# 1NC

## 1

#### The ontological nature of the subject is self-determining – there is no inherent meaning to the world and freedom is the only choice for subject formation. Thus, the role of the ballot is to vote for the debater who cultivates existential subjectivity.

**Moore 67** Asher. “Existential Phenomenology.” *Philosophy and Phenomenological Research*, vol. 27, no. 3, 1967, pp. 408–414. *JSTOR*, [www.jstor.org/stable/2106066.//Scopa](http://www.jstor.org/stable/2106066.//Scopa).

**A human being is not a universal structure** or a set of universal structures. Whatever may be true of other things, the identity of human persons is not defined by Leibniz' principle. **A human being is unique, unrepeatable, and entirely particular.** Or rather, since of course human beings may participate in or illustrate common structures, let us say that whether or not a particular person illustrates a certain structure is always a question of fact, to be determined by consulting him, never a question about man, to be settled by essential insight into man-ness, or a question about men, to be settled by inductive inference from other men. A human being who lacked all common structures would doubtless be literally incommunicado, but he would still be himself. **What a human being is, in the sense of what universals he exemplifies, does not determine, but is determined by, who he is. A human being is free, and his life is not necessary but contingent. There are no patterns or laws to which a human being's life must con- form, no channels it must follow.** A particular life may be in large part, or even entirely, necessitated - habitual, predictable, compulsive. But whether this is so or not is a contingent matter. **As it is contingent that there is something rather than nothing, so a thing is necessary only if it happens to be. A person can be un-free, but whether he is lies within the scope of his freedom.** The neurotic is genuinely compelled, but in the end the only way for him to stop being compelled is to stop. **Existential psychoanalysis may succeed in uncovering an individual's basic project, but there can be no guarantee of success, since some of as may have no basic project. It lies within a human being's freedom to choose chaos**: in some sense, dissociation is exactly that choice. Since there is nothing which a human being must inevitably be, or become, or do, one must wait to see what he will do, wait to see what will happen. **Temporality is a timeless structure but human life is not timeless, but open to a future**. It will be objected that we have misunderstood the nature of those structures which universally and necessarily characterize human existence by mistakenly identifying them with the sort of universal structure which constitutes the determinate nature of a thing, determinig what the thing is. **A human being is not a what but a who**. The structures involved in being a human being are therefore not what a human being is; they do not make up his nature. **A human being is not determinate, but self-determining**. He will have been what he chooses to be. But the fact that human beings do not embody the same structures as things, or embody them in the same way, does not mean that human beings embody no structures. On the contrary, they embody those structures which apply to a free who, those structures which are conditions of the possibility of a free life. **These structures are ontological, not ontic; they are not categories or essences, but existentials.** Furthermore, it will be pointed out, we have throughout our own discussion freely availed ourselves of exactly such structures. A human being, we said, is not a universal or a set of universals, because he is a unique individual. But what does that mean if not that human existence universally and necessarily' involves the existential structures of individuality, and uniqueness, and everything implicated in them? After all, particularity is a universal structure. **Similarly, in the sense of the term necessary which is applicable to things, human acts are not necessary, but contingent, since human existence is free. Nonetheless, it is a necessary truth that human existence is free.** Man is condemned to freedom. And it is a necessary truth that freedom is just the sort of thing it is. That we ourselves, **in the act of denying that universal and necessary structures can be ascribed to human beings, ascribed to them the structures of freedom and individuality, was no avoidable slip, but illustrates the fact that without such structures nothing at all can be said about human existence**, even that it is human existence. It is these structures, it is contended, which are open to, and open only to, phenomenological insight.

#### The state is a complex managerial system of classificatory regimes that promises a politically generated subject capable of accessing the empty promise of liberal universality – this promise is sustained through production of difference, subject management, and the demand for political attachments to sustain identity. This belies the power relations at the crux of the topic – why should the rts be granted to police unions that only forward discriminatory labor practices? – their aff is only part and parcel with the systems of violence that reproduce their impacts.

