# AC

### Framework

**First, Practical Reason exists—**

**[A] An agent’s will acts on a law that it gives to itself. If pleasure were a law, then you would straightaway do the pleasurable act, but since you’re autonomous, you can reason about taking the action. Thus a condition of action is that the will is self-determined. Without practical reason, moral reason and action could not exist**

**Korsgaard**

“Self-Constitution in the Ethics of Plato and Kant” by Christine M. Korsgaard

“Now I’m going to argue that that sort of willing is impossible. The first step is this: : **to conceive** of **yourself as the cause of your actions is to identify with** **the principle of choice on which you act.** A rational will is a self-conscious causality, and a self-conscious causality is aware of itself as a cause. To be aware of yourself as a cause is to identify yourself with something in the scenario that gives rise to the action, and this must be the principle of choice. For instance**, suppose you experience a conflict** of desire: you have a desire to do both A and B, and they are incompatible. You have **some principle** that **favors** **A over B,** so you exercise this principle, and **you choose** to do **A. In this** kind of **case**, you do not regard yourself as a mere passive spectator to the battle between A and B. **You regard the choice as yours**, as the product of your own activity, **because you regard the principle** of choice **as expressive**, or representative, **of yourself.** You must do so, for **the** only **alternative** to identifying with the principle of choice **is regarding the principle** of choice **as some third** **thing in you**, another force on a par with the incentives to do A and to do B, which happened to throw in its weight in favor of A, in a battle at which you were, after all, a mere passive spectator. **But then you are not the cause** **of the action.** Self-conscious or rational agency, then, requires identification with the principle of choice on which you act.” (123)

**[B] Reason’s inescapable – Questioning if one can reason or why to reason requires reason, conceding authority to practical reason—outweighs because any other ethic begs the question of why, meaning it’s arbitrary and nonbinding**

**[C] Performativity – debating in this round forces reason in terms of evaluating arguments and having the authority to decide what to read**

#### [D] Perception – experience only tells us what is since we can only perceive what is, not what ought to be. But it’s impossible to derive an ought from descriptive premises, so there needs to be additional a priori premises to make a moral theory.

#### Next, the relevant feature of reason is universality – any non-universalizable norm justifies someone’s ability to impede on your ends i.e., if I want to eat donuts, I must recognize that others may affect my pursuit of that end and demand the value of my end be recognized by others which also means universalizability acts as a side constraint on all other frameworks. It’s impossible to will a violation of freedom since deciding to do would will incompatible ends since it logically entails willing a violation of your own freedom.

**Thus, the standard is respecting a system of inner and outer freedom**

**Prefer:**

**[1]Action Theory: Only reason can explain why we take transitional action to an overall end. For example, setting the end of tea provides me a reason to unify the necessary actions to produce tea, like getting a pot, filling it with water, etc. Any other explanation fails since it can’t give meaning to why we take transitioning action – freezing action. Key to bindingness.**

**[2]Presume freedom since it allows each of us to pursue our individual search for ethics so the AC co-opts every reason your framework is good, but adds an additional side constraint. This also serves as a tiebreaker**

#### [3] Consequences Fail:

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

#### [2] 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.

#### [3] Aggregation fails – suffering is not additive can’t compare between one migraine and 10 headaches

#### [4] Util justifies any atrocity, i.e., an incredibly miniscule and unlikely chance of extinction would categorically outweigh a 100% chance of genocide –causes cyclical violence

[4] **States use Kantianism – Germany proves, it gives citizens intrinsic value and prevents use as a mere means**

#### Eberle 08

(Distinguished Research Professor of Law, Roger Williams University School of Law. C, EDWARD J. EBERLE, OREGON REVIEW OF INT’L LAW [Vol. 10, 2008], <https://mylaw.uoregon.edu/org/oril/docs/10-1/Eberle.pdf)//ww> BJ

