### FW

#### Ethics must come from reason

#### A] Infinite regress-we can always ask why we ought to follow or do something, but when we ask for reason, we are asking for a reason for reason, which concedes the value of reason

#### B] Without reason, actions make no sense since actions are intent-based

Christine **Korsgaard 14** (Professor at Harvard University) “How to be an Aristotelian Kantian Constitutivist.” 2014

“First of all, no one thinks a wholly “external performance,” if that just means a bodily movement, has any moral value. Suppose that you are starving, and I am about to eat a sandwich when I learn about this. And suppose that just then I am attacked by a series of involuntary muscle spasms that cause me to make exactly the same physical movements I would make if I were giving you my sandwich. No one would claim that this “external performance” has any moral value. An act must be done with a certain proximate or immediate intention in order to count as an act at all. And that proximate or immediate intention is already part of an action’s motive. So in order to even count as “giving you my sandwich” I have to at least intend to transmit the sandwich from my possession to yours.”

#### This means reason must be universalizable-2+2=4 is for me just as much for you

**Velleman 2** (James David, remarkably loud voice, “Self To Self”, Cambridge University Press. 2006. Pg 18-19)

Rational creatures have access to a shared perspective, from which they not only see the same things but can also see the visibility of those things to all rational creatures. Consider, for example, our capacity for arithmetic reasoning. Anyone who adds 2 and 2 sees, not just that the sum is 4, but also that anyone who added 2 and 2 would see that it’s 4, and that such a person would see this, too, and so on. The facts of elementary arithmetic are thus common knowledge among all possible reasoners, in the sense that every reasoner knows them, and knows that every reasoner knows them, and [so on] knows that every reasoner knows that every reasoner knows them. As arithmetic reasoners, then, we have access to a perspective that is constant not only across time but also between persons. We can compute the sum of 2 and 2 once and for all, in the sense that we would only get the same answer on any other occasion; and each of us can compute the sum of 2 and 2 once and for all, in the sense that the others would only get the same answer. What’s more, the universality of our perspective on the sum of 2 and 2, we are aware of computing it for all, from a perspective that’s shared by all arithmetic reasoners. In this sense, our judgment of the sum is authoritative, because it speaks for the judgment of all.

#### If actions must be universalizable, coercion is not as it generates a contradiction

**Engstrom** [Stephen Engstrom, (Professor of Philosophy @ the University of Pittsburgh) "Universal Legislation as the Form of Practical Knowledge" http://www.academia.edu/4512762/Universal\_Legislation\_As\_the\_Form\_of\_Practical\_Knowledge, DOA:5-5-2018 // WWBW]

Given the preceding considerations, it’s a straightforward matter to see how a maxim of action that assaults the freedom of others with a view to furthering one’s own ends results in a contradiction when we attempt to will it as a universal law in accordance with the foregoing account of the formula of universal law. Such a maxim would lie in a practical judgment that deems it good on the whole to act to limit others’ outer freedom, and hence their self-sufficiency, their capacity to realize their ends, where doing so augments, or extends, one’s own outer freedom and so also one’s own self-sufficiency.  Now on the interpretation we’ve been entertaining, applying the formula of universal law involves considering whether it’s possible for every person—every subject capable of practical judgment—to share the practical judgment asserting the goodness of every person’s acting according to the maxim in question. Thus in the present case the application of the formula involves considering whether it’s possible for every person to deem good every person’s acting to limit others’ freedom, where practicable, with a view to augmenting their own freedom. Since here all persons are on the one hand deeming good both the limitation of others’ freedom and the extension of their own freedom, while on the other hand, insofar as they agree with the similar judgments of others, also deeming good the limitation of their own freedom and the extension of others’ freedom, they are all deeming good both the extension and the limitation of both their own and others’ freedom. These judgments are inconsistent insofar as the extension of a person’s outer freedom is incompatible with the limitation of that same freedom.

#### This means every rational agent must accept the state’s role in maintaining freedom

**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 // WWBW]

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.

#### Thus the standard: consistency with principles equal and outer freedom

#### Impact calc:

#### 1]The state is necessary for any action, because without it, your freedom to do anything would be gone as nothing’s there to enforce it. The only thing that matters about the state is if it punishes freedom violations.

