## 1

#### Interpretation: Interpretation: “workers” is a generic bare plural. The aff may not defend that a just government recognizes a specific group of workers unconditional right to strike

#### violation: they specified a specific group of worker

**Nebel, 19** – (Jake Nebel, studies Philosophy at Oxford on a Marshall Scholarship, destroyed LD debate, Vbriefly, 08-12-19, “Genericity on the Standardized Tests Resolution”, <https://www.vbriefly.com/2019/08/12/genericity-on-the-standardized-tests-resolution/)>

“Colleges and universities,” “standardized tests,” and “undergraduate admissions decisions” are bare plural noun phrases. A [bare plural](https://en.wikipedia.org/wiki/Bare_nouns#English_Bare_Plurals) is a noun phrase that lacks an overt determiner. [Determiners](https://en.wikipedia.org/wiki/Determiner) include articles like the, possessives like my, demonstratives like these, and quantifiers like some. “Colleges and universities,” “standardized tests,” and “undergraduate admissions decisions” are plural, and they lack determiners, so they are bare plurals. (“Colleges” and “universities” are also bare plurals, but it doesn’t matter for our purposes whether we consider them separately or just consider the conjunctive noun phrase.) Bare plurals are typically used to express generic generalizations. Generic generalizations include sentences like, “Dogs bark,” “Bees sting,” and “Birds fly.” It is helpful to understand generic generalizations by contrasting them with two other kinds of generalizations. Existential statements say that there exist some things that satisfy a certain property. For example, “Some bees don’t sting” is an existential statement. It is true because there are indeed some bees that don’t sting. Existential statements can be affirmed by pointing to particular examples—e.g., mason bees. Universal statements say that all things satisfy a certain property. For example, “All bees sting” is a universal statement. It is false because, as we just saw, some bees don’t sting—so it’s not the case that all of them do. Universal statements cannot be affirmed by pointing to particular examples, but they can be negated by pointing to particular counterexamples—again, e.g., mason bees. Generic generalizations are neither existential nor universal. Generics are distinct from existential statements because they cannot be affirmed by particular instances. For example, “Birds swim” is a generic. It’s false even though there are some birds that do swim: namely, penguins. You can’t affirm that birds swim by observing that penguins swim. Generics are distinct from universal statements because they can tolerate exceptions. For example, “Birds fly” is a generic. It’s true even though there are some birds that don’t fly: namely, penguins. You can’t negate that birds fly by observing that penguins don’t. Both distinctions are important. Generic resolutions can’t be affirmed by specifying particular instances. But, since generics tolerate exceptions, plan-inclusive counterplans (PICs) do not negate generic resolutions. Bare plurals are typically used to express generic generalizations. But there are two important things to keep in mind. First, generic generalizations are also often expressed via other means (e.g., definite singulars, indefinite singulars, and bare singulars). Second, and more importantly for present purposes, bare plurals can also be used to express existential generalizations. For example, “Birds are singing outside my window” is true just in case there are some birds singing outside my window; it doesn’t require birds in general to be singing outside my window. So, what about “colleges and universities,” “standardized tests,” and “undergraduate admissions decisions”? Are they generic or existential bare plurals? On other topics I have taken great pains to point out that their bare plurals are generic—because, well, they are. On this topic, though, I think the answer is a bit more nuanced. Let’s see why.

#### It applies to workers – 1] upward entailment test – “a just government ought to reduce protections for \_\_\_\_\_” doesn’t entail that governmentss ought to reduce protections for teachers 2] adverb test – adding “always” to the res doesn’t substantially change its meaning because the right to strike is unconditional.

#### Violation: they spec [x]

#### Standards:

#### [1] Precision and semantics outweigh – the counter-interp justifies them arbitrarily doing away with random words in the resolution which decks negative ground and preparation because the aff is no longer bounded by the resolution. Independent voter for jurisdiction – the judge doesn’t have the jurisdiction to vote aff nobody affirmed

#### [2] Limits – their model allows affs to defend anything from teachers to doctors to the police — there's no universal DA since each has different implications – explodes limits since there are tons of independent affs plus functionally infinite combinations, all with different advantages in different political situations.

