### Fairness NC

Morality mandates that agents that are symmetrically situated hold equal distribution of burdens.

Steve Landsburg (professor of economics at University of Rochester). “Thoughts on the Minimum Wage.” February 18, 2013. JY.

13. An analogy: **Some people voluntarily go out** on Sundays **and pick up trash** in the park. **If we collectively decide that we need more trash pickup, do we turn to [those] people** who have been doing this by choice **and demand** that **they do more?** Or do we decide that maybe the rest of us should pitch in as well (either by getting out there ourselves or paying others to)? Some people voluntarily pay wages to unskilled workers. If we collectively decide that we need **more** wages paid to unskilled workers, should we turn to the people who have been paying wages by choice and demand that they pay more? Or should we decide that maybe the rest of us should pitch in as well (say via the Earned Income Tax Credit)?14. ***Fairness* tells me that the cost of a widely-supported program should not be dumped on a small segment of society,** and moreover that it**especially**should **not** be dumped on **that** small **segment** of society **that has already helped to alleviate the perceived problem** (i.e. those who have already been providing jobs for unskilled workers) — just as the burden of increased park cleanup should not fall on a small segment of society and especially not on those who have been contributing to cleanup all along. ***Political wisdom* tells me the same thing**. It’s very easy to support programs that other people will have to pay for. But **voters, like everyone else, should bear the costs of their own decisions. Letting people vote for expensive programs that “somebody else” will**

Prefer this because everyone has the same prima facie claim to receive any benefit or avoid any harm. Any deviations from an equal distribution require that some people are more deserving than others based on a morally relevant difference.

#### The aff burden is to prove that requiring employers to pay a living wage is consistent with the limits of promising principle. Davis explains

Davis, Ryan W Dr. [Assistant Professor of Political Science at Brigham Young University, PhD in Political Philosophy and Philsophy], "3 Against a Mandatory Living Wage by." Living Wage Re-Brief (n.d.): 31-37. Briefly. Victory Briefs, 12 Feb. 2015. Web. 15 Mar. 2015. PH

The preceding is in danger of seeming over-obvious, but it already has assumed a principle which I will take to be crucial. The principle is something like: If some agent A promises some other agent B to perform some action φ, A does not have any new obligations to B after making the promise besides [the promised action] φ-ing. Call this the limits of promises principle [LPP]. The motivating idea behind the principle is that when you promise to do something, you don’t become obligated to do more (or, I suppose, less) than what you promise to do. Your new obligations are just given by the content of the promise.

#### Advocacy Text: Just Governments ought to guarantee a universal basic income instead of requiring employers to pay a living wage. Davis

Davis, Ryan W Dr. [Assistant Professor of Political Science at Brigham Young University, PhD in Political Philosophy and Philsophy], "3 Against a Mandatory Living Wage by." Living Wage Re-Brief (n.d.): 31-37. Briefly. Victory Briefs, 12 Feb. 2015. Web. 15 Mar. 2015. PH

One can imagine worlds in which that might be the best we can do. If you can save someone’s life and no one else will help you and no one can compel others to help you, then morality might require you to bear an unfair cost of saving the person’s life.7 But, these are not at all the conditions of the modern administrative state. Granted, the state could compel employers to pay the living wage. But modern states also have the logistical capacity to guarantee everyone a living wage without requiring that employers pay it. They could, for example, guarantee a universal basic income to each person, and then implement a taxation scheme that still ensured incentives to work, etc.8 This scheme would, in effect, make it the responsibility of each member of the society to contribute to satisfying the demand that all be provided with a living wage. Each member would contribute to satisfying this duty through paying the tax. The details are irrelevant for now, but the important point is that this system would not occasion the same unfairness as forcing employers to pay the whole cost. If there are political arrangements that better satisfy the value of fairness than alternatives, and the fairer arrangements are not objectionable on some other grounds, then justice favors the fairer arrangements. To reach this conclusion, we need only assume that it is unjust to impose unfair burdens on come citizens without good justification. This condition on justice seems to me to be quite weak. Most egalitarians accept significantly stronger fairness conditions as constituent features of justice.

