## 1AC

#### Give me 30 speaks – only way to non-arbitrarily rank debaters without hurting their tournament record – judges will always have some sort of subconscious perception that affects speaks which means 30s solve

### FW

#### The meta-ethic is practical reasoning

#### Infinite Regress: We can infinitely ask why for other theories but to ask why for reasons concedes reasons, so reasons are inescapable and binding, and binding theory outweigh because only they can guide action which is the purpose of ethics.

#### Action Theory: Every action has infinite sub-actions we must unify them under intent to explain the unity of action. To use intent agents must use practical reason to know the means she takes in her actions can achieve principles guiding the action.

#### To be an agent is to have the ability to rationally self-reflect, because that ability is how we derive reason and value.

Korsgaard // 96

Korsgaard, C. M., Cohen, G. A., & O'Neill, O. (1996). The sources of normativity. Cambridge: Cambridge University Press. Bracketed for clarity

And this sets up a problem no other animal has. It is the problem of the normative. For our capacity to turn our attention on to our own mental activities [and desires] is also a capacity to distance ourselves from them, and to call them into question.  I perceive, and I find myself with a powerful impulse to believe. But I back up and bring that impulse into view and then I have a certain distance. Now the impulse doesn’t dominate me and now I have a problem. Shall I act? [but] Is this desire really a *reason* to act? The reflective mind cannot settle for perception and desire, not just as such. It needs a *reason*. Otherwise, at least as long as it reflects, it cannot commit itself or go forward. If the problem springs from reflection then the solution must do so as well. If the problem is that our perceptions and desires might not withstand reflective scrutiny. We [we] have reasons if they do. The normative word ‘reason’ refers to a kind of reflective success. If ‘good’ and ‘right’ are also taken to be intrinsically normative words, names for things that automatically give us reasons, then they too must refer to reflective success. And they do. Think of what they mean when we use them as *exclamations*. ‘Good!’ ‘Right!’ There they mean: I’m satisfied, I’m happy, I’m [and] committed, you’ve convinced me, let’s go. They mean [and] the work of reflection is done.

#### Agency requires universalizability. Universal willing is a prerequisite to self-determination of action. Anything else means desire controls our actions, thus the actor is no longer an agent.

**Korsgaard // 99**

Korsgaard, C. M. (1999). Self-Constitution in the Ethics of Plato and Kant (1st ed., Vol. 3). Spinger.

The second step is to see that particularistic willing makes it impossible for you to distinguish yourself, your principle of choice, from the various incentives on which you act. According to Kant you must always act on some incentive or other, for every action, even action from duty, involves a decision on a proposal: something must suggest the action to you. And in order to will particularistically, you must in each case wholly identify with the incentive of your action. That incentive would be, for the moment, your law, the law that defined your agency or your will. It’s important to see that if you had a particularistic will you would not identify with the incentive as representative of any sort of type, since if you took it as a representative of a type you would be taking it as universal. For instance, you couldn’t say that you decided to act on the inclination of the moment, because you were so inclined. Someone who takes “I shall do the things I am inclined to do, whatever they might be” as his maxim has adopted a universal principle, not a particular one: he has the principle of treating his inclinations as such as reasons. A truly particularistic will must embrace the incentive in its full particularity: it, in no way that is further describable, is the law of such a will. So someone who engages in particularistic willing does not even have a democratic soul. There is only the tyranny of the moment: the complete domination of the agent by something inside him.

#### If an agent regards their purpose as important, they must regard the means as important, one of which is freedom.

**Denying individuals’ independent choice, or outer freedom, is rationally contradictory. As you expand your freedom to limit someone else’s same freedom which results in contradiction and is incoherent, so we can’t limit anyone’s freedom.**

**A universal system of freedoms requires consistency with the omnilateral will.**

Ripstein // 04

[Arthur Ripstein, (University Professor of Law and Philosophy, [University of Toronto](https://scholar.google.com/citations?view_op=view_org&hl=en&org=8515235176732148308)) "Authority and Coercion" Philosophy & Public Affairs, 32: 2–35, 2004, http://onlinelibrary.wiley.com/doi/10.1111/j.1467-6486.2004.00003.x/abstract, DOA:12-16-2017 //] Bracketed for clarity

