that end.

#### Additionally:

#### [A] Only universalizable reason can effectively explain the perspectives of agents – that’s the best method for combatting oppression.

Farr 02 Arnold Farr (prof of phil @ UKentucky, focusing on German idealism, philosophy of race, postmodernism, psychoanalysis, and liberation philosophy). “Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?” JOURNAL of SOCIAL PHILOSOPHY, Vol. 33 No. 1, Spring 2002, 17–32.

**One** of the most popular **criticism**s **of Kant’s moral philosophy is that it is too formalistic.**13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddedness of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that **although a distinction between the universal and the concrete is** a **valid** distinction, **the unity of the two is required for** an understanding of human **agency.** The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. **Kant is** often **accused of making the moral agent an abstract, empty**, noumenal **subject. Nothing could be further from the truth. The Kantian subject is** an embodied, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. **The** very **fact that I cannot simply satisfy my desires without considering the rightness** or wrongness **of my actions suggests that my empirical character must be held in check** by something, or else I behave like a Freudian id. My empiri- cal character must be held in check **by my intelligible character**, which is the legislative activity of practical reason. It is through our intelligible character that **we formulate principles that keep our** empirical **impulses in check.** The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally signiﬁcant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. **The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.**16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individ- ual think beyond his or her own particular desires. The individual is not allowed to exclude others **as** rational **moral agents** who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. **Hence,** the **universalizability** criterion **is a principle of consistency and** a principle of **inclusion.** That is, in choosing my maxims **I** attempt to **include the perspective of other moral agents.**

#### [B] Ethical frameworks are topicality interpretations of the word ought so they must be theoretically justified. Prefer on resource disparities—focusing on evidence and statistics privileges debaters with the most preround prep excluding lone-wolfs who lack huge evidence files. A debater under my framework can easily be won without any prep since minimal evidence is required. That controls the internal link to other voters because a pre-req to debating is access to the activity.

#### [C] Practical identities – we find our lives worth living under practical identities such as student but that presupposes agency.

**Korsgaard 92** CHRISTINE M. Korsgaard 92 [I am a Professor of Philosophy at Harvard University, where I have taught since 1991. From July 1996 through June 2002, I was Chair of the Department of Philosophy. (The current chair is Sean Kelly.) From 2004-2012, I was Director of Graduate Studies in Philosophy. (The current DGS is Mark Richard.) Before coming here, I held positions at Yale, the University of California at Santa Barbara, and the University of Chicago, as well as visiting positions at Berkeley and UCLA. I served as President of the Eastern Division of the American Philosophical Association in 2008-2009, and held a Mellon Distinguished Achievement Award from 2006-2009. I work on moral philosophy and its history, practical reason, the nature of agency, personal identity, normativity, and the ethical relations between human beings and the other animals], “The Sources of Normativity”, THE TANNER LECTURES ON HUMAN VALUES Delivered at Clare Hall, Cambridge University 16-17 Nov 1992, BE

The Solution: Those who think that the human mind is internally luminous and transparent to itself think that the term “self-consciousness” is appropriate because what we get in human consciousness is a direct encounter with the self. Those who think that the human mind has a reflective structure use the term too, but for a different reason. The reflective structure of the mind is a source of “self-consciousness” because it forces us to have a conception of ourselves. As Kant argues, this is a fact about what it is like to be reflectively conscious and it does not prove the existence of a metaphysical self. From a third person point of view, outside of the deliberative standpoint, it may look as if what happens when someone makes a choice is that the strongest of his conflicting desires wins. But that isn’t the way it is for you when you deliberate. When you deliberate, it is as if there were something over and above all of your desires, something that is you, and that chooses which desire to act on. This means that the principle or law by which you determine your actions is one that you regard as being expressive of yourself. To identify with such a principle or law is to be, in St. Paul’s famous phrase, a law to yourself.6 An agent might think of herself as a Citizen in the Kingdom of Ends. Or she might think of herself as a member of a family or an ethnic group or a nation. She might think of herself as the steward of her own interests, and then she will be an egoist. Or she might think of herself as the slave of her passions, and then she will be a wanton. And how she thinks of herself will determine whether it is the law of the Kingdom of Ends, or the law of some smaller group, or the law of the egoist, or the law of the wanton that is the law that she is to herself. The conception of one’s identity in question here is not a theoretical one, a view about what as a matter of inescapable scientific fact you are. It is better understood as a description under which you value yourself, a description under which you find your life to be worth living and your actions to be worth undertaking. So I will call this a conception of your practical identity. Practical identity is a complex matter and for the average person there will be a jumble of such conceptions. You are a human being, a woman or a man, an adherent of a certain religion, a member of an ethnic group, someone’s friend, and so on. And all of these identities give rise to reasons and obligations. Your reasons express your identity, your nature; your obligations spring from what that identity forbids.