**Brown 93,** Brown, Wendy. “Wounded Attachments.” *Political Theory*, vol. 21, no. 3, 1993, pp. 390–410. *JSTOR*, [www.jstor.org/stable/191795. Accessed 9 Mar. 2020](http://www.jstor.org/stable/191795.%20Accessed%209%20Mar.%202020). //Scopa//RECUT BXNK

The tension between particularistic "I's" and a universal "we" in liberal- ism is sustainable as long as the constituent terms of the "I" remain un- politicized indeed, as long as the "I" itself remains unpoliticized on one hand, and the state (as the expression of the ideal of political universality) remains unpoliticized on the other. That is, the latent **conflict within liberalism between universal representation and individualism remains latent**, remains unpoliticized, **as long as differential powers in civil society remain natural- ized and as long as the "I" is subordinated to the abstract "we" encoded in the state's guarantee of universal freedom and equality**. This **subordination is achieved either by the "I" abstracting from itself in its political represen- tation, thus trivializing its "difference" so as to remain part of the "we"** (as in homosexuals who are "just like everyone else except for whom we sleep with") **or by the "I" accepting its construction as a supplement, complement, or partial outsider to the "we"** (as in homosexuals who are just "a little different," a bit "queer"). The history of **liberalism's management of** its inherited and constructed **"others" could be read as a history of** variations on and **vacillations between these two strategies**. The abstract character of **liberal political membership** and the ideologi- cally naturalized character of liberal individualism together work against politicized identity formation in liberal regimes. A formulation of the political state and of citizenship that, as Marx put it in the "Jewish Question," **abstracts from the substantive conditions of our lives, works to prevent recognition or articulation of differences as political-as effects of power-in their very construction and organization**; they are at most the stuff of divergent political or economic interests.2 **Equally** important, to the extent that political mem- bership in the liberal state involves abstracting from one's social being, **it involves abstracting not only from the contingent productions of one's life circumstances but from the identificatory processes constitutive of one's social** construction and **position**. Whether read from the frontispiece of Hobbes' Leviathan, in which the many are made one through the unity of the sovereign, or from the formulations of tolerance codified by John Locke, John Stuart Mill, and, more contemporaneously, George Kateb, in which the minimalist liberal state is cast as precisely what enables our politically unfettered individuality, we are invited to seek equal deference-equal blindness from-but not equalizing recognition from the state, liberalism's universal moment.3 As Marx discerned in his critique of Hegel, **the universality of the state is ideologically achieved by** turning away from and thus **depoliticizing, yet at the same time presupposing our collective particulars**, not by embracing them, let alone emancipating us from them.4 In short, **"the political"** in liberalism **is precisely not a domain for social identification: expected to recognize our political selves in the state, we are not led to expect deep recognition** there. Indeed, in a smooth and legitimate liberal order, the **particularistic "I's" must remain unpoliticized, and the universalistic "we" must remain without specific content or aim, without a common good other than abstract universal representation** or pluralism. The abstractness of the "we" is precisely what insists upon, reiterates, and even enforces the depo- liticized nature of the "I." In Ernesto Laclau's formulation, "if democracy is possible, it is because the universal does not have any necessary body, any necessary content."5 Although this detente between universal and particular within liberalism is potted with volatile conceits, it is rather thoroughly unraveled by two features of late modernity, spurred by developments in what Marx and Foucault, respectively, reveal as liberalism's companion powers: capitalism and disciplinarity. On one side, **the state loses even its guise of universality as it becomes ever more transparently invested in particular economic interests, political ends, and social formations**. This occurs **as it shifts from a relatively minimalist "night watchman"** state **to a heavily bureaucratized, managerial, fiscally complex, and highly interventionist welfare-warfare state**, a transmogrification occasioned by the combined imperatives of capital and the autoproliferating characteristics of bureaucracy.6 On the other side, a range of **economic and political forces increasingly disinter the liberal subject from substantive nation-state identification**: deterritorializing demo- graphic flows; disintegration from within and invasion from without of family and community as (relatively) autonomous sites of social production and identification; **consumer capitalism's marketing discourse in which individual** (and subindividual) **desires are produced, commodified, and mobilized as identities**; and disciplinary productions of a fantastic array of behavior-based identities ranging from recovering alcoholic professionals to unrepentant crack mothers. **These disciplinary productions work to conjure and regulate subjects through classificatory schemes, naming and normalizing social behaviors as social positions**. Operating through what Foucault calls "an anatomy of detail," "disciplinary power" produces social identities (available for politicization because they are deployed for purposes of political regulation) that crosscut juridical identities based on abstract right. Thus, for example, **the welfare state's production of welfare subjects-themselves subdivided through the socially regulated categories of motherhood, disability, race, age, and so forth-potentially produce political identity** through these categories, produce identities as these categories. In this story, the always **imminent** but increasingly politically manifest **failure of liberal universalism to be universal**-the transparent fiction of state universality-**combines with the increasing individuation of social subjects** through capitalist disinternments and disciplinary productions. Together, they breed the emergence of politicized identity rooted in disciplinary pro- ductions but oriented by liberal discourse toward protest against exclusion from a discursive formation of universal justice. This production, however, is not linear or even but highly contradictory: although the terms of liberalism are part of the ground of production of a politicized identity that reiterates yet exceeds these terms, liberal discourse itself also continuously recolonizes political identity as political interest-a conversion that recasts politicized identity's substantive and often deconstructive cultural claims and critiques as generic claims of particularism endemic to universalist political culture. Similarly, disciplinary power manages liberalism's production of politicized subjectivity by neutralizing (re-depoliticizing) identity through normalizing practices. **As liberal discourse converts political identity into essentialized private interest, disciplinary power converts interest into normativized social identity manageable by regulatory regimes. Thus disciplinary power politi- cally neutralizes entitlement claims generated by liberal individuation, whereas liberalism politically neutralizes rights claims generated by disciplinary identities**.