Kant explains the need for the three branches of government in Rousseau’s vocabulary of the “general will.” Kant finds this concept helpful, since it manages to capture the way in which the specificity of the law and the monopoly on [the law’s] its enforcement do not thereby make it the unilateral imposition of one person’s will upon another. Instead, it is what Kant calls an “omnilateral” will, since all must agree to set up procedures that will make right possible. All must agree, because without such procedures, equal freedom is impossible, and so the external freedom of each is impossible. But the sense in which they must agree is not just that they should agree; it is that they cannot object to being forced to accept those procedures, because any objection would be nothing more than an assertion of the right to use force against others unilaterally. Once the concept of the General Will is introduced, it provides further constraints on the possibility of a rightful condition, and even explains the ways in which a state can legitimately coerce its citizens for reasons other than the redress of private wrongs. Kant’s treatment of these issues of “Public Right” has struck many readers as somewhat perfunctory, especially after his meticulously detailed, if not always transparent, treatment of private right. He treats these issues as he does because he takes them to follow directly from the institution of a social contract. The details of his arguments need not concern us here, because he does not claim that these exhaust the further powers of the state. Instead, he puts them forward as additional powers a state must have if it is to create a rightful condition, and it is the structure of that argument that is of concern here.

#### For the state to maintain its united will, the powerful need to be regulated so they cannot rightfully abuse positions over those subject to them to maintain equal freedom. Coercion is when your circumstance requires adopting another’s purposes because of imbalanced bargaining position.

Ripstein 9 “Force and Freedom.” Arthur Ripstein, 2009. Prof. of Philosophy and Law at University of Toronto. <https://books.google.com/books?id=W_B3oVsdOZUC&pg=PA272&lpg=PA272&dq=%22Kant+argues+that+provision+for+the+poor+follows+directly+from+the+very+idea+of+a+united+will.%22&source=bl&ots=qeZgxmZ4o0&sig=ACfU3U09Kis9KW3g9jVDf3h8LHA3lm7hdg&hl=en&sa=X&ved=2ahUKEwiW4aCQ3ePzAhX7nWoFHZIQCpIQ6AF6BAgDEAM#v=onepage&q=%22Kant%20argues%20that%20provision%20for%20the%20poor%20follows%20directly%20from%20the%20very%20idea%20of%20a%20united%20will.%22Because%20each%20person%20is%20master%20&f=false> SJMS Bracketed for clarity

Kant argues that provision for the poor follows directly from the very idea of a united will. He remarks that the idea of a united lawgiving will requires that citizens regard the state as existing in perpetuity.6 By this he does not mean to impose an absurd requirement that people live forever, or even the weaker one that it must sustain an adequate population, or make sure that all of its members survive.7 The state does need to maintain its material preconditions, and as we saw in Chapter 7, this need generates its entitlement to “administer the state’s economy and finance.”8 The state’s existence in perpetuity, however, is presented as a pure normative requirement, grounded in its ability to speak and act for everyone. That ability must be able to survive changes in the state’s membership. You are the same person you were a year ago because your normative principle of organization has stayed the same through changes in the matter making you up. As a being entitled to set and pursue your own purposes, you decide what your continuing body will do. That is why your deeds can be imputed to you even after every molecule in your body has changed, and even if you have forgotten what you did. The unity of your agency is created by the normative principle that makes your actions imputable to you.9 In the same way, the state must sustain its basic normative principle of organization through time, even as some members die or move away and new ones are born or move in. As we saw in Chapter 7, its unifying principle—“in terms of which alone we can think of the legitimacy of the state”—is the idea of the original contract, through which people are bound by laws they have given themselves through public institutions.10 The state must have the structure that is required in order for everyone to be bound by it, so that it can legitimately claim to speak and act for all across time. The requirement of unity across time is clear in the cases of legislation by officials: if the official’s decision were only binding while a particular human being held office, a citizen would be entitled to regard laws as void once the official’s term ended. Because each person is master of him- or herself, one person is only bound by the authority of another through the idea of a united will. So the idea of a united will presupposes some manner in which it exists through time. Past legislation, like past agreement, can only bind those who come after if the structure through which laws are made is one that can bind everyone it governs. The solution to this family of problems is a self-sustaining system that guarantees that all citizens stand in the right relation to each other and, in particular, do not stand in any relation inconsistent with their sharing a united will. The most obvious way in which people could fail to share such a will is through relations of private dependence through which one person is subject to the choice of another. A serf or slave does not share a united will with his or her lord or master, so these forms of relationship are inconsistent with a rightful condition. Yet the same relation of dependence can arise through a series of rightful actions. The problem of poverty, on Kant’s analysis, is exactly that: the poor are completely subject to the choice of those in more fortunate circumstances [the rich]. Although Kant argues that there is an ethical duty to give to charity,11 the crux of his argument is that dependence on private charity is inconsistent with its benefactor and beneficiary sharing the united will that is required for them to live together in a rightful condition. The difficulty is that the poor person is subject to the choice of those who have more: they are entitled to use their powers as they see fit, and so the decision whether to give to those in need, or how much to give, or to which people, is entirely discretionary.12 So long as there are a variety of unmet wants, private persons are entitled to determine which ones to attach priority to.