#### Thus, the standard is consistency with the categorical imperative.

#### [1] Presumption and Permissibility affirm: a] Statements are true before false since if I told you my name was Evan, you’d believe me. b] If anything is permissible, then so is the aff since there is nothing prohibiting us.

[2] **Consequences fail: [A] They only judge actions after they occur, which fails action guidance [B] Every action has infinite stemming consequences, because every consequence can cause another consequence. Probability doesn’t solve because 1) Probability is improvable, as it relies on inductive knowledge, but induction from past events can’t lead to deduction of future events [C] Every action is infinitely divisible, only intents unify action because we intend the end point of an action – but consequences cannot determine what step of action is moral or not. [D] If you’re held responsible for things other than an intention ethics aren’t binding because there are infinite events occurring over which you have no control, so you can never be moral as you are permitting just action. [E] There’s no objective arbiter to evaluate consequences [F] You can’t aggregate consequences, happiness and sadness are immutable – ten headaches don’t make a migraine**

### Advocacy

#### Plan text: A just government ought to recognize an unconditional right of workers to strike. CX checks theory interps to avoid frivolous debates – otherwise I get an I meet.

#### Enforcement through IFAs is normal means – that solves credibility concerns and legal loopholes which encourages striking.

Neill 12 [Emily CM; “The Right to Strike: How the United States Reduces it to the Freedom to Strike and How International Framework Agreements can Redeem it,” 1/1/12; Labor & Employment Law Forum Volume 2 Issue 2 Article 6; <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1047&context=lelb>] Justin

IFAs open the door to collective bargaining by creating a space that alters the traditionally antagonistic employer-employee engagement and is more hospitable to the organizing process.83 MNC commitment to respect the core ILO principles of freedom of association and the rights to organize and collectively bargain through IFAs are instrumental to realizing that purpose.84

1. The Creation and Proliferation of International Framework Agreements

An IFA is an agreement negotiated between an MNC and typically85 a global union86 to establish an ongoing relationship between the signatories and ensure adherence to uniform labor standards by the MNC in all countries in which it operates.87 IFAs are the first and only formally-negotiated instruments between unions and corporations at the global level and a significant development in labor relations.88 Since the signing of the first IFA in 1988, they have spread at a steadily increasing rate. 89 Their proliferation since 2000 has been especially dramatic—with the number of IFAs signed in 2003-2006 nearly doubling the number signed in the first fifteen years.90 By 2008, approximately sixty-five agreements had been concluded.91 At the end of 2010, that number had jumped to seventy-six.92

2. Context of Framework Agreements: Corporate Social Responsibility

While both corporate codes of conduct and IFAs can be traced to a consumer driven push for corporate social responsibility, a key difference separates the two: credibility. In the late 1980’s, MNCs in the United States began to respond to campaigns by non-governmental organizations accusing MNCs of international human rights abuses by elaborating internal codes of conduct.93 These codes, unilaterally written and implemented, tend to be vague and provide for no enforcement mechanism.94 The voluntary, self-enforcing nature of these commitments has led critics to conclude that they are mere marketing ploys lacking in credibility or having any real social impact.95

IFAs were developed, in part, as an alternative to corporate codes of conduct to raise labor standards.96 Unlike unilateral codes, IFAs are negotiated between the two principal actors—employers and workers—in the employment relationship.97 Involvement of the very party the agreement is meant to protect attaches greater meaning and significance to the instrument.98

The purpose of IFAs is to promote fundamental labor rights by regulating corporate conduct on a global level.99 This brings us to another key distinction between corporate codes of conduct and IFAs: their concrete normative content.

3. Core ILO Principles as the Substantive Content of IFAs

Whereas codes tend to be vague in their commitments, MNCs commit themselves to concrete international labor norms through framework agreements. The key areas of IFAs are the acceptance of the four core labor standards, as articulated in the 1998 ILO Declaration.100 The Declaration itself is typically not mentioned, but rather the four rights are referred to in IFAs by their convention numbers.101 Thus, apart from a very few exceptions, IFAs refer explicitly to ILO Conventions 87 and 98 on freedom of association and the right to organize and collective bargaining, respectively.102

As previously discussed, ILO standards are the principal source of international labor norms.103 ILO Conventions 87 and 98 are perhaps the most important of ILO principles since the right to organize and bargain collectively is essential to the defense of working conditions like wages, hours, and health and safety through the collective bargaining process.104