We can also observe the presence of another influence of Kant and the German classical philosophic tradition: erection of an **a priori system of reason** beyond and outside experience and human nature designed to guide society according to ethical rules. 28 This tendency toward reason rational, systematic, careful, comprehensive conception–is evident throughout the GG and comprises another trait of German legal theory, and our topic, the German idea of freedom. 29 A good example of the German practice of systematization is the GG’s catalogue of basic rights, which are conceived as concrete manifestations of human dignity. Each of the rights sets forth concrete realms of freedom so that each person may pursue and realize their vision, as **self-legislating ends in themselves**, to borrow another Kantianism. The follow up to GG article 1(1) makes this clear: “The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world.” 30 This catalogue of rights is systematically ordered, making up a central aspect of the objectively determined set of values that govern German society. In this respect, dignity and basic rights have a mutually nourishing effect on one another. 31 Basic rights vest further concrete content into the abstract conception of dignity. The article 3(3) guarantee of equality, for example, entitles each person to respect and recognition of “equal worth.” The article 2(2) respect of physical integrity entitles people to respect and **control over their selves and bodies**. For example, in the Spinal Tap Case, 32 the BVerfG invalidated a court-ordered sampling of a defendant’s spinal column to test his involvement in a crime on the ground it violated his physical integrity. 33 Article 2(2) further prohibits torture and corporal punishment and forbids punishment without fault in levying disproportionate penalties, norms the United States would have been well-advised to follow in the war on terrorism. Dignity means respect of intellectual and spiritual identity and integrity, points we will take up later in our discussion of personality rights. Dignity also means guarantee of individual and social existence, which is tangibly manifested in the right to life guarantee in article 2(2) and in the Sozialstaat principle, a matter we will take up later. In short, human dignity, alone or in conjunction with the more specific basic rights, is a rich source of constitutional jurisprudence that provides form and substance to this driving force of German constitutionalism every community, of peace and of justice in the world.” 30. Dignity means respect of intellectual and spiritual identity and integrity, points we will take up later in our discussion of personality rights. Dignity also means guarantee of individual and social existence, which is tangibly manifested in the right to life guarantee in article 2(2) and in the Sozialstaat principle, a matter we will take up later. In short, human dignity, alone or in conjunction with the more specific basic rights, is a rich source of constitutional jurisprudence that provides form and substance to this driving force of German constitutionalism.

#### Only freedom can be the basis for state power – key to moral laws

#### Rauscher ’17

Rauscher, Frederick, "Kant's Social and Political Philosophy", The Stanford Encyclopedia of Philosophy (Spring 2017 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/spr2017/entries/kant-social-political/>. WWPP

