### Off 1

**Biopolitics of the state is imbedded in unionization movements locks in power and murder of “abnormalities” who don’t conform**

Azhiim 19 [Rizma Afian Azhiim May 2019, "(PDF) A Disciplined Freedom: The Paradox of Labour Rights in Post-Reformasi Indonesia," ResearchGate, [https://www.researchgate.net/publication/332999998\_A\_Disciplined\_Freedom\_The\_Paradox\_of\_Labour\_Rights\_in\_Post-Reformasi\_Indonesia]/ISEE](https://www.researchgate.net/publication/332999998_A_Disciplined_Freedom_The_Paradox_of_Labour_Rights_in_Post-Reformasi_Indonesia%5d/ISEE)

Within sovereign nation States, regulation (as operated through bills of law) functions as a normative foundation for every citizen. At the same time, it also creates a security apparatus to discipline noncompliant bodies as well as exercise social control by establishing a hierarchical difference between those who are considered normal and abnormal, proper and improper, good citizens and bad, legal and illegal, well-behaved and criminal, etc. (Lemke, 2011, p. 47). The State’s power, as exercised through legal regulation, continues to transform along with social conditions, as precipitated by scientific and technological innovations. Transformations within legal regulations create conditions of discontinuity within society, which is evidenced within historical episodes due to the continuous reproduction of social security through legal regulation. Regulation, as a security apparatus and a normative foundation for society, is one element that sustains economic production and life within the territory of the nation State. In this case, legal regulation is also a technology and mechanism that provides the security and control necessary to ensure production and the stability of society’s economic system. In fact, in the context of manpower, regulation has the goal of securing “harmonious industrial relations” between capital owners and workers for the sake of State sovereignty. Through legal regulations, we can analyse the arrangements that make economic production possible. In Indonesia, the legal regulation that sustains production through the social relations between workers and employers has been implemented through the Manpower Law, which regulates industrial relations between capital owners/employers, workers/labour, and the government. As a social security and control technology, Indonesia’s Manpower Law sustains economic production and life within the country, and transforms along with the social conditions in society to create specific historical periods. Through the concept of biopolitical power, adopted from the writings of Foucault, we can analyse how the Indonesian State’s legal regulation works as a discourse in normalising wages, labour relations, and labour welfare to create conditions that enable the State, corporations, and society to sustain the social relations of production within the sovereign territory of the Republic of Indonesia. The Securement of Labour Movement during the New Order Era Using Foucault’s biopolitics as a framework, it can be seen that the New Order regime sought to direct the collective body of the population (more specifically, labour movements) through the doctrine of Pancasila Labour Relations (Hubungan Perburuhan Pancasila/HPP), which was later renamed Pancasila Industrial Relations (Hubungan Industrial Pancasila). This doctrine emphasised that “labour, private businesses, and the state were components of one big harmonious family, with the state itself playing the role of benevolent father figure” (Hadiz, 2002, p. 132). The New Order regime justified labour’s alienation as laying a foundation for social order and political stability (Purwaningsih, 2008, p. 143). However, such stability could only be sustained due to the use of Pancasila Industrial Relations to justify the government’s use of punitive actions against inharmonious behaviour to ensure that the disappointment and alienation of the workforce would not develop into resistance. Freedom of association is actually considered a human right due to advocacy led by the International Labour Organisation (ILO). However, before Reformasi, or more specifically before President Habibie ratified ILO Convention No. 87 on Freedom of Association, this right was not guaranteed by the Indonesian government (Tjandraningsih, 2007). When asked about its obligation to protect labour rights, the New Order regime would point to the Indonesian Trade Union (Serikat Pekerja Seluruh Indonesia/SPSI) as an avenue for protecting labour rights in Indonesia. However, SPSI’s structure was dominated by individuals affiliated with the Golkar Party— Soeharto’s political vehicle. As such, SPSI was unable to be free of the government’s power, and it ultimately became an apparatus of power through which the government implemented Pancasila Industrial Relations instead. Ultimately, efforts to fulfil labour’s demands were always given less emphasis than the interests of employers, whom the New Order regime considered more important in sustaining Indonesia’s economic growth (Levine, 2007). Resistance against the authoritarian labour regime represented by SPSI can be seen in the establishment of new unions outside of SPSI, such as the Indonesian Welfare Labour Union (Serikat Buruh Sejahtera Indonesia/SBSI), which operated outside of the corridor expected by the government and directly challenged SPSI’s legitimacy. This forced the New Order regime to deploy its resources, i.e. the military, by giving it the right to intervene in industrial relations disputes (Tjandraningsih & Herawati, 2008). The New Order regime also used labour as an instrument of propaganda by establishing the doctrine of Pancasila Labour Relations as a unitary ideology to disconnect labour movements from socialist ideology by labelling them as communist—an ideology banned by the New Order. Instead of repressing the labour movement’s desire to resist, these policies actually give birth to new figures of resistance that operated through non-union labour organisations funded by foreign grants, such as from Friedrich Ebert Stiftung (FES) Indonesia paid through the Indonesian Labour Foundation (Yayasan Tenaga Kerja Indonesia/YTKI) (Soegiri & Cahyono, 2003). To top it all, the repressive policies implemented by the New Order regime found their ‘Achilles heel’ after the appearance of a martyr figure named Marsinah (Avonius, 2008, p. 105). The atrocious murder and rape of Marsinah, a woman worker and labour activist from Sidoarjo, after she led a strike in 1993 enabled the fragmented labour resistance to unite through the establishment of the Solidarity Committee for Marsinah (Komite Solidaritas untuk Marsinah/KSUM) (Soegiri & Cahyono, 2003, p. 38). According to Avonius (2008, p. 105), the tragedy of Marsinah’s murder enabled labour movements to transform into civil society actors that were able “to change the political morality previously considered to be an absolute truth by the State.” This tragedy also invited sympathy from neighbouring States, including Japan, Singapore, Australia, and the Philippines (Soegiri & Cahyono, 2003, p. 39), who questioned the New Order regime’s usage of the military to deal with labour issues. This, in turn, created pressure for the government to accept supervision by the United Nations (Avonius, 2008, p. 104). In the end, a more organised labour movement was capable of launching radical actions that were not predicted by the New Order regime (Tjandraningsih, 2007). Looking back, the control of labour through terror and repressive policies has occurred in Indonesia since the colonial era, a fact highlighted by the torture of farm workers who refused to work, which ultimately paved the way for the creation of the Communist Party of Indonesia (Partai Komunis Indonesia/PKI) and its agenda of overthrowing the colonial government (Soegiri & Cahyono, 2003). Indonesia’s experiences under the colonial and New Order regimes show the fatal flaw of rule through vertical relations of fear. So-called times of “political stability” were not actually stable, as they were vulnerable to spontaneous acts of resistance that resulted from the accumulation of repressed workers’ disappointment and alienation. Compared to labour movements in the Reformasi era, whose freedom of association is guaranteed by the State, labour movement actions under these regimes tended to be more disciplined and in-line with the legal expectations of the government. The next section will explain how freedom of association, as regulated by the Manpower Law, has allowed the discipline of the labour movement and ensured the security of the State.