4. Scope of IFAs, MNCs and Supply Chains

One of the most important features of IFAs is their goal of addressing behavior not only within the signatory MNC, but along their supply chains as well.105 According to one study, of the IFAs in existence as of 2008, eighty eight percent explicitly indicated that the norms of the agreements applied to their subsidiaries and seventy-three percent contained provisions defining their application to suppliers and subcontractors.106 These provisions contain varying degrees of commitment on behalf of the signatory MNC. Some MNCs agree to place very concrete obligations on supply chain parties, going so far as to detail sanctions to be imposed upon non-compliant suppliers.107 Others contain provisions that are less mandatory, limiting the MNC’s obligation to informing or encouraging its suppliers and subsidiaries to respect the principles of the agreement. For instance, the PSA Peugeot Citroen IFA was amended in 2010, changing its once relatively firm language by which suppliers are “required” to make similar commitments to a much weaker provision in which the MNC agrees to “request” that its suppliers a similar commitment in respect of their own suppliers and sub-contractors.108

III. ANALYSIS

The principal weapon workers have to leverage their bargaining power is the strike.109 The permanent strike replacement policy renders [strikes] this weapon almost meaningless by subjecting workers that employ it to a risk of job loss. This practice deviates from international norms on freedom of association, the right to organize, and bargain collectively, as enunciated in Conventions 87 and 98, and reaffirmed in the ILO 1998 Declaration to the point of rendering the right to strike a mere freedom to strike.110 Fortunately, IFAs have the potential to bring many U.S. operating companies into compliance with international standards on the right to strike, which prohibits the use of permanent replacements.

This Section first addresses the effect of the permanent replacement doctrine on the right to strike in the United States. It next argues that as a member of the ILO, the U.S. is obligated to amend this policy to guarantee workers protection in their right to strike. Finally, it argues that even if the U.S. permits permanent strike replacements, certain U.S. companies are bound to IFAs that prohibit them from taking advantage of the policy.

A. Interference with the Right to Strike is an Abridgement of ILO Principles

Collective bargaining is the mechanism through which workers present their demands to an employer and, through negotiations, determine the working conditions and terms of employment.111 The right to strike arises most often in the context of collective bargaining, though as a weapon of last resort.112 The employment relationship is an economic one—with most workers’ demands encompassing improved pay or other working conditions.113 To bring balance to the employment relationship at the bargaining table, one of the primary weapons available to workers in defending their interests is the threat of withholding labor to inflict costs upon the employer.114 The principle of the strike as a legitimate means of action taken by workers’ organizations is widely recognized in countries throughout the world, almost to the point of universal recognition.115 The ILO Committee on Freedom of Association holds the position that the right to strike is a basic consequence of the right to organize.116

Interference or impairment of the right to strike is inconsistent with Articles 3, 8, and 10 of Convention 87 guaranteeing workers freedom of association and the right to take concerted actions to further their interests. Article 3 recognizes the right of workers’ organizations to organize their activities and to formulate their programs.117 Article 10 states that the term “organization” means any organization for furthering and defending the interests of workers.118 When read together with Article 10, Article 3 protects activities and actions that are designed to further and defend the interests of workers. Recall that strikes are recognized as an essential means through which workers further and defend their interests.119 Article 8 declares that no national law may impair the guarantees of the Convention.120 Because strike action falls under the activities protected by Article 3, which are aimed at furthering and defending workers’ interests, limitations on the right to strike may contravene Conventions 87 and 98.121 This subsection addresses the lawful practice of hiring of permanent replacements for striking workers in the United States as it relates to ILO principles.

1. The Use of Permanent Strike Replacements Reduces the ‘Right’ to Strike to the Unprotected ‘Freedom’ to Strike

In refraining from ratifying ILO Conventions 87 and 98, the United States government has insisted that U.S. law sufficiently guarantees workers protections of the principles of freedom of association, the rights to organize, and bargain collectively.122 While Section 13 of the NLRA addresses the right to strike,123 in reality, enforcement of the NLRA falls short of its goals and departs from international norms, which afford the right to strike fundamental status.124

The Mackay doctrine, permitting permanent replacement of strikers renders the right a mere privilege, or freedom, because it removes meaningful protection of the right by stripping employers of a duty to refrain from interference with striking.125 Wesley Hohfeld’s famous account of legal rights provides a useful analytical framework for distinguishing between the colloquial uses of the “rights” and their implications.126 Under this framework, rights are distinguished from what he calls privileges, or freedoms, by the existence or inexistence of a corresponding duty. All rights have a corresponding duty, or a legal obligation to respect the legal interest of the right-holder and refrain from interfering with it.127 In the example of the right to strike, the correlative is the employer’s duty to not interfere with the employees’ right.128 On the other hand, a ‘freedom’ is the liberty to act, but without the imposition of a duty upon others.129 When one has the freedom to act, others simply do not have a right to prevent her from acting.130 In the strike context, if employees enjoy the freedom to strike, an employer does not have the right to stop the employees from striking, but does not have a duty to not interfere with the act of striking.131