#### 2] The state cannot act on predicted violations since consequences of action are contingent. The state therefore cannot take any future freedom violations into account.

#### Prefer independently:

#### 1] Your framework collapses to mine-If we don’t have basic autonomy granted in the first place, we’re unable to deliberate-My FW is a prereq to yours

Chirstman 03

Christman, John, "Autonomy in Moral and Political Philosophy", *The Stanford Encyclopedia of Philosophy*(Fall 2020 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/fall2020/entries/autonomy-moral/>.

In closing, we should add a word about the implications of political liberalism for the traditional division between liberal justice and democratic theory. I say “division” here, but different views of justice and democracy will convey very different conceptions of the relation between the two (see Christiano 1996, Lakoff 1996). But traditionally, liberal conceptions of justice have viewed democratic mechanisms of collective choice as essential but highly circumscribed by the constitutional provisions that principles of justice support. Individual rights and freedoms, equality before the law, and various privileges and protections associated with citizen autonomy are protected by principles of justice and hence not subject to democratic review, on this approach (Gutmann 1993). However, liberal conceptions of justice have themselves evolved (in some strains at least) to include reference to collective discussion and debate (public reason) among the constitutive conditions of legitimacy. It could be claimed, then, that basic assumptions about citizens’ capacities for reflective deliberation and choice — autonomy — must be part of the background conditions against which an overlapping consensus or other sort of political agreement concerning principles of justice is to operate. Some thinkers have made the connection between individual or “private” autonomy and collective or “public” legitimacy — prominent, most notably Habermas (Habermas 1994). On this view, legitimacy and justice cannot be established in advance through philosophical construction and argument, as was thought to be the case in natural law traditions in which classical social contract theory flourished and which is inherited (in different form) in contemporary perfectionist liberal views. Rather, justice amounts to that set of principles that are established in practice and rendered legitimate by the actual support of affected citizens (and their representatives) in a process of collective discourse and deliberation (see e.g., Fraser 1997, 11–40 and Young 2000). Systems of rights and protections (private, individual autonomy) will necessarily be protected in order to institutionalize frameworks of public deliberation (and, more specifically, legislation and constitutional interpretation) that render principles of social justice acceptable to all affected (in consultation with others) (Habermas 1994, 111). This view of justice, if at all acceptable, provides an indirect defense of the protection of autonomy and, in particular, conceptualizing autonomy in a way that assumes reflective self- evaluation. For only if citizen participants in the public discourse that underlies justice are assumed to have (and provided the basic resources for having) capacities for competent self- reflection, can the public defense and discussion of competing conceptions of justice take place (cf. Gaus 1996, Parts II and III, Gaus 2011). Insofar as autonomy is necessary for a functioning democracy (considered very broadly), and the latter is a constitutive element of just political institutions, then autonomy must be seen as reflective self-appraisal (and, I would add, non-alienation from central aspects of one’s person) (see Cohen 2002, Richardson 2003, Christman 2015).

2] Kant is inescapable-Any action done requires us to accept that rationality is good, justifying a right to freedom **Wood 07** [Allen W. Wood, (Stanford University, California) "Kantian Ethics" Cambridge University Press, 2007, https://www.cambridge.org/core/books/kantian-ethics/769B8CD9FCC74DB6870189AE1645FAC8, DOA:8-12-2020 // WWBW]