#### Requiring employers who have pre-existing agreements with employees to pay a living wage is inconsistent the promise principle since it imposes an arbitrary burden on employees when there are other agents in symmetrically situated circumstances. Davis 2

Davis, Ryan W Dr. [Assistant Professor of Political Science at Brigham Young University, PhD in Political Philosophy and Philsophy], "3 Against a Mandatory Living Wage by." Living Wage Re-Brief (n.d.): 31-37. Briefly. Victory Briefs, 12 Feb. 2015. Web. 15 Mar. 2015. PH

Suppose, now, that Robert’s measly $4000 places him below the threshold of a living wage. According to justice, someone should bring it about that Robert is paid the difference between his actual wage and the living wage (I assume that this is what it is to say that justice demands a living wage). Should we require that Robert’s school pay the difference? Perhaps Robert’s school, as his employer, would have the means to boost his income to the minimum required for a living wage. But equally, the means to bring it about that Robert’s income is boosted to the minimum required for a living wage are also held by such diverse agents as the State of New York, Google, and Taylor Swift. So while his employer might have the capacity to bring it about that justice is satisfied, this so far says very little about whether his employer should bear the burden (rather than any of other agents which, in the relevant sense, are similarly situated). It may be tempting to say that it makes sense to select Robert’s employer to bear the burden, since Robert’s employer and Robert already have an agreement that involves the exchange of money. But to make this inference is to deny LPP. If LPP is true, and it is the case that justice requires a living wage, then there is not any reason in particular why employers should be tasked with paying the living wage, rather than anybody else. If A agrees to pay B a total S in response for some service rendered, it is perfectly possible to think that B is owed something more than S by justice. Call the total that justice requires B receive S+. Now, suppose also that besides A, there are other agents C, D, and E, any of whom could pay the difference between S and S+. Because LPP says that [Robert] B is not owed anything besides [$4000] S in virtue of his agreement with A, and since B and A have no other agreements, then A is situated exactly like C, D, and E with respect to the payment of the difference between S and S+.

#### Exploitative employer agreements aren’t inconsistent with the promising principle since denying the possibility of that agreement is worse. Davis

Davis, Ryan W Dr. [Assistant Professor of Political Science at Brigham Young University, PhD in Political Philosophy and Philsophy], "3 Against a Mandatory Living Wage by." Living Wage Re-Brief (n.d.): 31-37. Briefly. Victory Briefs, 12 Feb. 2015. Web. 15 Mar. 2015. PH

So, it makes sense for you to either make me the exploitative offer, or else make me no offer at all. In this case, I believe it is morally better for you to make the exploitative offer than to not make me the offer at all. There are two reasons for this. First, I may benefit from the offer, and benefiting someone is something you have moral reason to do. Second, if you decline to make me the offer, the only reason for so declining would be the fear of exploiting me (since it is in your interest to make me the offer). However, if you decline to make me the offer for this reason, you would be making a judgment about my good (e.g., that it would be bad for me to have an exploitative offer), when you could have let me make exactly the same judgment about my own good (e.g., by giving me the choice and letting me make it on my own). You would [be] thereby by displacing my judgment about my good with your judgment about my good. This is the heart of paternalism.10 By refusing to make the offer to me out of fear of exploiting me, you would be paternalising me. Paternalising a grown-up person is a way of failing to respect their [my] rational capacity to govern their [my] own life. Disrespect is morally objectionable.11 This means that making the exploitative offer is morally preferable to making no offer at all. But we have already established that making no offer at all is morally permissible. So, making the exploitative offer is also morally permissible. In short, there is nothing morally objectionable about exploitation.

### A2 Special Obligation on Employer

#### There exist on special obligation on the employer since it’s a matter of redistribution. Barro 13

Josh Barro (NYT columnist). “Why my boss is all wrong he says companies should pay their workers more.” Business Insider. August 1, 2013. JY.

Let me note, I *do* think it is morally correct to transfer wealth from people who have a lot of it to people who do not. McDonald's shareholders are generally wealthy and its employees are generally not, and it would be good to have forces that move wealth from the former to the latter. But what creates any specific obligation between the employee and the employer? Payment of an above-market wage is an altruistic transfer. **Why is the owner's obligation** to make such a transfer **to his employee any stronger than his obligation** to make one **to some other person with less wealth?** The existence of **such a moral obligation would** actually **create perverse incentives**. Let's say I'm a rich person with money to invest. **I can invest in a company with employees, which creates an obligation to share some of my** investment **returns with those employees; or I can invest in** something like **bonds or mineral rights** or land, where no such obligation gets created because there are no employees, **and** I may morally **keep all the returns for myself.** Nor is the enforcement of such a moral norm likely to be an effective way to advance the interest of workers. Most companies are not like Amazon, with a dominant market position and equity investors comfortable with the idea that they will not see profits anytime soon. If McDonald's decides to pay more than it must, it can be outcompeted by competitors who will feel no such obligation. The idea that firms have special moral obligations to promote their workers' economic security had led to a really big policy error in the United States: using employers as the primary vehicle for health insurance and a major vehicle for retirement saving. **It would be more economically efficient and better for workers if we treated those moral obligations as resting** less with firms and more **with the state.**

But even if employers had some special reason to help their employees, that wouldn’t imply it would be more just for the government to fund wage subsidies by exclusively burdening employers. The framework justifies why the burdens of public policy specifically must be distributed equally.