***“There is only one innate right,” says Kant***, “Freedom (independence from being constrained by another’s choice), insofar as it can coexist with the freedom of every other in accordance with a universal law” (6:237). ***Kant rejects any other basis for the state, in particular*** arguing that the ***welfare*** of citizens ***cannot be the basis of state power***. He argues that ***a state cannot*** legitimately ***impose*** any particular conception of ***happiness upon its citizens*** (8:290–91). ***To do so would*** be for the ruler to ***treat citizens as children, assuming*** that ***they are unable to understand what is truly useful or harmful*** to themselves. This claim must be understood in light of Kant’s more general claim that ***moral law cannot be based upon happiness or any other given empirical good***. In the Groundwork Kant contrasts an ethics of autonomy, in which the will (Wille, or practical reason itself) is the basis of its own law, from the ethics of heteronomy, in which something independent of the will, such as happiness, is the basis of moral law (4:440–41). In the Critique of Practical Reason he argues that ***happiness*** (the agreeableness of life when things go in accordance with one’s wishes and desires), ***although universally sought by human beings, is not specific enough to entail any particular universal desires in human beings***. Further, even were there any universal desires among human beings, those desires would, as empirical, be merely contingent and thus unworthy of being the basis of any pure moral law (5:25–26). No particular conception of happiness can be the basis of the pure principle of the state, and the general conception of happiness is too vague to serve as the basis of a law. ***Hence, a “universal principle of right” cannot be based upon happiness but only on something truly universal, such as freedom***. The “universal principle of right” Kant offers is thus “***Any action is right if it can coexist with everyone’s freedom in accordance with a universal law, or if on its maxim the freedom of choice of each can coexist with everyone’s freedom in accordance with a universal law***” (6:230). This explains why ***happiness is not universal***, but not why ***freedom is*** universal. ***By “freedom” in political philosophy, Kant is*** not ***referring to*** the transcendental conception of freedom usually associated with the problem of the freedom of the will amid determinism in accordance with laws of nature, a solution to which is provided in the Third Antinomy of the Critique of Pure Reason. Rather, freedom in political philosophy is defined, as in the claim above about ***the only innate right, as “independence from being constrained by another’s choice”. His concern*** in political philosophy ***is*** not with laws of nature determining a human being’s choice but by ***other human beings determining a human being’s choice, hence the kind of freedom Kant is concerned with in political philosophy is individual freedom of action.*** Still, the universality of political freedom is linked to transcendental freedom. Kant assumes that a human being’s use of choice (at least when it is properly guided by reason) is free in the transcendental sense. Since every human being does enjoy transcendental freedom by virtue of being rational, freedom of choice is a universal human attribute. And this freedom of choice is to be respected and promoted, even when this choice is not exercised in rational or virtuous activity. ***Presumably respecting freedom of choice involves allowing it to be effective in determining actions; this is why Kant calls political freedom, or “independence from being constrained by another’s choice”, the only innate right.*** One might still object that this freedom of choice is incapable of being the basis of a pure principle of right for the same reason that happiness was incapable of being its basis, namely, that it is too vague in itself and that when specified by the particular decisions individuals make with their free choice, it loses its universality. Kant holds that this problem does not arise for freedom, since ***freedom of choice can be understood both in terms of its content*** (the particular decisions individuals make) ***and its form*** (the free, unconstrained nature of choice of any possible particular end) (6:230). ***Freedom is universal in the proper sense because, unlike happiness, it can be understood in such a way that it is susceptible to specification without losing its universality. Right will be based on the form of free choice.***

### Advocacy

#### Thus the advocacy – Resolved: A just government ought to recognize an unconditional right of workers to strike.

**Findlaw 17** [Created By Findlaw'S, 5-2-2017, "Labor Strike FAQs," Findlaw, <https://www.findlaw.com/employment/wages-and-benefits/labor-strike-faqs.html> // LEX JB]

* Definition of worker and strike, explains process

For **a strike** to occur, a [union or group of workers](https://www.findlaw.com/smallbusiness/employment-law-and-human-resources/unions-basics.html)**begins negotiations with an employer**. A threat of strike action is the main weapon that the workers has—**essentially the workers** will walk off the job if **their** collective demands are not met. For a strike to occur, **union leadership must call for a strike, which can only occur if enough union members have voted for the strike**. Each individual union has rules dictating what percentage of workers must vote for a strike in order for it to occur. Once the workers strike and stop coming to work, the business might shut down and feel financial strain, which **puts pressure on the employer and** gives the workers leverage in the negotiations**.**

#### I’ll defend the actor as an ideal government in relation to Kantian principles as per the resolution’s use of just which implies morality. If a government is just then it is one that recognizes workers’ strike.

#### The aff fiats recognition which is

<https://www.ldoceonline.com/Government-topic/recognition> // LEX JB

* Dictionary in the context of governments

the [act](https://www.ldoceonline.com/dictionary/act) of[**realizing**](https://www.ldoceonline.com/dictionary/realize)**and**[accepting](https://www.ldoceonline.com/dictionary/accept) that something is [true](https://www.ldoceonline.com/dictionary/true)**or important**

### Offense

#### **[1] The formula of autonomy demands a workers’ right to strike. The NC’s universalizability objections WILL miss the boat – it’s a question of how workers exercise their agency and autonomy which outweighs**

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

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

#### [2] Recognizing ability to strike is a unique obligation of the institution – anything else allows coercive workplaces and treating workers as a means to an end