#### [3] TVA solves – just read your aff as an advantage under a whole res advocacy, solves all your offense

#### Fairness, competing interps, no rvis, dtd Reject 1AR theory and independent voters

## 2

### 1NC – K

#### The subject is fundamentally unstable: being is in flux due to things such as time, I am not the same Vishnu that I was 10 years ago, which proves personal evolution.

#### Affect is constitutive: it is the capacity to experience and to be experienced. I am experiencing my laptop, my opponent, just as much as you are experiencing me. There is no way any person or thing can escape affection.

#### Fluidity determines the subject: because affect and instability ensure that subjects always change, the only intrinsic feature of the subject is that everything remains in flux. Emphasis on particular aspects of subjectivity only drives division in the proletariat.

#### 1AC’s legal incorporation of subjects through state engagement ensures an outside of personhood – legal incorporation sustains hierarchies as it determines who is or isn’t a legitimate person – diving people into different categories of human, subhuman, and non-human.

Weheliye 1 [Alexander Weheliye, Professor of African American Studies at Northwestern University, 2014, “Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” // Dulles VN]

Nevertheless, the benefits accrued through the juridical acknowledgment of racialized subjects as fully human often exacts a steep entry price, because inclusion hinges on accepting the codification of personhood as property, which is, in turn, based on the comparative distinction between groups, as 78 Chapter Five in one of the best-known court cases in U.S. history: the Dred Scott case. In 1857, the Supreme Court invalidated Dred Scott’s habeas corpus, since, as an escaped slave, Scott could not be a legal person. According to Chief Justice Taney: “Dred Scott is not a citizen of the State of Missouri, as alleged in his declaration, because he is a negro of African descent; his ancestors were of pure African blood, and were brought into this country and sold as negro slaves.”8 In order to justify withdrawing Dred Scott’s legal right to ownership of self, Chief Justice Taney’s opinion in the decision contrasts the status of black subjects with the legal position of Native Americans visà-vis the possibility of U.S. citizenship and personhood: “The situation of [the negro] population was altogether unlike that of the Indian race. These Indian Governments were regarded and treated as foreign Governments. . . . [Indians] may, without doubt, like the subjects of any other foreign Government, be naturalized . . . and become citizens of a State, and of the United States; and if an individual should leave his nation or tribe, and take up his abode among the white population, he would be entitled to all the rights and privileges which would belong to an emigrant from any other foreign people.”9 While slaves were not accorded the status of being humans that belonged to a different nation, Indians could theoretically overcome their lawful foreignness, but only if they renounced previous forms of personhood and citizenship. Hence, the tabula rasa of whiteness—which all groups but blacks can access—serves as the prerequisite for the law’s magical transubstantiation of a thing to be possessed into a property-owning subject.10

#### The legal recognition of a right to strike recreates the conditions of juridical humanity where the state dictates who is or isn’t worthy of the state’s generosity through receiving rights. This forced assimilation perpetuates neocolonial mindsets and terminates in racialized violence and genocide.

Weheliye 2 [Alexander Weheliye, Professor of African American Studies at Northwestern University, 2014, “Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” // Dulles VN]