In establishing the Mackay permanent strike replacement Doctrine, the Supreme Court reasoned that the ‘right’ to strike does not destroy an employer’s right to protect and continue business by filling the vacancies of the strikers.132 In so holding, the Court actually transformed the ‘right’ to strike it into the ‘freedom’ to strike by removing a corresponding affirmative duty not to interfere with the exercise of the right from the employer.133 The hire of permanent replacements interferes with strike action by inflicting substantial repercussions upon the employees that undertake the action, loss of employment opportunities.134

The Mackay doctrine forces an employee to choose to strike—at the risk of losing the very job that is the object of the gains and benefits sought— rendering the act virtually useless.135 The threat of being permanently replaced has, in fact, discouraged workers from exercising their ‘right’ to strike.136

Application of the Mackay doctrine produces results that are inconsistent with the NLRA’s provisions regarding protected activity, making the diminution of protection for striking employees even more apparent. In recognizing an employer right to hire permanent replacements, the Mackay Court created a loophole for employers who otherwise are prohibited from firing striking employees under the Section 8(a)(3) of the NLRA, which proscribes retaliation against employees that engage in protected union activity.137 While the act of permanently replacing strikers is lawful, firing strikers is unlawful, although both acts produce the same result: loss of a job as a consequence of striking.138 The result renders the NLRA’s protections for striking workers a dead letter. Although employers have a duty to refrain from retaliation against workers engaged in union activity in the form of firing, employers do not have a duty to refrain from reaching the same result through a different tactic—permanent replacement.139 Thus, this removal of a duty to refrain from interference renders the ‘right’ to strike, an unprotected ‘freedom’ to strike that yields to an employer’s corresponding freedom to replace strikers.140 In other words, the Mackay doctrine preserves the NLRA Section 13 reference to strike action as a lawful recourse for workers, but not one afforded the status of a protected right.

#### Definition of unconditional right to strike:

NLRB 85 [National Labor Relations Board; “Legislative History of the Labor Management Relations Act, 1947: Volume 1,” Jan 1985; <https://play.google.com/store/books/details?id=7o1tA__v4xwC&rdid=book-7o1tA__v4xwC&rdot=1>] Justin

\*\*Edited for gendered language

As for the so-called absolute or unconditional right to strike—there are no absolute rights that do not have their corresponding responsibilities. Under our American Anglo-Saxon system, each individual is entitled to the maximum of freedom, provided however (and this provision is of first importance), his [their] freedom has due regard for the rights and freedoms of others. The very safeguard of our freedoms is the recognition of this fundamental principle. I take issue very definitely with the suggestion that there is an absolute and unconditional right to concerted action (which after all is what the strike is) which endangers the health and welfare of our people in order to attain a selfish end.

### Offense

#### Recognizing the right to strike would transform dominating power structures – domination is nonuniversalizable since if I were dominated it would impede my ability to dominate anyone else.

Lazar 20 [Orlando; 10/6/20; St. Edmund Hall & Balliol College, University of Oxford; “Work, Domination, and the False Hope of Universal Basic Income,” <https://link.springer.com/article/10.1007/s11158-020-09487-9>] Justin

If workers can simply leave and subsist on an adequate level of basic income, then they can very credibly threaten to do so rather than suffer under the dominating power structures of their workplaces. More than this, employers will know that their workers have this option. In response to some gross overstep of managerial power this might take the form of an actual threat, but in normal circumstances it would function as an implicit threat on the part of the worker. The threat to strike works in the same way: where the right to strike is protected, that threat functions quietly and implicitly, and needs only rarely become explicit. The genuine ability to exit would become more than a tool to contest, after the fact, managerial decisions; it would be an ever-present possibility, raising the bargaining power of individual workers and reshaping their relationship to their employers. Rather than just the ability to exit, an adequate UBI gives workers various abilities—by the reckoning of one supporter, the powers to ‘enter, undominatedly stay, exit, and restart all kinds of social relations, starting with work relations’ (Casassas 2016, p. 9). In this sense the power structures of individual workplaces would be transformed, with managers no longer able to monopolise the residual authority described in the previous section.