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

* Written in the context of doctors, warrant can be used for all jobs

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

#### [3] Strikes are just an extension of the right to self defense and a core part of human value

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

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

#### [4] The offense can’t be turned – 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.

#### 5] Striking is a fundamental protection of dignity and the right of the worker to resist a dominant relationship.

**Mason 18** [Elinor. Elinor Mason is a senior lecturer in philosophy at Edinburgh University. On striking, and the recognition that ethics are a collective affair. “On striking, and the recognition that ethics are a collective affair”. 4-1-2018. openDemocracy. https://www.opendemocracy.net/en/opendemocracyuk/on-striking-and-recognition-that-ethics-are-collective-affair/.] SJ//VM

It is worth situating any remarks about the ethics of strike action in the legal context. In Britain, strike action is not civil disobedience, it is legal, and permitted within the framework of employment law. This situation was hard won, by generations of workers who faced terrible working conditions. At the start of the industrial revolution, workers faced day to day working conditions that were often unsanitary and dangerous, no job security, exploitative wages, no paid time off, arbitrary inequalities, and of course, no pensions. In the years following the Industrial Revolution, workers fought for the right to organize, and formed trade unions in order to use collective power to resist unfair treatment by their employers. The overall justification for a framework that allows workers to unionize, and to pursue strike action under some circumstances, is that the possibility of striking provides a safeguard against exploitation, a protection for workers in a situation of power imbalance. **Ethical Issues** 1. Preconditions Obviously, there are various [preconditions that must be met](https://www.opendemocracy.net/uk/kieran-oberman/just-and-unjust-strikes) for a strike to be ethically justified. First, the question of whether what the employers are doing is unfair or not arises. The pensions issue is incredibly complicated, and I do not pretend to understand all the [actuarial details](https://twitter.com/mikeotsuka?lang=en). It seems though, that we have a just cause here, that the offers that have been made are unfair. It is worth pointing out that it is not just a question of how much money there is or will be in the pension fund, there are also ethical questions: a question about how risk should be distributed, and a question about what else the universities are doing with their money. Pensions are a kind of wage, and our wages are not paid out of any particular fund, but out of the universities’ general resources. So we should be wary of accepting frameworks for discussion that attempt to reduce all the issues to financial ones. Relatedly, if a strike is to be justified, the cause must be realistic. There is no point in striking for something that cannot be obtained. But again, we should be careful here. What counts as unrealistic depends on the values people hold. There was a time when votes for women seemed unrealistic. Twenty years ago, marriage equality might have seemed an unrealistic goal. But some people pursued those goals anyway. If we take for granted that vice chancellors will be paid a fortune and that wages will be linked to student enrolment, perhaps fair wages for lecturers is not realistic. But why would we take those things for granted? Finally, of course, less disruptive methods of persuasion should be used first. Striking is a last resort, it is only permissible when negotiation has stalled. We start by trying to persuade the employer on the basis of the reasons: that a policy or proposal is unfair, unnecessary, that there are alternatives. It is only if that fails that we should move to strike action. **2. Harm** The primary aim of a strike is to harm the interests of the employer. Public Sector workers, will, inevitably end up harming the public too. In the public sector, the work we do is a public good, and if we withdraw our labour, we hurt the public. How much harm there is depends on what area, and what sort of public good we are talking about – the potential harm from doctors striking is greater than the potential harm we do here. The harm we do to our students in striking is nonetheless significant, and it needs to be defended. I think that the harm here is justified, and I will try to defend that in what follows, but even if you do not agree with me about this case, I aim to provide a way to think clearly about what might justify this sort of harm. First though, it is worth thinking a bit more about the nature of the harm, and what role it has. We might think of students as innocent bystanders in all this, and we might think that our duty as teachers is to minimize the harm to them. I don’t think that is quite right: students are innocent bystanders in one sense, they are innocent anyway, they are not the ones deciding to cut our pensions. However, harm to students is an essential part of strike action, and we should face that head on. Here is why. Strike action occurs when negotiation has not worked. If the suggested changes are truly unjust, what should we do? Should we simply accept the injustice? The recent history of Conservative government policy in the UK, starting with Thatcher and continued by Cameron, is to weaken the power of the Unions and weaken the right to strike. Their idea is that the way to deal with unjust working condition is through individual employment tribunals. If I am being badly treated by my employer, I should initiate a tribunal. But this deprives us of the power of collective action. The whole point of the union is that we are stronger together. We bargain collectively, and so the employers cannot pit us against each other as individuals. Furthermore, we threaten collectively. Harm to the employer’s interests is a necessary part of what makes collective action effective. It is because a harm is threatened