The judge’s comparison underscores the dangers of ceding definitions of personhood to the law and of comparing different forms of political subjugation, since hypothetical Indian personhood in the law rests on attaining whiteness and the violent denial of said status to black subjects. Additionally, while the court conceded limited capabilities of personhood to indigenous subjects if they chose to convert to whiteness, it did not prevent the U.S. government from instituting various genocidal measures to ensure that American Indians would become white and therefore no longer exist as Indians. In other words, the legal conception of personhood comes with a steep price, as in this instance where being seemingly granted rights laid the groundwork for the U.S. government’s genocidal policies against Native Americans, since the “racialization of indigenous peoples, especially through the use of blood quantum classification, in particular follows . . . ‘genocidal logic,’ rather than simply a logic of subordination Law 79 or discrimination,” and as a result “whiteness constitutes a project of disappearance for Native peoples rather than signifying privilege.”11 Beginning in the nineteenth century the U.S. government instituted a program in which Native American children were forcibly removed from their families and placed in Christian day and boarding schools, and which sought to civilize children by “killing the Indian to save the man,” representing one of the most significant examples of the violent and legal enforced assimilation of Native Americans into U.S. whiteness.12 Though there is no clear causal relationship between Taney’s arguments in the Scott decision and the boarding school initiative, both establish that legal personhood is available to indigenous subjects only if the Indian can be killed—either literally or figuratively—in order to save the world of Man (in this case settler colonialism and white supremacy). Furthermore, the denial of personhood qua whiteness to African American subjects does not stand in opposition to the genocidal wages of whiteness bequeathed to indigenous subjects but rather represents different properties of the same racializing juridical assemblage that differentially produces both black and native subjects as aberrations from Man and thus not-quite-human. The writ of habeas corpus—and the law more generally—anoints those individualized subjects who are deemed deserving with bodies even while this assemblage continually enlists new and/or different groups to exclude, banish, or exterminate from the world of Man.In the end, the law, whether bound by national borders or spanning the globe, establishes an international division of humanity, which grants previously excluded subjects limited access to personhood as property at the same time as it fortifies the supremacy of Man.13 The cruel irony of this fact is nowhere more pronounced than in the case of Henrietta Lacks, who died destitute after enduring great pain, but whose cervical cancer provided one of the first immortal cell lines to be successfully cultivated outside the biological jurisdiction of the human body. As such, even though they were not patented, the HeLa cells have served as the basis for not only scientific progress but also financial gain. The scientific and economic immortality of the HeLa cells, as they are known, stands in stark contrast to Henrietta Lacks’s susceptibility to premature death at the age of thirty-one in 1951 and her family’s continued poverty.14 If Henrietta Lacks’s story and the ongoing narrative of the eternal life of the HeLa cells prove anything, it is that the hieroglyphics of the flesh subsists even in death, and that it has now been transposed from the outwardly detectable to 80 Chapter Five the microscopic interior of the human, since it “can be invaded at any given and arbitrary moment by the property relations” (Spillers, “Mama’s Baby,” 218). It would seem that persistence of the twin phantoms of racialization and property relations unsettle the promise of a subepidermal and cellular humanity as an absolute biological substance.15 More recently, as a result of his treatment for hairy cell leukemia at the ucla Medical Center, John Moore’s cancer cells were grown into a highly profitable immortal cell line (mo) patented by the University of California in 1984 without his knowledge. Subsequently, Moore sued the uc Regents, and in 1990 the California Supreme Court ruled that the law could not grant proprietorship over biological matter, at least not to those individuals from whom this zoe is expropriated. Though Moore was not granted even partial proprietary ownership of the patented cell line derived from his spleen, the court did rule “that the case was one of a breach of fiduciary duty and a lack of informed consent,” since the doctors who patented the cell line had not informed Moore of their maneuvers.16 The court was faced with determining whether the cell line belonged to the jurisdiction of Moore’s body and, thus, “related to his rights of self-possession” or whether it represented “something different and artificial, belonging to its scientific makers. The court chose the latter, clearly influenced by the after-the-fact nature of the quandary.”17Rather than outlawing the proprietary ownership of cell lines derived from humans outright, however, the opinion of one judge in this ruling absolves the court of responsibility: “Whether . . . cells should be treated as property susceptible to conversion is not, in my view, ours to decide.”18 Though the law has no problem adjudicating who can possess a body, and therefore full humanity, the highest legal authority in the United States cedes the field to corporate interests when confronted with “choices . . . that define our essence.”19 Paradoxically, the particular biological material in question remains the property, at least nominally, of all humanity and is not proper to Moore the individual person: “Lymphokines, unlike a name or a face, have the same molecular structure in every human being and the same, important functions in every human being’s immune system. Moreover, the particular genetic material which is responsible for the natural production of lymphokines, and which defendants use to manufacture lymphokines in the laboratory, is also the same in every person; it is no more unique to Moore than the number of vertebrae in the spine or the chemical formula of hemoglobin.”20 So, Law 81 while the court grants personhood to human subjects in an individualized fashion that is based on comparatively distinguishing between different humans, when biological material clashes with the interests of capital, the court appeals to the indivisible biological sameness of the Homo sapiens species. Since the court’s ruling does not place this slice of human flesh in the commons for all humans to share, it tacitly grants corporations the capability of legally possessing this material with the express aim of generating monetary profit. Considering that corporations enjoy the benefits of limited personhood and the ability to live forever under U.S. law, corporate entities are entrusted with securing the immortal life of biological matter, while human persons are denied ownership of their supposed essence.21 My interest here lies not in claiming inalienable ownership rights for cells derived from human bodies such as Lacks’s and Moore’s but to draw attention to how thoroughly the very core of pure biological matter is framed by neoliberal market logics and by liberal ideas of personhood as property.