Kant holds that the most basic act through which people exercise their practical rationality is that of setting an end (G 4:437). To set an end is, analytically, to subject yourself to the hypothetical imperative that you should take the necessary means to the end you have set (G 4:417). This is the claim that you rationally ought to do something whether or not you are at the moment inclined to do it. It represents the action of applying that means as good (G 4:414) – in the sense of “good” that Kant explicates as: what is required by reason independently of inclination (G 4:413). Kant correctly infers that any being which sets itself ends is committed to regarding its end as good in this sense, and also to regarding the goodness of its end as what also makes application of the means good – that is, rationally required independently of any inclination to apply it. The act of setting an end, therefore, must be taken as committing you to represent some other act (the act of applying the means) as good. In doing all this, however, the rational being must also necessarily regard its own rational capacities as authoritative for what is good in general. For it treats these capacities as capable of determining which ends are good, and at the same time as grounding the goodness of the means taken toward those good ends. But to regard one’s capacities in this way is also to take a certain attitude toward oneself as the being that has and exercises those capacities. It is to esteem oneself – and also to esteem the correct exercise of one’s rational capacities in determining what is good both as an end and as a means to it. One’s other capacities, such as those needed to perform the action that is good as a means, are also regarded as good as means. But that capacity through which we can represent the very idea of something as good both as end and as means is not represented merely as the object of a contingent inclination, nor is it represented as good only as a means. It must be esteemed as unconditionally good, as an end in itself. To find this value in oneself is not at all the same as thinking of oneself as a good person. Even those who misuse their rational capacities are committed to esteeming themselves as possessing rational nature. It also does not imply that a more intelligent person (in that sense, more “rational”) is “better” than a less intelligent one. The self-esteem involved in setting an end applies to any being capable of setting an end at all, irrespective of the cleverness or even the morality of the end setting. Kant’s argument supports the conclusion, to which he adheres with admirable consistency throughout his writings, that all rational beings, clever or stupid, even good or evil, have equal (absolute) worth as ends in themselves. For Kantian ethics the rational nature in every person is an end in itself whether the person is morally good or bad.

#### 3] Kant solves for oppression-Universalizability means you have to treat every equally and can’t will universalizable maxims on anyone

**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 criticisms 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, ths 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.

#### 4] TJFs: A] Kant is the best framework because people can make analytical arguments under it-helps small schools who can’t do as much research and cut as many cards to still stand a chance without needing to prep out every DA or CP B] Kant’s ideas are more mainstream so they’re easier to pick up than more obscure theories, meaning small school debaters can learn it themselves without having to grapple with complex phil that bigger schools have an easier time understanding due to more coaching and teammates.

### Contention

#### I’m willing clarify or specify whatever you want me to in CX if it doesn’t force me to abandon my maxim. Check all interps in CX – I could’ve met them before the NC and abuse would’ve been solved.

#### 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.

#### I’ll defend implementing an unconditional right to strike under the definition of the NLRB and using a governing body analogous to the NLRB