#### Specifically, regulating the strike into the right to strike allows the state to dictate revolution – that diffuses planning into policy and subverts radicality.

Crépon 19 Mark Crépon (French philosopher), translated by Micol Bez “The Right to Strike and Legal War in Walter Benjamin’s ‘Toward the Critique of Violence,’” Critical Times, 2:2, August 2019, DOI 10.1215/26410478-7708331 Recut Justin

If we wish to understand how the question of the right to strike arises for Walter Benjamin in the seventh paragraph of his essay “Zur Kritik der Gewalt,” it is impor­ tant to first analyze the previous paragraph, which concerns the state’s monopoly on violence. It is here that Benjamin questions the argument that such a monopoly derives from the impossibility of a system of legal ends to preserve itself as long as the pursuit of natural ends through violent means remains. Benjamin responds to this dogmatic thesis with the following hypothesis, arguably one of his most impor­ tant reflections: “To counter it, one would perhaps have to consider the surprising possibility that law’s interest in monopolizing violence vis­à­vis the individual is explained by the intention not of preserving legal ends, but rather of preserving law itself. [This is the possibility] that violence, when it does not lie in the hands of law, poses a danger to law, not by virtue of the ends that it may pursue but by virtue of its mere existence outside of law.”1 In other words, nothing would endanger the law more than the possibility of its authority being contested by a violence over which it has no control. The function of the law would therefore be, first and foremost, to contain violence within its own boundaries. It is in this context that, to demonstrate this surprising hypothesis, Benjamin invokes two examples: the right to strike guaranteed by the state and the law of war. Let us return to the place that the right to strike occupies within class struggle. To begin with, the very idea of such a struggle implies certain forms of violence. The strike could then be understood as one of the recognizable forms that this violence can take. However, this analytical framework is undermined as soon as this form of violence becomes regulated by a “right to strike,” such as the one recognized by law in France in 1864. What this recognition engages is, in fact, the will of the state to control the possible “violence” of the strike. Thus, the “right” of the right to strike appears as the best, if not the only, way for the state to circumscribe within (and via) the law the relative violence of class struggles. We might consider this to be the per­ fect illustration of the aforementioned hypothesis. Yet, there are two lines of ques­ tioning that destabilize this hypothesis that we would do well to consider. First, is it legitimate to present the strike as a form of violence? Who has a vested interest in such a representation? In other words, how can we trace a clear and unequivocal demarcation between violence and nonviolence? Are we not always bound to find residues of violence, even in those actions that we would be tempted to consider nonviolent? The second line of questioning is just as important and is rooted in the distinction established by Georges Sorel, in his Reflections on Violence, between the “political strike” and the “proletarian general strike,” to which Benja­ min dedicates a set of complementary analyses in §13 of his essay. Here, again, we are faced with a question of limits. What is at stake is the possibility for a certain type of strike (the proletarian general strike) to exceed the limits of the right to strike— turning, in other words, the right to strike against the law itself. The phenomenon is that of an autoimmune process, in which the right to strike that is meant to protect the law against the possible violence of class strugles is transformed into a means for the destruction of the law. The diference between the two types of strikes is nevertheless introduced with a condition: “The validity of this statement, however, is not unrestricted because it is not unconditional,” notes Benjamin in §7. We would be mistaken in believing that the right to strike is granted and guaranteed uncondi­ tionally. Rather, it is structurally subjected to a conflict of interpretations, those of the workers, on the one hand, and of the state on the other. From the point of view of the state, the partial strike cannot under any circumstance be understood as a right to exercise violence, but rather as the right to extract oneself from a preexisting (and verifiable) violence: that of the employer. In this sense, the partial strike should be considered a nonviolent action, what Benjamin named a “pure means.” The interpretations diverge on two main points. The first clearly depends on the alleged “violence of the employer,” a predicate that begs the question: Who might have the authority to recognize such violence? Evidently it is not the employer. The danger is that the state would similarly lack the incentive to make such a judgment call. It is nearly impossible, in fact, to find a single instance of a strike in which this recognition of violence was not subject to considerable controversy. The political game is thus the following: the state legislated the right to strike in order to con­ tain class strugles, with the condition that workers must have “good reason” to strike. However, it is unlikely that a state systematically allied with (and accomplice to) employers will ever recognize reasons as good, and, as a consequence, it will deem any invocation of the right to strike as illegitimate. Workers will therefore be seen as abusing a right granted by the state, and in so doing transforming it into a violent means. On this point, Benjamin’s analyses remain extremely pertinent and profoundly contemporary. They unveil the enduring strategy of governments confronted with a strike (in education, transportation, or healthcare, for example) who, afer claiming to understand the reasons for the protest and the grievances of the workers, deny that the arguments constitute sufcient reason for a strike that will likely paralyze this or that sector of the economy. They deny, in other words, that the conditions denounced by the workers display an intrinsic violence that jus­ tifies the strike. Let us note here a point that Benjamin does not mention, but that is part of Sorel’s reflections: this denial inevitably contaminates the (socialist) lef once it gains power. What might previously have seemed a good reason to strike when it was the opposition is deemed an insufcient one once it is the ruling party. In the face of popular protest, it always invokes a lack of sufcient rationale, allow­ ing it to avoid recognizing the intrinsic violence of a given social or economic situ­ ation, or of a new policy. And it is because it refuses to see this violence and to take responsibility for it that the left regularly loses workers’ support.