#### The alternative is habeas viscus. We reconfigure our view of the human to be framed by flesh instead of the legal body to focus on affective bonds. By synthesizing our experiences and identities, we can embrace liminality to better strategize and dismantle systems of oppression while emphasizing collective action and collaboration.

Weheliye 4 [Alexander Weheliye, Professor of African American Studies at Northwestern University, 2014, “Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” // Dulles VN]

Because black cultures have frequently not had access to Man’s language, world, future, or humanity, black studies has developed a set of assemblages through which to perceive and understand a world in which subjection is but one path to humanity, neither its exception nor its idealized sole feature. Yet black studies, if it is to remain critical and oppositional, cannot fall prey to juridical humanity and its concomitant pitfalls, since this only affects change in the domain of the map but not the territory. In order to do so, the hieroglyphics of the flesh should not be conceptualized as just exceptional or radically particular, since this habitually leads to the comparative tabulation of different systems of oppression that then serve as the basis for defining personhood as possession. As Frantz Fanon states: “All forms of exploitation are identical, since they apply to the same ‘object’: man.”28 Accordingly, humans are exploited as part of the Homo sapiens species for the benefit of other humans, which at the same time yields a surplus version of the human: Man. Man represents the western configuration of the human as synonymous with the heteromasculine, white, propertied, and liberal subject that renders all those who do not conform to these characteristics as exploitable nonhumans, literal legal no-bodies. If we are to affect significant systemic changes, then we must locate at least some of the struggles for justice in the region of humanity as a relational ontological totality (an object of knowledge) that cannot be reduced to either the universal or particular. According to Wynter, this process requires us to recognize the “emancipation from the psychic dictates of our present . . . genre of being human and therefore from ‘the unbearable wrongness of being,’ of desetre, which it imposes upon . . . all non-white peoples, as an imperative function of its enactment as such a mode of being[;] this emancipation had been effected at the level of the map rather than at the level of the territory.”29 The level of the map encompasses the nominal inclusion of nonwhite subjects in the false universality of western humanity in the wake of radical movements of the 1960s, while the territory Wynter invokes in this context, and in all of her work, is the figure of Man as a racializing assemblage. Wielding this very particular and historically malleable classification is not an uncritical reiteration of the humanist episteme or an insistence on the exceptional particularity of black humanity. Rather, Afro-diasporic cultures provide singular, mutable, and contingent figurations of the human, and thus do not represent mere bids for inclusion in or critiques of the shortcomings of western liberal humanism. The problematic of humanity, however, needs to be highlighted as one of the prime objects of knowledge of black studies, since not doing so will sustain the structures, discourses, and institutions that detain black life and thought within the strictures of particularity so as to facilitate the violent conflation of Man and the human. Otherwise, the general theory of how humanity has been lived, conceptualized, shrieked, hungered into being, and imagined by those subjects violently barred from this domain and touched by the hieroglyphics of the flesh will sink back into the deafening ocean of prelinguistic particularity. This, in turn, will also render apparent that black studies, especially as it is imagined by thinkers such as Spillers and Wynter, is engaged in engendering forms of the human vital to understanding not only black cultures but past, present, and future humanities. As a demonic island, black studies lifts the fog that shrouds the laws of comparison, particularity, and exception to reveal an aquatic outlook “far away from the continent of man.”30 The poetics and politics that I have been discussing under the heading of habeas viscus or the flesh are concerned not with inclusion in reigning precincts of the status quo but, in Cedric Robinson’s apt phrasing, “the continuing development of a collective consciousness informed by the historical struggles for liberation and motivated by the shared sense of obligation to preserve [and I would add also to reimagine] the collective being, the ontological totality.”31 Though the laws of Man place the flesh outside the ferocious and ravenous perimeters of the legal body, habeas viscus defies domestication both on the basis of particularized personhood as a result of suffering, as in human rights discourse, and on the grounds of the universalized version of western Man. Rather, habeas viscus points to the terrain of humanity as a relational assemblage exterior to the jurisdiction of law given that the law can bequeath or rescind