#### CSA: https://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=1532&context=faculty\_publications

#### 1] The right to strike is based in self determination-rejecting it generates a contradiction

**Borman ’16** Borman, David A. "Contractualism and the Right to Strike." *Res publica* 23.1 (2017): 81-98. Yoaks

To summarize: the conflict between labour and capital and government which is made manifest in a strike is not located at the first-order level where a specific schedule of putative rights is to be justified or constrained; instead, it takes place at the more fundamental level where the right to have rights (in this domain), or the salience of normative justification, is itself contested. In the strike, a demand for justification is confronted with (often, is inspired by) a refusal to justify: implicit or explicit (second-order) moral claims collide with (unjustified) norm-excluding assertions of interest. If this characterization is correct, then non-instrumental contractualism might appear to have advanced no farther than Nielsen, when he awkwardly concludes that the conditions are not yet right for morality. Although agreements here concern what is right, contractualists do not exclude consideration of existing interest positions: to the contrary, they argue in one form or another that a norm is to be judged legitimate if it can be reasonably accepted from the point of view of all affected, taking into account the effects the general observance of the norm could be anticipated to have on their interests (Habermas 1990, p. 65). But if this is so, then the present prospects for justifying a right to strike might be thought bleak indeed. As Nielsen observed, the recognition of such a right is very much in contradiction to the existing interests of employers, so that a consensus on this point ‘would only be possible if the capitalists generally—and not just in isolated instances [ala` Engels and Owen, above]—would in the interests of fairness and humaneness de-class themselves voluntarily. But,’ Nielsen sagely concludes, ‘it is an idle dream to expect this to happen’ (Nielsen 1989, p. 127). Prima facie, given the difficulty just described, hypothetical-agreement-contractualism might seem to have an important advantage over its rival: namely, its willingness to declare that some interests—such as the interest in maintaining positions of asymmetrical power—are not legitimate (Scanlon 1997, p. 278). But for the actual-agreement contractualist, there are two problems with this response. First, it is not clear that there is a defensible point of view from which we are able to distinguish unilaterally and conclusively between legitimate and illegitimate interests on someone else’s behalf—hence Forst’s prohibition of such claims or, better, ‘diagnoses’. Second, even if I am able to carry through the argument that the interests standing in the way of justifying a right to strike—which do so by blocking the communicative orientation or a presupposed right to self-determination in the first place—are such that they may be ‘reasonably rejected’, it is not clear to the actual-agreement contractualist (a position influenced by pragmatism) what the good would be of such a unilateral defence. Typically, the motivational significance of deontological justification is to deprive the would-be violator of rights of all legitimate reasons for their actions (for instance, by proving that there can be no good reason for cheating). But in the case at hand, depriving opponents of their ability to justify their refusal to recognize rights is pointless, since that refusal takes the form of a refusal of justification itself. Put differently: we cannot leap to the question of whether employers would be unreasonable to reject the right to strike, since we must first deal with the question of what types of reasons or considerations are relevant and it is here that the disagreement is stalled. Because the conflict occurs at the fundamental level where the types of reasons that are salient is itself in dispute, the actual-agreement approach seems to fare hardly better: the project of justification as it is described by Forst and Benhabib cannot get off the ground. Workers, by making some purportedly legitimate firstorder demand, simultaneously assert their right to have rights in the domain of labour; the law and employers refuse to take up that claim in a communicative attitude and insist instead on a compromise-orientation framed by considerations of relative power. Because existing relations of power are so asymmetrical, employers are able today—and at the level of the development of law, have historically been able—to force the orientation toward compromise upon their interlocutors. Of course, the first-order move on the part of employers implies a second-order commitment that the economy operate as a ‘norm-free’ or ‘justification-free’ sphere of the play of interests, money, and power, a commitment which itself calls for justification. But the impasse is simply repeated at the second-order level: as I’ve already argued, there is no genuine effort (nor was there historically) to normatively justify this view in terms acceptable to workers, an effort which would require taking up communicatively, even if critically, the moral-normative claims of workers and so accepting (by presupposition) their right to have rights. Instead, as the dissenting Justices in Saskatchewan continued to argue, the economy is to be regarded as a ‘delicate’, technical system in which competing interest are in a complex balance; the state must have the ‘flexibility’ to intervene as the system requires and because of this the Court, even when faced with a Charter challenge, must ‘demonstrate deference in the field of labour relations’ apparently irrespective of the force of reason (Saskatchewan 2015, paras. 