#### Universalizability and practical reason presume an “ideal” version of the world independent of human experience, that is epistemically inaccessible.

Leiter 02, Brian Leiter, American philosopher and legal scholar who is [Karl N. Llewellyn](https://en.wikipedia.org/wiki/Karl_N._Llewellyn) Professor of Jurisprudence at the [University of Chicago Law School](https://en.wikipedia.org/wiki/University_of_Chicago_Law_School) and founder and Director of Chicago's Center for Law, Philosophy & Human Values, Nietzsche on Morality, // recut bxnk

As Clark notes (1990: 99–100), Nietzsche claims that “‘absolute knowledge’ and the ‘thing in itself’ . . . involve a contradictio in adjecto [a contradiction in terms]” and he exhorts us to “free ourselves from the seduction of words” (BGE: 16). But this merely states the conclusion of an argument that has yet to be made. What might that argument be? Poellner (1995: 79–111) offers a plausible reconstruction, drawing on both published and Nachlass writings. According to Poellner, the crux of Nietzsche’s argument against the intelligibility of things-in-themselves comes to this: [W]hat an object is, its ‘whatness’ or essence, is something that can only be established, indeed only contentfully conceived, from some determinate perspective or point of view (or sets of perspectives or points of view). . . . What is designated by [the] term [“perspective”] in this context is simply the determinate manner in which the object appears in perception or conception. For example, if I visually imagine a building, I imagine it from some point of view (or successively, from several). . . . [U]nlike certain other characteristics of the mental representation of some object, we cannot “discount” the perspectival, and thus subject-implying, character of it without the representation ceasing to represent anything in a contentful manner. It is because we cannot do this that every contentful conception of an object involves subjectimplying (perspectival) characteristics. . . . Nietzsche includes in the perspectival, subject-implying character of an object the aspect of it under which it always (necessarily) is of some degree of “concern” [or “interest”] to a subject, so that, for him, it is meaningless to speak of a really existing object that is of no concern to any subject. (1995: 83–5)19 A noumenal world, however, would be a world of objects seen from no perspective at all, a world characterized without any reference to human concerns. Therefore, granting Nietzsche’s argument (as reconstructed by Poellner) about the necessary conditions for conceiving of objects, it follows that there can be no noumenal objects, i.e., no thingsin-themselves.

#### Ressentiment produces a powerless subject incapable of acting and internalizes a hatred for the self that is unendurably painful.