ownership of the body so that it becomes the property of proper persons but does not possess the authority to nullify the politics and poetics of the flesh found in the traditions of the oppressed. As a way of conceptualizing politics, then, habeas viscus diverges from the discourses and institutions that yoke the flesh to political violence in the modus of deviance. Instead, it translates the hieroglyphics of the flesh into a potentiality in any and all things, an originating leap in the imagining of future anterior freedoms and new genres of humanity. To envisage habeas viscus as a forceful assemblage of humanity entails leaving behind the world of Man and some of its attendant humanist pieties. As opposed to depositing the flesh outside politics, the normal, the human, and so on, we need a better understanding of its varied workings in order to disrobe the cloak of Man, which gives the human a long-overdue extreme makeover; or, in the words of Sylvia Wynter, “the struggle of our new millennium will be one between the ongoing imperative of securing the well-being of our present ethnoclass (i.e. western bourgeois) conception of the human, Man, which overrepresents itself as if it were the human itself, and that of securing the well-being, and therefore the full cognitive and behavioral autonomy of the human species itself/ourselves.”32 Claiming and dwelling in the monstrosity of the flesh present some of the weapons in the guerrilla warfare to “secure the full cognitive and behavioral autonomy of the human species,” since these liberate from captivity assemblages of life, thought, and politics from the tradition of the oppressed and, as a result, disfigure the centrality of Man as the sign for the human. As an assemblage of humanity, habeas viscus animates the elsewheres of Man and emancipates the true potentiality that rests in those subjects who live behind the veil of the permanent state of exception: freedom; assemblages of freedom that sway to the temporality of new syncopated beginnings for the human beyond the world and continent of Man. German r&b group Glashaus’s track “Bald (und wir sind frei) [Soon (and We Are Free)]” performs this overdetermined idea of freedom as disarticulated from Man both graphically and sonically. Paying tribute to both the nineteenth-century spiritual “We’ll Soon Be Free,” written on the eve of the American Civil War, and Donny Hathaway’s 1973 recording, “Someday We’ll All Be Free,” Glashaus’s title “Bald (und wir sind frei)” enacts the disrupted yet intertwined notions of freedom, temporality, and sociality that I am gesturing to here.33 In contrast to its predecessors, which are resolutely located in the future via the use of soon/someday and the future tense, Glashaus’s version renders freedom in the present tense, albeit 138 Chapter Eight qualified by the imminent future of “bald [soon]” and by the typographical parenthetical enclosure of “(und wir sind frei) [and we are free].” The flow of the parentheses intimates both distance and nearness, ragging the homogeneous, empty future of “soon” with a potential present of a “responsible freedom” (Spillers) and/as sociality. The and and the parentheses are the conduits for bringing-into-relation freedom’s nowtime and its constitutive potential futurity without resolving their tension. The lyrics of “Bald (und wir sind frei)” once again exemplify this complementary strain in that the words in the verses are resolutely future oriented, ending with the invocation of “bald” just before the chorus, which, held in the potential abyss of the present, repeats, “und wir sind frei.” Likewise, in the verses, Glashaus’s singer Cassandra Steen, accompanied only by a grand piano, just about whispers, whereas she opens up to a more mellifluous style of singing in the chorus; as a result, the verses (bald/future) sound constricted and restrictive but only when heard in relation to the expansive spatiality of the chorus (present). What initially looks like a bracketed afterthought on the page punctures the putatively central point in the sonic realm. It is not a vacant, uniform, or universal future that sets in motion liberty but rather the future as it is seen, felt, and heard from the enfleshed parenthetical present of the oppressed, since this group’s now is always already bracketed (held captive and set aside indefinitely) in, if not antithetical to, the world of Man. The domain of habeas viscus represents one significant mechanism by which the world of Man constrains subjects to the parenthetical, while at the same time disavowing this tendency via recourse to [and] the abnormal and/ or inhuman. Heard, seen, tasted, felt, and lived in the ethereal shadows of Man’s world, however, a habeas viscus unearths the freedom that exists within the hieroglyphics of the flesh. For the oppressed the future will have been now, since Man tucks away this group’s present in brackets. Consequently, the future anterior transmutes the simple (parenthetical) present of the dysselected into the nowtime of humanity during which the fleshy hieroglyphics of the oppressed will have actualized the honeyed prophecy of another kind of freedom (which can be imagined but not [yet] described) in the revolutionary apocatastasis of human genres.