that the employer has reason to change their mind. When the employer is a public body and the work a public good, then harm to the public – the students, in this case – is inevitable. To put it another way, striking is a form of coercion. We want to make it impossible for them to say ‘no’ to us. The preconditions for a justified strike are that the workers offered the reasons that were directly relevant – the reasons relating to justice, and that failed. So now the workers offer a different sort of reason: coercive practical reasons. As I said, the right to strike is a protection against exploitation. We have the right to move on to threat of harm when our reasonable requests are ignored. Compare this situation: imagine that a student plagiarises an essay. We have both a reasons based system to discourage plagiarism (we make clear that it is wrong and unfair) and a practical reason as back up (if you plagiarize, we will take punitive action). The punitive action is essentially harmful, that’s why it is effective, and of course, that is why it is only justified when all else has failed. **3. Justifying harm** First, as I said above, I think that the pensions deal we have been offered is unfair in its own terms. But our goal here is not simply to get our pensions back. Long term, we are trying to protect the University, just as the [junior doctors’ strike](http://www.bbc.co.uk/news/health-34775980) in 2016 was partly about the future of the NHS. If the university mistreats its employees, it will not have as good a pool of staff to draw on, and the quality of the institution will suffer. We impose harms on this generation of students, but we hope that future generations of students will be able to take advantage of a strong university system. More broadly, a strike is usually about more than just the issue at hand. Women factory workers in the early twentieth century went on [strike for equal pay](http://www.unionhistory.info/equalpay/). They were not just striking for equal pay as individuals, they were protesting about gender inequity. The strike has an expressive message. Most of your lecturers striking here are doing more than asking for their pensions back: they are sending an expressive message to University management. For many of us, the message is that we want the University to be a public good, a shared asset, a place of learning and teaching, not a business. Our students are not consumers, and market models are not the best way to run universities. In striking, we are referencing a long history of effective strike action, and we are showing that we are willing to fight for the things we value. This is not to deny that the right to strike could be abused, or could be ineffective. In the end, it is an empirical matter whether the right to strike has done more good than harm, or done more harm than good. It is not an empirical matter that is easy to settle either: labour history is one of the most ideologically polluted areas of human enquiry. On the one hand, there are the supporters of the right to strike, who point out that organization has brought us workers’ rights and tolerable working conditions. On the other hand there are those who argue, with Thatcher, that striking hurts growth; hurts industry; hurts the economy, and should be stopped. It may seem like a far fetched comparison, but think of the right to bear arms, as enshrined in the American constitution. That right has the same basic justification as the right to strike, it is there to protect the ordinary person from tyranny and exploitation by more powerful groups. However, the right to bear arms does not actually function like that. It is not a safeguard against tyranny, but rather causes immense harm. We can imagine that this is how Thatcher saw the right to strike: as a right that does not achieve its aims and causes unnecessary harm. But the opposing view is that the legal right to strike is an effective right, it does protect us, and can be, and is usually, used in a judicious way. But as I say, this is an empirical matter, and we should all know more about labour history. **4. Collective Action** Finally, I will close with a couple of thoughts about collective action. As I said, we stand for more than just this issue. That worries some people: they will not march under a banner that they do not fully endorse. Here is an interesting philosophical/sociological thought about that. As I said, the anti-union movement encourages us away from collective action and towards individual action. One of Margaret Thatcher’s major victories was to [take away the right to strike in solidarity](http://www.unionhistory.info/timeline/1960_2000_Narr_Display.php?Where=NarTitle+contains+%27Anti-Union+Legislation%3A+1980-2000%27) with other workers who have a different employer. Perhaps it is not coincidental that there is also a cultural movement towards thinking of one’s values as a very individual thing, a personal thing. Philosophically, there is one clear mistake there, and a less clear one. The clear mistake is thinking that values are not universalisable. As [Kant](https://plato.stanford.edu/entries/kant-moral/) points out, it is part of the definition of values that they are universalisable. Values are not personal in the sense that they apply only to the person who holds them. The less clear point though, and more relevant here, is that integrity does not require that we never sign up for anything we are not fully on board with every detail of. We shouldn’t be too precious about our own values. The mistake here might be characterized as fetishization, or a quest for purity. Think of the voter who says, ‘I can’t vote for X because of something she has done that I don’t agree with, so I will not vote at all’. This is a mistake. We should think of the bigger picture, sometimes be willing to throw our lot in with those we disagree with in pursuit of bigger goals. [Solidarity](https://www.opendemocracy.net/uk/mihaela-mihai/plea-to-my-students) is important, and solidarity requires that we think of our own values as robust enough to bear some minor disagreements. We should value solidarity; we should engage in it. We hugely appreciate the solidarity of our students: thank you.