**Brown 93** Brown, Wendy. “Wounded Attachments.” *Political Theory*, vol. 21, no. 3, 1993, pp. 390–410. *JSTOR*, [www.jstor.org/stable/191795. Accessed 9 Mar. 2020](http://www.jstor.org/stable/191795.%20Accessed%209%20Mar.%202020). //Scopa

Liberalism contains from its inception a generalized incitement to what **Nietzsche terms ressentiment, the moralizing revenge of the powerless, "the triumph of the weak** as weak."17 This incitement to **ressentiment inheres** in two related **constitutive paradoxes of liberalism**. There is a paradox between individual liberty and social egalitarianism, **which produces failure** turned to recrimination **by the subordinated and guilt turned to resentment by the "successful."** There is one between the individualism that legitimates liberalism and the cultural homogeneity required by its commitment to political universality. This latter paradox stimulates the articulation of politically significant differences, on the one hand, and the suppression of them, on the other, and offers a form of articulation that presses against the limits of universalist discourse even while that which is being articulated seeks to be harbored within-included-in the terms of universalism. Premising itself on the natural equality of human beings, liberalism makes a political promise of universal individual freedom in order to arrive at social equality or achieve a civilized retrieval of the equality postulated in the state of nature. It is the tension between the promises of individualistic liberty and the requisites of equality that yields ressentiment in one of two directions, depending on how the paradox is brokered. A strong commitment to freedom vitiates the fulfillment of the equality promise and breeds **ressentiment as welfare-state liberalism-attenuations of the unmitigated license of the rich and powerful on behalf of the "disadvantaged."** Conversely, a strong com- mitment to equality, requiring heavy state interventionism and economic redistribution, attenuates the commitment to freedom and breeds **ressentiment expressed as neoconservative antistatism, racism, charges of reverse racism, and so forth**. However, it is not only the tension between freedom and equality but the prior presumption of the self-reliant and self-made capacities of liberal subjects, conjoined with their unavowed dependence on and construction by a variety of social relations and forces, that makes all liberal subjects, and not only markedly disenfranchised ones, vulnerable to ressentiment: it is their **situatedness within power**, their **production by power, and liberal discourse's denial of this situatedness and production** that **casts the liberal subject into failure, the failure to make itself** in the context of a discourse in which its self-making is assumed, indeed, is its assumed nature. This failure, which Nietzsche calls suffering, must find either a reason within itself (which redoubles the failure) or a site of external blame on which to avenge its hurt and redistribute its pain. Here is Nietzsche's account of this moment in the production of ressentiment: For **every sufferer instinctively seeks a cause for his suffering**, more exactly, an agent; still more specifically a guilty agent who is susceptible to suffering-in short, some living thing upon **which he can on some pretext or other, vent his affects**, actually or in effigy ... This ... constitutes the actual physiological cause of ressentiment, vengeful- ness, and the like: **a desire to deaden pain by means of affects** ... to deaden, **by means of a more violent emotion of any kind, a tormenting, secret pain that is becoming unendurable, and to drive it out of consciousness** at least for the moment: for that one requires an affect, as savage an affect as possible, and, in order to excite that, any pretext at all.18 **Ressentiment** in this context **is a triple achievement: it produces an affect** (rage, righteousness) that overwhelms the hurt, it produces **a culprit respon- sible** for the hurt, **and** it produces **a site of revenge to displace the hurt** (a place to inflict hurt as the sufferer has been hurt). Together these operations both ameliorate (in Nietzsche's terms, "anaesthetize") and externalize what is otherwise "unendurable."

#### The alternative is to affirm a will to power. Self-affirming internalism is necessary to overcome external domination that perpetuates oppression. It’s uncondo.

Newman ‘06, (Saul, Senior Lecturer in Politics @ U of London, “Anarchism and the Politics of Ressentiment,” Theory & Event - Volume 4, Issue 3, Muse, 2006 AD: 7/8/09) //Scopa//RECUT BXNK

Rather than having an external enemy -- like the State -- in opposition to which one's political identity is formed, we must work on ourselves. As political subjects we must overcome ressentiment by transforming our relationship with power. One can only do this, according to Nietzsche, through eternal return. To affirm eternal return is to acknowledge and indeed positively affirm the continual 'return' of same life with its harsh realities. Because it is an active willing of nihilism, it is at the same time a transcendence of nihilism. Perhaps in the same way, eternal return refers to power. We must acknowledge and affirm the 'return' of power, the fact that it will always be with us. To overcome ressentiment we must, in other words, will power. We must affirm a will to power **-- in the form of creative, life-affirming values, according to Nietzsche**.[[56]](http://muse.jhu.edu.ts.isil.westga.edu/journals/theory_and_event/v004/4.3newman.html#fn56) This is **to accept the notion of 'self-overcoming'.** To 'overcome' oneself in this sense, would mean an overcoming of the essentialist identities and categories that limit us. As Foucault has shown, we are constructed as essential political subjects in ways that dominate us -- this is what he calls subjectification. We hide behind essentialist identities that deny power, and produce through this denial, **a Manichean politics of absolute opposition that only reflects and reaffirms the very domination it claims to oppose**.