107 and 114). Thus, rather than being a question of applied ethics, the issues raised by the strike tend toward the meta-ethical: can the demand to justify itself be justified in a way that is compelling from the perspective of those who refuse to argue? If we could answer this in the affirmative, the right to strike would immediately come under the general defence of justification; the remaining questions to be settled within discourse would concern only the legitimacy of particular strikes and particular demands (none of which would challenge the right to strike itself). There is little hope, I think, of arriving at such a result via informal logic: morality is a practical, historical device and the limits of practices of reason-giving are determined by social struggle. Probably all of the contractualists I have mentioned here would accept this judgment in some form; but it certainly has a greater affinity with, and so perhaps offers some reason to prefer, the approach of the actual-agreement contractualists insofar as the latter see the scope of morality as the product of ‘political struggles, social movements, and learning processes’ (Benhabib 2007, p. 16). For hypothetical-agreement contractualists like Scanlon, morally motivated social struggle must have two distinct stages: first, contractualist reasoners have independent insight into what cannot be reasonably rejected; second, they engage in social struggle, armed with this prior, independent, and already completed justification for their conduct. For the actual-agreement contractualist, at least full justification only emerges at the end of the struggle, with the successful effort to convince others and so reach agreement (see Borman 2015a). When it is a question of opening up some domain of human life to moral questioning, the actual agreement account seems a better fit for the messy outcomes of historical struggle, of which the labour movement is an especially good example. Historically, workers saw labour, its terms and conditions, as a moral question. The presently ambiguous status of the right to strike reflects the unresolved legacy or, to put it more harshly, the historical failure or defeat of the labour rights movement in this regard. Indeed, the ‘special interest’ character of many trade unions today, which confine themselves to advancing the narrowly defined employment interests of their members (for which they are ridiculed by their anti-union critics) is the result of the systematic repression of a much broader labour movement which actively sought connections with broader concerns of social justice. It is noteworthy, in this respect, that by the 1950s in the U.S., secondary boycotts and sympathy strikes were illegal (Lambert 2005, pp. 62–63). Where does this leave the right to strike? If morality is regarded as a practical project of coordinating action and action-effects via legitimized norms, then it is enough to show how workers who demand such a right are reasonable to do so while employers who refuse to engage with the claim are not. Operating on the premises of actual-agreement-contractualism, it is in fact easy to accomplish this: I would propose that, because the scope of morality is defined by the pursuit of rationally legitimated norms, every sincerely raised and undefeated demand for justification— every assertion of the right to justification—is presumptively or pro tanto legitimate. This does not mean that every particular strike is actually legitimate any more than any proposed substantive right is automatically justified. The right to have rights is justified presumptively as an implication of the mere raising of any given rights-claim, and so similarly, the right to self-determination in labour is justified presumptively by the mere raising of any labour-rights-claim. Any attempt to take-up, even in order to reject the right to have rights would presuppose its recognition, and the same may be said for the right to self-determination. Let me repeat this deceptively simple, though somewhat unsatisfying, outcome: the particular strike implicitly asserts a right to self-determination, as a presupposition of whatever particular claims are made. That right cannot be reasonably rejected since any attempt to reject it on the basis of reasons is self-defeating, guilty—as Habermas might say—of a petitio tollendum fallacy. If indeed the right to strike is derivable from the right to self-determination, then there is a presumptively justified right to strike. And this is established without appeal to antecedent normative reasons for believing that those affected should agree to such a right. This does not do away with the practical obstacles that endure in the absence of full justification or recognition of the right to have rights in labour. We can add for good measure that if the rejection of justification within labour is bolstered only by appeals to the interests of employers taken personally, then the rejection is not based on good, generalizable reasons. If the rejection is, as is more commonly the case in legislative restrictions of the right to strike, ‘justified’ by first-order appeals to economic efficiency, then the reply is guilty of a fallacy of irrelevance. Of course, employers and governments could attempt a second-order justification of the firstorder insistence upon compromise-orientation in place of consensus-orientation (that is, a principled, communicatively oriented defence of the claim that economies ought to be regarded as ‘norm-free’ subsystems evaluated according to their efficiency alone); but doing so would require genuine communicative engagement with the justificatory demands of workers who reject the thesis on the basis of putatively good reasons and would be tantamount to an acceptance of the right to self-determination (here, as agreeing to be governed by principles of compromiseformation). Simply pushing through a compromise-orientation at the second-order level, too, entails that the entire sequence of interactions is reduced to a question of mere power.