#### Subjects are gridded against the legal system to be surveilled by the state, which mandates a precondition to rights: are you oppressed enough to deserve equality? Even when the state affirms the rights of white, cis, wealthy gay men, it oppresses gender nonconforming, indigenous, queers. Thus, the role of the ballot is to deconstruct western Man.

Weheliye 5 [Alexander Weheliye, Professor of African American Studies at Northwestern University, 2014, “Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human” // Dulles VN]

We are in dire need of alternatives to the legal conception of personhood that dominates our world, and, in addition, to not lose sight of what re- mains outside the law, what the law cannot capture, what it cannot magi- cally transform into the fantastic form of property ownership. Writing about the connections between transgender politics and other forms of identity- based activism that respond to structural inequalities, legal scholar Dean Spade shows how the focus on inclusion, recognition, and equality based on a narrow legal framework (especially as it pertains to antidiscrimination and hate crime laws) not only hinders the eradication of violence against trans people and other vulnerable populations but actually creates the condition of possibility for the continued unequal “distribution of life chances.”22 If demanding recognition and inclusion remains at the center of minority politics, it will lead only to a delimited notion of personhood as property that zeroes in comparatively on only one form of subjugation at the expense of others, thus allowing for the continued existence of hierarchical differ- ences between full humans, not-quite-humans, and nonhumans. This can be gleaned from the “successes” of the mainstream feminist, civil rights, and lesbian-gay rights movements, which facilitate the incorporation of a privileged minority into the ethnoclass of Man at the cost of the still and/or newly criminalized and disposable populations (women of color, the black poor, trans people, the incarcerated, etc.).23 To make claims for inclusion and humanity via the U.S. juridical assemblage removes from view that the law itself has been thoroughly violent in its endorsement of racial slavery, indigenous genocide, Jim Crow, the prison-industrial complex, domestic and international warfare, and so on, and that it continues to be one of the chief instruments in creating and maintaining the racializing assemblages in the world of Man. Instead of appealing to legal recognition, Julia Oparah suggests counteracting the “racialized (trans)gender entrapment” within the prison-industrial complex and beyond with practices of “maroon abo- lition” (in reference to the long history of escaped slave contraband settle- ments in the Americas) to “foreground the ways in which often overlooked African diasporic cultural and political legacies inform and undergird anti- prison work,” while also providing strategies and life worlds not exclusively centered on reforming the law.24 Relatedly, Spade calls for a radical politics articulated from the “‘impossible’ worldview of trans political existence,” which redefines “the insistence of government agencies, social service pro- viders, media, and many nontrans activists and nonprofiteers that the ex- istence of trans people is impossible.”25 A relational maroon abolitionism beholden to the practices of black radicalism and that arises from the in- compatibility of black trans existence with the world of Man serves as one example of how putatively abject modes of being need not be redeployed within hegemonic frameworks but can be operationalized as variable lim- inal territories or articulated assemblages in movements to abolish the grounds upon which all forms of subjugation are administered. The idea of bare life as espoused by Giorgio Agamben and his followers discursively duplicates the very violence it describes without offering any compelling theoretical or political alternatives to our current order. Para- doxically, by insisting on a limited notion of the law at the cost of neglecting so many other facets that flow into the creation of bare life, Agamben pre- empts a rigorous and imaginative thinking of the political imaginary that rests in the tradition of the oppressed. Agamben’s impoverished conception of the political comes into view most clearly in the lack of current or past alternatives it offers to our current order and when we consult the fleshly testimonies of and about subjects that inhabit the sphere of mere life (the enslaved, political prisoners, concentration camp detainees, for instance). Still, these voices should not be construed as fountains of suffering authen- ticity but as instantiations of a radically different political imaginary, which refuses to only see, feel, hear, smell, and taste bare life in the subjectivity of the oppressed.