#### 6] Universality requires restriction of the employer’s power to arbitrarily impose their will on employees.

**Bogg 17** [Alan. Alan L Bogg is Professor in Law at the [University of Bristol Law School](https://research-information.bris.ac.uk/en/organisations/university-of-bristol-law-school). 'Republican Non-Domination and Labour Law: New Normativity or Trojan Horse?', (2017), 33, International Journal of Comparative Labour Law and Industrial Relations, Issue 3, pp. 391-417, <https://kluwerlawonline.com/journalarticle/International+Journal+of+Comparative+Labour+Law+and+Industrial+Relations/33.3/IJCL2017017>] SJ//VM

According to Pettit, this equal civic status requires the effective public resourcing and protection of ‘basic liberties’ in the relations between private citizens.46 These ‘basic liberties’ consist of those freedoms that are capable of being exercised and enjoyed equally by all citizens. This would require the republican state to entrench such freedoms as ‘the freedom to think what you like’ and ‘the freedom to travel within the society’ as ‘basic liberties’.47 The specification and content of these ‘basic liberties’ is determined through Pettit’s ‘free-person heuristic,’ or ‘eyeball test’: ‘people should securely enjoy resources and protections to the point where they … can look others in the eye without reason for the fear or deference that a power of interference might inspire; they can walk tall and assume the public status, objective and subjective, of being equal in this regard with the best.’48 It is a great strength of Pettit’s account of ‘basic liberties’ that it is rooted in a concern to ameliorate private domination between citizens. By contrast, standard liberal accounts of freedom focus on state infringement of freedom, and are sometimes sceptical of the ‘horizontal’ extension of public rights into the private sphere.49 This also marks an important difference with the structure of Lovett’s republican argument, where his discussion of basic liberties is framed as a concern to impose constitutional limits on public democratic processes.50 On Pettit’s republican account, the ‘basic liberties’ demarcate a protected zone of freedoms that must be insulated from arbitrary interference by other private parties.51 In particular, Pettit’s eyeball test leads to the need for ‘special insulation’ of the ‘basic liberties’ within ‘relationships like those of wife and husband, employee and employer, debtor and creditor, where there are often asymmetries of power’.52 Pettit is therefore concerned to elaborate a republican account of labour standards, and the employment relation lies at the centre of Pettit’s democratic theory. This ‘special insulation’ regime of republican labour law requires the state to impose legal duties on the stronger party to restrain the arbitrary exercise of private power. This would include ‘for cause’ dismissal protection, encompassing ‘constraints within workplace relations that deny an employer the right to fire without cause, imposing something like a requirement to defend an appeal against dismissal in an agreed forum.’53 It also includes ‘legalizing the unionization of employees and recourse to strike action’.54 This is because ‘the resort to collective action…may represent the only hope of winning freedom as non-domination for those who are employed.’55 Pettit defends the public provision of unemployment insurance to resource effective ‘exit’ rights for workers, as part of a public republican programme of insurance for citizens. 56 Pettit’s approach to ‘special insulation’ is also attuned to the specific vulnerabilities of precarious workers. For example, in their republican audit of Spanish governmental reforms implemented under Prime Minister Zapatero, Luis Marti and Pettit offer a favourable assessment of specific legal measures to protect illegal migrant-workers and those employed on fixed term contracts.57

### Underview

#### [1] Only univeralizable 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.**

#### Put away your generic Kant indicts – our framework is a rejection of the western foundations of Kantianism in favor of a radical reconstruction of inclusion of the racialized and marginalized struggle.