#### 2] The right to strike is key to the freedom of unions-without it governments step in and end up coercing unions

**Sheppard ’96** Terry Sheppard, "Liberalism and the Charter: Freedom of Association and the Right to Strike" (1996) 5 Dal J Leg Stud 117. Yoaks

The simplest way to differentiate these two concepts of rights and freedoms, which are often taken as synonymous, is to say that a right is a right to something while a freedom is a freedom from something, usually government interference. The question that is raised here is whether striking is a freedom or a right.55 The distinction is important because the liberal will only support the negative conception of non-interference but not the positive right to formulation.56 What are the union members being given when they exercise their right to strike? Some would answer that they are being given higher wages, better benefits or whatever else is sought by striking. If this is the case, then it is untrue that workers have a right to any of these things. The liberal does not allow that anyone has a right to a particular wage for a specific job. Those philosophers who have protested the supply and demand determination of prices and wages have created various schemes for an objective calculation of wages and prices. Marx, for example, believed that each person should be given a wage according to their need. Liberals deny these claims and argue that the only price or wage is what the market will bear. But this is not what unions are asserting when they postulate a right to strike. There is no set wage or benefits package that is morally justifiable outside the turbulent give and take of the free market. In contrast to socialists, liberals do not believe that one end result is any more just than another. As long as the rules of the game are just, the results will be just. This is how liberals justify the often severe inequality present in a liberal society and attack socialists for wanting to change the outcome. The analogy that is often used focuses upon the rules of a game. It would make little sense to criticize the score of a hockey game even if the home team is defeated soundly. As long as all the rules apply equally to both teams, the final score is just. Only if one team were allowed to be offside and the other not would there be cause to question the outcome of the game. It does not matter that one team is better and stronger than the other team. Such is the case with labour negotiations. Liberals cannot complain that a union receives too much in labour negotiations simply because it has the bargaining power to exact a generous contract. Likewise, socialists cannot complain if the union failed to have its demands met. What the unions are really seeking is the right to enter into the labour negotiation process without the fear of the state's coercive powers being used against them. It is a freedom they seek, the same freedom liberals seek for all individuals-the freedom from government interference. The right to strike is only a right in the sense that unions have the right to enter into labour negotiations free from government intervention. In the same sense, freedom of religion is a right to worship free of state involvement. So the right to strike is really the freedom to strike. The argument has been made that if the government is kept out of the labour field by providing unions with a constitutionally protected freedom to strike, the balance of power would be unfairly changed in favour of the unions. Mcintyre]. makes the point when he writes: To intervene in that dynamic [i.e. that of labour negotiations] ... by implying constitutional protection for a right to strike would, in my view, give to one of the contending forces an economic weapon removed from and made immune, subject to s. l, to legislative control which could go far towards freezing the development of labour relations and curtailing the process of evolution necessary to meet the changing circumstances of a modern society in a modern world.57 Mcintyre J. believes that in dismissing the case he is leaving the situation as it was before with the power structure more or less equal. After all, he is not taking the freedom to strike away from unions but merely allowing the legislatures to regulate this freedom as they see fit. Unions can still legally strike in the same manner as they always could. The fact that some unions did strike, and strike successfully, does not mean that unions had the legal freedom to strike. Even after this decision, some unions will still strike. The conclusion that the freedom to strike is not compromised because the government allows some strikes to go on is a non sequitur. A totalitarian regime may allow certain religions to practice but ban all others. Could this regime be said to have freedom of religion? What the Supreme Court did in failing to recognize a constitutional freedom to strike was to allow the government to step into any labour dispute and order the union back to work, which, in effect, enervates the freedom to strike. Mcintyre J. believes that in denying unions the freedom to strike he was remaining impartial in the field of labour relations. In fact, he believes that if unions were granted this freedom, he would be "freezing" the "process of evolution" by giving unions an unfair advantage. In its present form, the labour negotiation process is generally to the advantage of the employer. Obviously, some unions have more bargaining power than others. However, this power rarely exceeds that of their employer. For many reasons, unions are reluctant to launch a strike and once they do strike, there are pressures on a union to settle quickly. First, as Smith pointed out, the effects of a labour dispute are more immediate to the workers than to management: A landowner, a farmer, a master manufacturer, or merchant, though they did not employ a single workman, could live a year or two upon the stocks which they have already acquired. Many workmen could not subsist a week, a few could subsist a month, and scarce any a year without employment. In the long-run the workman may be as necessary to his master as his master is to him; but the necessity is not so immediate. [my emphasis]. 58 Even farther removed are the stockholders of those companies that are publicly traded. Secondly, many companies will have a reserve of their product on hand, especially if they have anticipated labour trouble, which will see them through the initial strike period. Workers, on the other hand, may have limited savings but even if they do, they will reluctantly dip into their life savings or their child's college fund, certainly more reluctantly than the company will use up its surplus stock. Also, depending on the provincial legislation and the union contract, it may be possible for the company to bring in replacement workers while the strikers must report for picket duty each day. Where replacement workers cannot be used, some companies can get by for a short time by using management to run the factory. Often, union workers are restricted from finding a temporary job during the strike and even when this is permissible, the hopes of finding an interim position are limited. A strike may involve thousands of workers, each of them feeling the effects of the work stoppage differently. This is why it is very difficult, even in a small union, to maintain cohesion, while the employer can more easily offer a united front. It is difficult to maintain that the Supreme Court's decision is neutral. The government only rarely intervenes on behalf of the unions. None of Canada's major political parties have a great track record on protecting unions.