#### Thus, the standard is consistency with the omnilateral will. Prefer:

#### [1] Ethical frameworks must be theoretically legitimate. All frameworks are functionally topicality interpretations of the word ought so they must be theoretically justified:

#### [a] Resource disparities—a focus on evidence and statistics privileges debaters with the most preround prep which excludes lone-wolfs who lack huge evidence files. My Framework solves since only analytical arguments are required. That controls the internal link to other voters because a pre-req to debating is access to the activity.

#### [b] Real world education—states abide by inviolable side-constraints in constitutions—Germany proves.

Ripstein // 09

Ripstein, Arthur. Force and Freedom: Kant's Legal and Political Philosophy. Harvard University Press, 2009.

Strictly speaking, the right to dignity is not an enumerated right in the German Basic Law [says], but the organizing principle under which all enumerated rights—ranging from life and security of the person through freedom of expression, movement, association, and employment and the right to a fair trial to equality before the law—are organized. It appears as Art. I.1: “Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.” Art. I.3 explains that the enumerated rights follow: “The following basic rights shall bind the legislature, the executive, and the judiciary as directly applicable law.” Other, enumerated rights are subject to proportionality analysis, through which they can be restricted in light of each other so as to give effect to a consistent system of rights. The right to dignity is the basis of the state’s power to legislate and so is not subject to any limitation, even in light of the enumerated rights falling under it, because—to put it in explicitly Kantian terms—citizens could not give themselves a law that turned them into mere objects.

#### Voters: Fairness—debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate. Education—schools fund debate for its education value, and only education has out of round impacts.

#### [2] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify a standard without first willing that we can pursue ends free from others.

### Advocacy

#### Thus, the resolution Resolved: A just government ought to recognize an unconditional right of workers to strike. CP and PICs affirm because they do not disprove my general thesis. CX checks on spec shells and spec doesn’t matter under Ripstein because it’s a general statement.

### Offense

#### [1] A libertarian model of labor rights would not allow union monopolization, but it would not curtail a right to strike.

Hill 11 Henry Hill (Freelance political writer), “A free market in labour: libertarians, employment and the unions,” Adam Smith Institute. 12 September 2011. <https://www.adamsmith.org/blog/regulation-industry/a-free-market-in-labour-libertarians-employment-and-the-unions> SJMS