**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 SJCP//JG

Far from being monolithic, however, it should be regarded as a general category extending over many different variants. Depending on the respec- tive diagnoses offered of the dynamic of these regimes, and the correspond- ing prescriptions for their overturning or reform, one can derive varieties of black liberalism, black Marxism, black nationalism, black feminism, and even black conservatism (Dawson 2001). My own project in recent years has become the articulation of a “black radical liberalism” that draws on what are standardly judged to be the “radical” strains of Afro-modern thought—black Marxism, black nationalism, and black feminism—while incorporating their key insights into a modified and radicalized liberal framework (Mills 2017a, epilogue). And a “black radical Kantianism” is supposed to be a key element of this proposed synthesis, though not in the sense of documenting the actual uptake of Kant by black radical theorists (unlike their actual reading of Marx), but in the sense of demonstrating how classic themes in this literature can illuminatingly be translated into a Kantian discourse reshaped by the realities of racial subordination. So the agenda is both descriptive and prescriptive, looking at the fortunes of “personhood” as a general liberal category under illiberal circumstances, and suggesting a “Kantian” reconstruction as a de-ghettoizing approach for bringing together these segregated conversations. Why Kant, though? To begin with, there is the strategic argument from Kant’s rise to centrality in contemporary Western normative theory over the last half-century. With the demise or at least considerable diminution in significance of the utilitarian liberalism (Jeremy Bentham, James and John Stuart Mill, Henry Sidgwick) that was hegemonic from the early 1800s to the mid-twentieth century, it is deontological/contractarian liberalism that is now most influential, whether in analytic Anglo-American political theory or Continental critical theory. Immanuel Kant is now regarded not merely as the most important ethicist of modernity, but as one of its most significant normative political theorists also.1 So a racially informed engagement with this body of discourse would have the virtues of being in dialogue with what is now the central strand in Western ethico-political theory: Afro-modern political thought in conversation with Euro-modern political thought. But second, in addition to these strategic considerations (and perhaps more importantly), the key principles and ideals of Kant’s ethico-political thought are, once deracialized, very attractive: the respect for the rights of individual persons, the ideal of the Rechtsstaat (admittedly somewhat modified from Kant’s own version), and the vision of a global cosmopolitan order of equals. The problem, in my opinion, has been less Kant’s own racism (since it is simply bracketed by most contemporary Kantians)2 than the failure to rethink these principles and ideals in the light of a modernity structured by racial domination. And that brings me to the third point. In contrast with, say, a dialogue between European and Asian political traditions, which at least for long periods of time developed largely separately from one another, the Euro-modern and the Afro-modern traditions are intimately and dialectically linked. As emphasized at the start, the latter develops in specific contestation of the former, involving both resistance to and rejection of its crucial tenets insofar as they rational- ize and justify Euro-domination, while nonetheless sometimes seeking to appropriate and modify others for emancipatory ends (Bogues 2003). So de- veloping a “black radical Kantianism” as a self-conscious enterprise should be not merely instrumentally and intrinsically valuable, but illuminative of a counter-hegemonic normative system already present in Afro-modern thought, if not self-denominatedly “Kantian,” formed in opposition to a white domination predicated on the denial of equal personhood to blacks.

#### [2] Aff gets 1AR theory since the neg can be infinitely abusive and I can’t check back. It’s drop the debater since the 1ar is too short to win both theory and substance. No 2NR RVI, paradigm issues, theory, or new responses since they’d dump on it for 6 minutes and my 3-minute 2AR is spread too thin. Competing interps since reasonability is arbitrary and bites judge intervention.