#### A right to strike is key to check employer coercion and restricting it limits the freedom of unions

**Muhudia 17** Muhudia, Stephan. Ethico-Legal Inquiry into Strike Action by Doctors in Kenya. Jan. 2017, <https://wiredspace.wits.ac.za/jspui/bitstream/10539/23188/1/Research%20Report%20Stephen%20Muhudhia%20887305%20January,%202017.pdf>. SJ//DA

Chapter 4, section 41 of The Constitution of Kenya provides for the protection of the right of workers to strike. Kenya has ratified ILO Convention No. 98 on the Right to Organise and Collective Bargaining (ILO, 1949), but so far, has not ratified ILO Convention No. 87 which provides for the freedom of association of workers and the protection of their right to organise (ILO, 1948). However, by being a member of the ILO, Kenya has an obligation to promote and ultimately realise the principles of Convention No. 87 (ILO, 1998). The ILO recognises the concept of essential workers, and its Committee on Freedom of Association attests to the fact that hospital services are essential services in which workers may be restricted or prohibited from going on strike (ILO, 2008). A number of writers have challenged the principle of legislating against strike action for certain categories of workers (Gernigon, Odero, and Guido, 2003). The ILO Committee on Freedom of Association (CFA) stated that **denying workers the right to strike constitutes a significant restriction on the opportunities for trade unions to defend the interests of their members** (ILO, 2006). The ILO Committee of Freedom of Association reaffirmed the right of workers to strike in its publication entitled “Freedom of Association- Digest of Principles of the Freedom of Association Committee of the Governing Body of ILO”. Paragraph 521 states that: “**The Committee has always recognized the right to strike by workers and their organizations as a legitimate means of defending their economic and social interests”.** While paragraph 522 adds that **“The right to strike is one of the essential means through which workers and organizations may promote and defend their economic and social interests”.** Paragraph 523 reiterates that “The right to strike is an intrinsic corollary to the right to organize protected by Convention No. 87” (ILO, 2006, p109) The International Trade Union Council (ITUC) asserts that “**the right to strike is one of the essential means available to workers and their organisations for the promotion and protection of their economic and social interests”** (ITUC, 2014, p19). Okene (2009) **contended that denying employees the right to strike subjects them to work under conditions akin to enslavement. He claimed that strike action was a fundamental right of workers enabling them to participate in labour negotiations and collective bargaining for their entitlements. Without the right to strike, Okene stated, that workers would be forced to work under any conditions that they are subjected to.** He added that such a situation was both morally and ethically indefensible (Okene, 2009). Strikes are part of the process of advocating for employees‟ demands ranging from economic issues to those related to working conditions and other issues which affect their lives. Loewy (2000) **declared that strikes provided a mechanism for managing deadlocks in negotiations between employees and employers. He further claimed that the right to strike and the ability to do so are necessary for collective bargaining of labour movements to be effective**. Yule Jr. (1982) argued that without the ability to strike, workers would be greatly handicapped and their collective bargaining would merely be collective begging. This sentiment is echoed by other commentators who argue that for democratic societies to function well, the workers‟ fundamental right to strike must be protected (Okene, 2009).

#### Strikes prevent workers from being used as a means

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

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

#### Put away your turns: strikes are an omission of action

**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.

### Underview

#### 1] Aff gets 1AR theory and RVIs – otherwise the neg can be infinitely abusive and there’s no way to check against this – meta theory also precedes the evaluation of initial theory shells because it determines whether or not I could engage in theory in the first place.

#### 2]1AR theory is drop the debater, competing interps, and the highest layer of the round – the 1ARs too short to be able to rectify abuse and adequately cover substance – you must be punished

#### 3]no 2NR paradigm issues, theory, or RVIs because a) It becomes impossible to check NC abuse if you can dump on reasons the shell doesn't matter in the 2n. b) they have 6 minutes to go for them whereas I only have a 3 minute 2AR to respond so I get crushed on time skew.

#### 4]Evaluate aff theory prior to neg theory as the neg can win their shell and beat mine back in the long 2NR, whereas it’s impossible for me to win both layers in a 2AR that’s only half as long.

#### 5] Reasonability on 1NC theory with the brightline of link and impact turn ground – there are infinite bidirectional interps that I can never meet – the four minute 1AR doesn’t have enough time to line by line every argument, make offense, and go for substance.

#### 6] Procedural fairness is a voter and outweighs a] it’s an intrinsic good – debate is a game and equity is necessary to sustain the activity, b] probability – debate can’t alter subjectivity, but it can rectify skews, c] internal link turns every impact – a limited debate promotes research and engagement d] All your arguments concede fairness since you assume they will be esvaluated fairly.

## 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.] SJ//VM

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/.] SJ//VM

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.

#### 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."