Trade unions are an interesting problem for libertarians. Although they are essentially anti-liberal forces, most attacks on trade unions historically stem from the authoritarian Right. Too often the conflict between unions and business leads to many potential subscribers to libertarianism supporting decidedly illiberal business practises, due to a misconception that one can either be pro-business or pro-union. For a libertarian, employment must be approached in a manner that is independent of the interests and prejudices of either side. Employment legislation inspired by libertarian principles would at once counter the serious business abuses that justify trade unions whilst removing the ability of unions to act as monopolies. A libertarian believes that human beings should be free to undertake exchanges with each other free from force, fraud or coercion. Trade unions found their origins in defending workers against abuse by business, abuse often supported by the state. A libertarian state that functioned properly would not collude with anti-liberal business practises and would protect people from forceful, fraudulent or coercive practises that might necessitate trades union membership. But libertarian employment law would undermine unions too. Like most things, labour is a commodity. A job is a contract between an employer and an employee in which the latter’s labour is traded at a given rate for remuneration in wages and perhaps other perks. Despite this trades unions are not seen as what they are in business terms: cartels working to inflate prices (wage costs) by restricting the labour market. While the horrors of the closed shop and the flying picket have (for the most part, student politics aside) disappeared, the fundamental leverage behind a strike is the idea that a union can exercise a labour monopoly and use the threat of withdrawal to coerce employers. No libertarian system would ban strikes or unions. People are free to associate with each other as they wish and no libertarian would argue that a worker does not have the right to withdraw their labour. What is critical is that a libertarian recognises the right of an employer to replace that labour. In the same way in which a libertarian government would fight monopolist practises on the business side of industry, so it should strive to create a free market in labour. Not only would this be morally right in accordance with libertarian principles, but it would allow the market to adjust British wages back to internationally competitive levels.

#### [2] So long as society is not completely libertarian, libertarians should support union’s rights as a check on other threats to liberty.

Levine 12 Peter Levine (Associate Dean for Research and the Lincoln Filene Professor of Citizenship and Public Affairs at Tufts University's Tisch College of Civic Life. Concerned about civic education, civic engagement, and democratic reform in the United States and elsewhere.), “libertarians, violence, and unions,” A Blog for Civic Renewal. December 13th, 2012. <https://peterlevine.ws/?p=10340> SJMS

3. Unions promote political pluralism and countervailing force. We can debate whether a libertarian utopia is feasible and desirable, but we don’t live in one. We live under a powerful and pervasive state that not only influences corporations and markets, but is constantly used by them. So the employer with whom an individual laborer contracts is not a free individual; it is a corporation that has likely been regulated, subsidized, and protected by the state. One could imagine stripping the state of most of its powers, but that is not happening. As long as the state remains influential, liberty is best served by pluralism: by setting many different interests in peaceful conflict. Killing unions, the main countervailing force to industry, will reduce pluralism–and thus liberty.

#### [3] Recognizing the right to strike would transform dominating power structures.

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.

#### Additionally, this means if the state denies workers this right to strike, the state will unregulate the powerful and create imbalanced bargaining position – thus violating the united will and the omnilateral will. The state must recognize this right to strike.

### UV

#### [1] Aff gets 1AR theory, Drop the Debater, and no RVIs – 1AR theory is the only recourse to check back infinite NC abuse, since it’s impossible to preempt NC abuse within the AC. Aff gets drop the debater, since 1AR is too short to win both theory and substance, and 2N doesn’t get RVIs, since RVIs uniquely deter the 1AR from checking NC abuse since the 1A knows the 2N can spend 6 minutes on the RVI and win. 1AR theory is the highest layer – Else, the NC has 7 minutes to be abusive and 6 minutes to leverage the abuse against 1A theory in the 2N, making checking abuse lexically impossible.

#### [2] Consequences Fail:

#### [a] Every action has infinite stemming consequences, because every consequence can cause another consequence so we can’t predict or calculate.

#### [b] Induction is circular because it relies on the assumption that nature will hold uniform and we could only reach that conclusion through inductive reasoning based on observation of past events.

#### [c] The Utility Monster: Util would hypothetically say that if there was one being that could experience more pleasure than all others combined we should do anything in order to maximize it, i.e. sacrifice everyone else’s pleasure

#### [d] No extension o/w – it’s the fallacy of origin we don’t maximize oxygen even though we need it

#### [3] The burden of both debaters is to justify their theory of the good and justify action under it

#### Prefer:

#### [a] Begs the question – if they don’t justify an ethical theory we don’t know why oppression matters of how to deal with it.

#### [b] Normative foundations – There’s no motivation to do your aff unless there’s an ethical theory explaining why it’s motivating.

#### [c] It comes before pedagogy because we can’t know a teachers obligations unless we have an ethical theory

#### [d] Anything else is artificially narrow and incoherent –focusing on one issue is not fully comprehensive it can’t explain itself in a non-circular war unless you have a theory of the good.