**[3] Presumption and Permissibility Affirm –**

**A. Affirmation theory—affirm means to put support for or defend—presumption means nothing attacks, so therefore it is defended and meets affirming**

**Declare one's support for; uphold; defend.**

**That’s Lexico**<https://www.lexico.com/en/definition/affirm>**B. Statements are more often true then false—we can regard an entire statement as true but changing every part of a statement false makes it true and creates contradictions or regarding everything as false creates contradictions. Also you assume something is true—if I say my favorite color is blue you believe me**

**C. Regress – assuming that the resolution is false presumes that statements are true, which concedes that presumption affirms**

#### [4] Use truth testing – anything else moots 6 minutes of the AC and exacerbates the fact that they get a reactivity advantage since I should be able to compensate by choosing framing – their framing collapses since you must say it is true that a world is better than another before you adopt it.

### Advantage 2

#### Climate strike participants get arrested now.

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

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

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

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

Thousands of people are planning to walk out of work or school on Friday to press global leaders for solutions to rapidly escalating climate change. And while it was students who started the movement, more and more workers—and even companies—are joining them in support. Some businesses are letting workers take the day off to protest, while others plan to close their doors outright. They tend to be small or mid-sized businesses — most of the country's largest corporations have yet to weigh in on the strike, although plenty of people who work at them might yet participate when walkouts are set to start Friday afternoon. Here are the ways workers and companies are supporting the strike. **Walkouts** Amazon is expected to see more than 1,500 employees walk out, with the largest contingent exiting its Seattle headquarters, as they push the company to cut ties with fossil-fuel companies and stop funding groups that deny climate science. The company on Thursday announced it would make its operations carbon-neutral by 2040

and run entirely on renewable energy within a decade. More than 900 **Google** workers and unknown numbers of workers from **Facebook, Atlassian, Cobot, Ecosia, Microsoft** and **Twitter** are vowing walkouts. The strikers have details at [Tech Workers Coalition.](https://techworkerscoalition.org/climate-strike/) Some smaller companies are giving workers paid time off to participate in the walkouts. These include **Atlassian, Sustain Natural, Grove Collaborative** and others. **Closures** Ben & Jerry's corporate offices in South Burlington, Vermont, will be closed during the strike on Friday, while shops worldwide will either be closed or open later than usual. The company is also stopping production at its manufacturing plants in Vermont and the Netherlands, according to [Adweek](https://www.adweek.com/brand-marketing/brands-are-closing-their-doors-in-support-of-the-global-climate-strike/). "We recognize that climate change is an existential threat to our planet and all its inhabitants, and therefore we are proud standing with the youth-led movement demanding bold action in response to the climate emergency," a spokesperson said. **Patagonia** is closing its retail stores for 24 hours on Friday. "For decades, many corporations have single-mindedly pursued profits at the expense of everything else — employees, communities and the air, land and water we all share," CEO Rose Marcario wrote on [LinkedIn](https://www.linkedin.com/pulse/enough-join-climate-strikes-demand-action-rose-marcario/?sf219300827=1). "[C]apitalism needs to evolve if humanity is going to survive." Lush Cosmetics will close its manufacturing facilities and retail outlets on September 20 in the U.S. and on September 27 in Canada. It's also halting online sales on Friday. **Badger Balm** is closing for the day and giving workers paid time off to demonstrate or volunteer. The company is also donating 5% of online sales from September 16 to 27 to AmazonWatch.org to aid in preserving the shrinking Amazon's ecological systems, it said. **Burton**, the outdoor retailer, is closing its offices and owned retail stores on September 20th or 27th (depending on their country of location). It also won't make any online sales for 24 hours on Friday. **SodaStream**, the seltzer maker owned by PepsiCo, is shuttering its headquarters and closing e-commerce on Friday. **Digital doings and more** The heart of the strike will be in the streets, but that doesn't mean the action stops there. More than 7,000 [companies](https://digital.globalclimatestrike.net/) have pledged to draw attention to the protest by either donating ad space or putting banners on their sites. Participants include Tumblr, WordPress, Imgur, Kickstarter, BitTorrent, Tor, BoingBoing, Greenpeace, Change.org, among many others.

#### Extinction

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

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

This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to **stress the fabric of the world's largest nations**, including the United States. Armed conflicts over resources, perhaps culminating in **nuclear war, are likely**. The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."