#### 3] Respecting agents – the right to strike gives workers more power over their freedom and forces companies to respect their dignity.

Gourevitch (Alex Gourevitch, Norman E. Bowie is professor emeritus at the University of Minnesota. Until his retirement in 2009 he was Elmer L Andersen Chair of Corporate Responsibility and served in the departments of strategic management and of philosophy., June 2016, accessed on 10-4-2021, American Political Science Association, "Quitting Work but Not the Job: Liberty and the Right to Strike", doi:10.1017/S1537592716000049)//st \*brackets for grammar\*

On top of which, as Smith noted, “masters are always and every where in a sort of tacit, but constant anduniform combination.” In a world in which economic necessity couples with employer collusion, workers have little choice: “Such combinations [by employers], however, are frequently resisted by a contrary defensive combination of the workmen; who sometimes too, without any provocation of this kind, combine of their own accord to raise the price of their labour.” 51 For this reason Smith thought it was wrong to treat trade unions as criminal conspiracies.52 The view of unions and strikes as defensive, aimed at lessening employers’ ability to take advantage of workers’ need, persisted throughout the industrial age. By the time L.T. Hobhouse wrote Liberalism, it was possible for a liberal to argue that **strikes might even be connected to human freedom:** The emancipation of **trade unions,** however, extending over the period from 1824 to 1906, and perhaps not yet complete, **was in the main a liberating movement, because combination was [are] necessary to place the workman on something approaching terms of equality with the employer, and because tacit combinations of employers could never, in fact, be prevented by law.**53 We must note, however, that nearly all of these arguments remain within a form of social theory that attempts to make capitalist practice more like its theoretical self-image. These thinkers tended to defend unions and their right to strike as a way of achieving “real freedom of contract” in the face of economic necessity. Hobhouse was updating Smith and Mill when arguing that “in **the matter of contract true freedom postulates substantial equality between the parties. In proportion as one party is in a position of vantage, he is able to dictate his terms. In proportion as the other party is in a weak position, he [and] must accept unfavourable terms.”** 54 On this account, the right to strike is defensible only insofar as it helps maintain a position of relative equality among independent bargaining parties. It thereby secures contracts that are not just voluntary but truly free—Mill’s “necessary instrumentality of that free market.” This basic idea reappears in any number of twentieth-century acts of labor legislation and jurisprudence, perhaps most notably in the 1935 law granting American workers the right to strike.55

### UV

#### 1] 1AR theory’s legit-elsewise the neg can just get away with infinite abuse and I can’t respond, outweighs since otherwise the neg can be infinitely abuse in infinite rounds

#### 2] Aff theory is DTD, no RVIs, and CI because elsewise a] the neg can just dump on it for 6 minutes in the 2NR b] I need sufficient punishment of the neg so that they’re actually punished for their abusive strat, and CI because reasonability allows them to back out of every shell and invite judge intervention

#### 3] Education is a voter-Elsewise schools wouldn’t fund debate since it had no use and debate would die out

#### 4] Fairness is a voter-Elsewise rounds become arbitrary and everyone just quits debate since every judge decision is a coinflip

#### 5] Calc indites:

#### 1. Leads to infinite calculation due to the butterfly effect meaning we’ll never find an end to calculating consequences

#### 2. We need to first calculate a way to calculate, but that requires more calculation to find such a way, leading to infinite regress.

#### 3. Dehumanizing-treating people like numbers and objects dehumanizes them and reduces their status to nothing but numbers in an algorithm

#### 4. Aggregation fails-no way to compare 10 headaches to 1 migraine-mean’s there’s no way to possibly account for everyone’s pain and pleasure

#### 6] Ideal theory outweighs

#### 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.

#### 7] Extinction not first

#### 1. Repugnant and justifies ignoring important issues like oppression just because there’s a one percent chance of extinction

#### 2. Proves that life has instrumental value, but no intrinsic value-means that it doesn’t support util since they haven’t proven why being alive is important morally

#### 3. Freezes action-an infinite number of things carry a risk of extinction, so we would be unable to do anything if we tried to avoid extinction i.e. me drinking water could cause extinction