#### [4] Use epistemic confidence.

#### [a] It’s substantively true – you wouldn’t combine medicines from three different doctors just because they gave you three different opinions.

#### [b] EM is infinitely regressive since we need to use modesty to determine the probability that EM is true and that that is true and so on

#### [e] EC is better for clash people it ensures that people don’t weigh something that is 0.01% true against something that is 100% true and ignore clash

#### [5] All neg interps are counter interps since the aff takes an implicit stance on every issue which means you need an RVI to become offensive. No RVIs because aff speeches are too short to develop offense that’s not no risk.

### Method

#### [1] Ideal theory is capable of radical possibilities.

Holmstrom 12 [Holmstrom, Nancy [Prof. Emeritus @ Rutgers]. "Response to Charles Mills's." Radical Philosophy Review 15.2 (2012): 325-330.]

We have to speak to people where they are, he says, and that means appealing to core values of liberalism: individualism, equal rights and moral egalitarianism. Against what he calls the conventional wisdom among radi- cals, he argues that there is no inherent incompatibility between these values and a radical agenda. If these values are suitably interpreted, I think he is absolutely right. Over two hundred years ago, Mary Wollstonecraft and Toussaint Louverture took the abstract universalistic principles of the French Revolution and extended them to groups they were intended to exclude. Gradually and incompletely women and blacks and landless men have achieved the democratic rights promised to all (in words) by the anti-feudal revolution. So I agree with Charles that such universalistic principles have great value; even if usually applied in self-serving ways, they have a deeply radical potential and it would be foolish of radicals to reject them, any more than we should reject all of the technological developments of the Indus- trial Revolution which also developed with the rise of capitalism. in fact, few American radicals have rejected these aspects of liberalism in their politi- cal practice but have been their strongest champions since the Revolution; socialists of all kinds helped to build the labor and civil rights movements.‘

#### [2] Universality is the best way of solving oppression.

Mills 18 Charles W. Mills. “Black Radical Kantianism.” Res Philosophica, Vol. 95, No. 1, January 2018, pp. 1–33 https:// doi.org/ 10.11612/ resphil.1622 SJ//VM Organic Intellectual

So the common theme is the demand for equal recognition, equal dignity, equal respect, equal personhood, in a white-supremacist world where disrespect rather than respect is the norm, the default mode, for blacks. A racesensitive Kantianism not merely purged of Kant’s own racism but attuned (in a way nominally color-blind Kantianism is not) to these racially demarcated particularities for the different sub-sections of the human population— a black radical Kantianism—will thus understand the need to “universalize” the categorical imperative in a very different way to register the crucial differences between those socially recognized as persons and those socially recognized as sub-persons. I suggest that we divide the different moral relations involved into two categories based on whether one is a member of the privileged race, the R1s, or the subordinated race, the R2s. That gives us the following six-way breakdown: (1) one’s duty as an R1 to give respect to oneself, (2) one’s duty as an R1 to give respect to one’s fellow-R1s, (3) one’s duty as an R1 to give respect to R2s, (4) one’s duty as an R2 to give respect to oneself, (5) one’s duty as an R2 to give respect to one’s fellow-R2s, and (6) one’s duty as an R2 to give respect to R1s. Historically, each of these will have been affected by race (as racism), leaving an ideological and psychological legacy, habits of disrespect, that will shape the “inclinations” most likely to be determinative and most imperatively to be resisted. Instead of (what could be graphically thought of as) “horizontal” relations of reciprocal and symmetrical race-indifferent respect among equal raceless persons, the R1s will have historically respected themselves and each other as R1s, while “vertically” looking down on, disrespecting, R2s as inferiors. In turn, the R2s will have been required to show racial deference to the R1s, looking up to them as R2s, and—having most probably internalized their lower ontological status—will have been prone to regard both themselves and their fellows with racial contempt.