#### It’s incoherent to say employers have a special obligation to pay more since non-employers pay those same people $0 an hour, so they’re just as responsible for low wages. Decker:

Ryan Decker (econ phd candidate). “Minimum morality: Walmart wages war.” Updated Priors. December 20, 2013. JY.

Lately it has become popular to talk about how Walmart pays its employees so little that they have to organize food drives for themselves and depend on public assistance, burdening taxpayers. **Journalists have [railed against](http://www.aljazeera.com/indepth/opinion/2013/12/charity-not-substitute-justice-201312173423540217.html" \t "_blank) Walmart's moral depravity for providing** such **low compensation**. Set aside questions about how to define "low" wages (*e.g.*, why do [so many people apply for these low-wage jobs?](http://www.slate.com/blogs/moneybox/2013/11/19/dc_s_walmarts_38_employees_per_job_vacancy_at_the_new_urban_stores.html" \t "_blank) How do they stack up [in international context](http://conversableeconomist.blogspot.com/2013/12/worldwide-income-inequality-from-two.html" \t "_blank)? etc.). Even if we all agree to call Walmart's wages "low," **the system of morality that is motivating these attacks is puzzling. *If paying low wages is a sin, it's a sin of omission--and we're all guilty****.* Walmart employs 1.2 million people in the US, more than any other private firm. Why is Walmart any more obligated to pay high wages to 1.2 million people than you or I? Does Walmart's decision to provide jobs for these people automatically obligate them to provide pay above a certain level? What makes this complicated is that **you, these journalists, and I employ zero people** (or close enough by comparison), **which means we** effectively **pay 1.2 million people a wage of $0/hour.** **Walmart critics embrace two moral standards: in the first, morality requires payment of high wages to 1.2 million people. In the second, morality can be achieved** without employing anyone at all--that is, **by paying zero wages**. Most of us have chosen to live by the second standard, and from our lofty moral position we can criticize Walmart for not meeting the first standard. How convenient! In other words, according to the system of morality embraced by the Walmart critics, Walmart could "rise" to our level of morality by either (a) raising pay to some arbitrary level preferred by the critics or (b) *reducing* the wages of their 1.2M employees to $0/hour, thus choosing the standard of morality that the rest of us prefer to apply to ourselves. Of course, option (b) means that those employees would leave Walmart--but that's the point. Then Walmart would be equivalent to us. Somehow I don't think the workers would be any better off, and it seems likely that even more costs would be passed to taxpayers as the ranks of the unemployed swell, but at least then the Walmart shareholders would no longer be the target of the critics and could instead join us in sanctimoniously raising awareness of some other huge employer's moral depravity. It's a funny sort of logic that says that Walmart "transfers" poverty assistance costs to taxpayers by paying workers less than some journalist thinks they should be paid. On an employment-weighted basis, **Walmart is *less* guilty of paying low wages than is anyone else** on the planet. **If taxpayers have an obligation to provide a safety net** (and I think we do), **then the system works exactly as it should**: **Walmart pays people an amount roughly requisite with their marginal contribution to the firm's revenue**, keeping them off of unemployment and enabling the miracle that is the Walmart business model to deliver goods to the poor and middle class at prices lower than they would otherwise be. **Meanwhile, the government picks up the residual of the workers' needs**. It's just as accurate to say that Walmart is picking up part of the tab for the safety net (by providing jobs for the otherwise unemployed, not to mention low prices) as it is to say that taxpayers are picking up part of the tab for Walmart wage policies. The two statements describe the same reality. This is the social safety net. This is the setup that progressives have demanded, yet they complain when it is used. **Focus on making a more efficient and effective safety net, and let Walmart make its own** factor **payment decisions.**

### FW Weighing

#### Promise Based theories have the strongest coherence to our fundamental intuitions. Habbib

Habib, Allen, "Promises", The Stanford Encyclopedia of Philosophy (Spring 2014 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/spr2014/entries/promises/>. PH

Few moral judgments are more intuitively obvious and more widely shared than that promises ought to be kept. It is in part this fixed place in our intuitive judgments that makes promises of particular interest to philosophers, as well as a host of social scientists and other theorists. Promises are of special interest to ethical theorists, as they are generally taken to impose moral obligations. Thus an explanation of how such promissory obligations come about and how they function is necessary for a complete moral theory.