#### [3] Pluralism is good.

**Bleiker 14** – (6/17, Roland, Professor of International Relations at the University of Queensland, “International Theory Between Reification and Self-Reflective Critique,” International Studies Review, Volume 16, Issue 2, pages 325–327)

Methodological pluralism lies at the heart of Levine's sustainable critique. He borrows from what Adorno calls a “constellation”: an attempt to juxtapose, rather than integrate, different perspectives. It is in this spirit that Levine advocates multiple methods to understand the same event or phenomena. He writes of the need to validate “multiple and mutually incompatible ways of seeing” (p. 63, see also pp. 101–102). In this model, a scholar oscillates back and forth between different methods and paradigms, trying to understand the event in question from multiple perspectives. No single method can ever adequately represent the event or should gain the upper hand. But each should, in a way, recognize and capture details or perspectives that the others cannot (p. 102). In practical terms, this means combining a range of methods even when—or, rather, precisely when—they are deemed incompatible. They can range from poststructual deconstruction to the tools pioneered and championed by positivist social sciences. The benefit of such a methodological polyphony is not just the opportunity to bring out nuances and new perspectives. Once the false hope of a smooth synthesis has been abandoned, the very incompatibility of the respective perspectives can then be used to identify the reifying tendencies in each of them. For Levine, this is how reification may be “checked at the source” and this is how a “critically reflexive moment might thus be rendered sustainable

#### [4] Kant is a heuristic by which we should approach problems of justice – the rejection of deceit and coercion creates rigid constraints, but leaves room for specificity and more detailed answers to conflict.

O'Neill 2k, Onora (2000). Bounds of Justice. Cambridge University Press.

This sketch of a reading of Kant's account of practical reason by itself does nothing to rebut the classic charge that the Categorical Imperative leads only to empty formalism. Perhaps the demand for universalizability will draw no significant ethical distinctions, let alone help us to think about justice. After all, the limited conception of practical reason just proposed enjoins only the rejection of non-universalizable principles, on the grounds that these are not even competent for general authority in guiding thought or action. Kant's account of reason is only a second-order constraint on our adoption of principles for dealing with life and thought Here I can offer no more than the merest sketches to suggest why there may be arguments from the demand of universalizability to certain principles of obligation, some of them relevant to any public domain, and so to justice.25 The sketches do not stick to Kant's own way of developing his practical philosophy, which is often designed around rather awkwardly schematic illustrations designed to give instances that fill out a set grid of perfect and imperfect duties to self and to others, of which he thinks only perfect duties to others relevant to questions of justice. 26 If we take simply the idea that we can offer reasons for the adoption only of those principles which (we take it) others on the receiving end of reasoning could also adopt, then a range of types of action must be rejected. We cannot offer reasons to all for adopting principles of deceit (one of Kant's favourite examples), of injury or of coercion. For we cannot coherently assume that all could adopt these principles: we know that were they even widely adopted, those acting on them would meet at least some success, and hence that at least some others would be the victims of this success, so that contrary to hypothesis they could not be universally adopted. The rejection of these principles provides a starting point for constructing a more detailed account of principles of justice. Of course, these are very indeterminate principles: but they are less indeterminate than many of the principles of liberty and equality that have recently been the preferred building blocks for theories of justice. One of the interesting respects in which they are more determinate is that they are evidently principles for finite, mutually vulnerable beings – for beings who might in principle suffer by being the victims of deceit, injury or coercion. Principles of equality and liberty are on the surface more abstract. However, despite the fact that they leave so much open, these are significant constraints, since there are also many sorts of action and institution whose fundamental principles could not be followed by all – for example, principles based on deceit, injury or coercion.27 Those who refuse to base lives or policies on injury or on deceit may have many options in most situations - and yet taken both individually and jointly, these constraints can be highly demanding.

#### [5] Isolating unconditional worth within the other is uniquely liberatory and the basis from which other theories begin, so my offense turns and outweighs yours.

Farr // 2

[Arnold Farr [Professor of philosophy at University of Kentucky, 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.]

Whereas most criticisms are aimed at the formulation of universal law and the formula of autonomy, our analysis here will focus on the formula of an end in itself and the formula of the kingdom of ends, since we have already addressed the problem of universality. The latter will be discussed ﬁrst. At issue here is what Kant means by “kingdom of ends.” Kant writes: “By ‘kingdom’ I understand a systematic union of different rational beings through common laws.”32 The above passage indicates that Kant recognizes different, perhaps different kinds, of rational beings; however, the problem for most critics of Kant lies in the assumption that Kant suggests that the “kingdom of ends” requires that we abstract from personal differences and content of private ends. The Kantian conception of rational beings requires such an abstraction. Some feminists and philosophers of race have found this abstract notion of rational beings problematic because they take it to mean that rationality is necessarily white, male, and European.33 Hence, the systematic union of rational beings can mean only the systematic union of white, European males. I ﬁnd this interpretation of Kant’s moral theory quite puzzling. Surely another interpretation is available. That is, the implication that in Kant’s philosophy, rationality can only apply to white, European males does not seem to be the only alternative. The problem seems to lie in the requirement of abstraction. There are two ways of looking at the abstraction requirement that I think are faithful to Kant’s text and that overcome the criticisms of this requirement. First, the abstraction requirement may be best understood as a demand for intersubjectivity or recognition. Second, it may be understood as an attempt to avoid ethical egoism in determining maxims for our actions. It is unfortunate that Kant never worked out a theory of intersubjectivity, as did his successors Fichte and Hegel. However, this is not to say that there is not in Kant’s philosophy a tacit theory of intersubjectivity or recognition. The abstraction requirement simply demands that in the midst of our concrete differences we recognize ourselves in the other and the other in ourselves. That is, we recognize in others the humanity that we have in common. Recognition of our common humanity is at the same time recognition of rationality in the other. We recognize in the other the capacity for selfdetermination and the capacity to legislate for a kingdom of ends. This brings us to the second interpretation of the abstraction requirement. To avoid ethical egoism one must abstract from (think beyond) one’s own personal interest and subjective maxims. That is, the categorical imperative requires that I recognize that I am a member of the realm of rational beings. Hence, I organize my maxims in consideration of other rational beings. Under such a principle other people cannot be treated merely as a means for my end but must be treated as ends in themselves. The merit of the categorical imperative for a philosophy of race is that it contravenes racist ideology to the extent that racist ideology is based on the use of persons of a different race as a means to an end rather than as ends in themselves. Embedded in the formulation of an end in itself and the formula of the kingdom of ends is the recognition of the common hope for humanity. That is, maxims ought to be chosen on the basis of an ideal, a hope for the amelioration of humanity. This ideal or ethical commonwealth (as Kant calls it in the Religion) is the kingdom of ends.34 Although the merits of Kant’s moral theory may be recognizable at this point, we are still in a bit of a bind. It still seems problematic that the moral theory of a racist is essentially an antiracist theory. Further, what shall we do with Henry Louis Gates’s suggestion that we use the Observations on the Feeling of the Beautiful and Sublime to deconstruct the Grounding? What I have tried to suggest is that instead of abandoning the categorical imperative we should attempt to deepen our understanding of it and its place in Kant’s critical philosophy. A deeper reading of the Grounding and Kant’s philosophy in general may produce the deconstruction35 suggested by Gates. However, a text is not necessarily deconstructed by reading it against another. Texts often deconstruct themselves if read properly. To be sure, the best way to understand a text is to read it in context. Hence, if the Grounding is read within the context of the critical philosophy, the tools for a deconstruction of the text are provided by its context and the tensions within the text. Gates is right to suggest that the Grounding must be deconstructed. However, this deconstruction requires much more than reading the Observations on the Feeling of the Beautiful and Sublime against the Grounding. It requires a complete engagement with the critical philosophy. Such an engagement discloses some of Kant’s very signiﬁcant claims about humanity and the practical role of reason. With this disclosure, deconstruction of the Grounding can begin. What deconstruction will reveal is not necessarily the inconsistency of Kant’s moral philosophy or the racist or sexist nature of the categorical imperative, but rather, it will disclose the disunity between Kant’s theory and his own feelings about blacks and women. Although the theory is consistent and emancipatory and should apply to all persons, Kant the man has his own personal and moral problems. Although Kant’s attitude toward people of African descent was deplorable, it would be equally deplorable to reject the categorical imperative without ﬁrst exploring its emancipatory potential.

#### [6] Deeper exploration of the aff’s political philosophy is key to understanding individual subjectivity – that’s the best starting point for fighting oppression.

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[Helga Varden, Associate Professor Department of Philosophy University of Illinois at Urbana-Champaign “Review of: Kantianism, Liberalism, and Feminism: Resisting Oppression by Carol Hay” Notre Dame Philosophy Review, 2013]

Second, in my view, oppression is not "just" an ethical issue, but also an issue of justice (what Kant calls "right"). So, as a matter of Kant interpretation, I believe that the more complete analysis of sexual harassment and sexual oppression (and the duty to resist) will incorporate an account of Kant's "Doctrine of Right" as well as an analysis of how this account fits with his account of ethics, including his distinction between perfect and imperfect duties. In the current version of Hay's theory, there is little attention paid to the "Doctrine of Right" (and the related secondary literature) or to how her current account of self-respect fits with it. Moreover, her current account places much emphasis on viewing self-respect as an imperfect duty. This revised account of self-respect is the main "comprehensive" move Hay suggests (against Rawls) that a Kantian theory of justice needs in order to analyze the problem of sexual oppression. Since this move is so important to her project, showing the compatibility between it and Kant's "Doctrine of Right" appears central. Moreover, if we try to do this on Hay's behalf (since she does not do it), there arises the problem that Kant, in the "Doctrine of Right", insists (for good reasons) that imperfect duties necessarily fall outside the scope of right. In the very least, it seems necessary to maintain that such an imperfect duty cannot be understood as enforceable, that is, it does not track punishable culpability. But then it cannot also be what explains any legal (coercive) measures to protect everyone's right not to be oppressed. Hence, it's hard for me to see how seeing self-respect as an imperfect duty can perform such a core function in a Kantian theory of justice, or alternatively as part of a fuller account of oppression that includes both ethics and justice. Alternatively, Hay's current account leaves me wondering what role a duty of self-respect can play in a liberal theory of justice that is fundamentally committed to the idea that individuals have a right to set and pursue ends of their own, including imprudent ends, as well as a right to consent to be harmed in many ways? And since there is latitude involved in the corresponding duty to resist, who should decide when one is culpable and when one is not? Finally, it seems to me that Hay's current analysis of oppression doesn't utilize what some so-called republican interpreters regard as one of the core insights in the "Doctrine of Right". According to these interpretations, the analysis of the legal rights individuals hold against one another (private right), and so the wrongs they can do against one another, is not coextensive with the analysis of the legal rights citizens hold against their public institutions (and so the wrongs that are inherently systemic in nature). My suggestion is that such a distinction between different kinds of rights (and corresponding wrongdoings) is exactly what we Kantians need in order to analyze the distinction between ~~particular instances of sexual harassment (a case covered under private right) and the systemic wrongs involved in sexual oppression (a case covered under public right). Let me turn to a quick reflection on Hay's third assumption, her understanding that the "ought implies can" principle restricts the Kantian framework. Briefly, my suggestion is that another piece of Kant's "Doctrine of Right", his understanding of "doing wrong in the highest degree," may be helpful to Hay. Kant introduces this idea at the end of the "Doctrine of Private Right", where he argues that it is possible, sometimes, not to wrong anyone in particular, but still to do wrong in general. How to understand Kant here is highly controversial, but it seems to me that looking to some of these interpretations may give Hay what she needs to make sense of how sexual harassment and oppression often involves situations in which there is no morally good or unproblematic way out for individuals subjected to it. In cases of sexual harassment where the victims are powerless, we do not wrong ourselves (since we're not the ones doing the harassing), and yet we experience it as coming at a moral cost to do the only thing we can do, which is to take it. Moreover, when we live in sexist societies, we cannot do what we think is morally required, namely to end it right now (since we currently lack the power to change it). Yet even though it is not our fault and we do what we can, we also experience our inaction as coming at a moral cost or with a special kind of moral regret. In both cases, because we can't do the right thing, we can't be obliged to do it (there is no "ought" in the normal sense). Yet, doing nothing also seems wrong; it offends one's moral conscience and makes it hard to live with. This idea, I believe, is fruitful to explore as Hay continues to develop her Kantian accounts of sexual harassment and oppression.~~