**Locking in new terrains of biopolitical control results in catastrophe production – that poses a threat to all life**

**McLoughlin 10** (Daniel McLoughlin – PhD in philosophy from the University of New South Wales and Senior Lecturer at the Faculty of Law there, “Agamben’s Exception: Sovereignty, Ontology and the Politics of Crisis”, School of History and Philosophy of the University of New South Wales, August 2010, <http://unsworks.unsw.edu.au/fapi/datastream/unsworks:9163/SOURCE02?view=true>, MG)

\*ableist language connoted in brackets

Although a biopolitical perspective is absent from State of Exception, in the lecture “Security and Terror” (2001) Agamben does provide some reflection on the link between the use of emergency powers and the problem of biopolitics. He does so through a brief discussion of the “paradigm of security,” which he suggests in State of Exception (without detail) replaces the declaration of the state of exception in the latter half of the Twentieth Century. Agamben’s lecture opens by noting that the logic of security goes back to the theoretical origins of the modern state in the work of Hobbes, for whom the **protection of life from physical threat is an essential justification of the state**.166 “Security and Terror” goes on to develop the analysis, however, by drawing on Foucault’s work on the biopolitics of the population and governmentality.167 According to Foucault, the biopolitics of the population is a distinct mode of the “power over life” from discipline. Where discipline intervenes at the level of the body to normalise the individual, the object of biopolitical intervention is a multiplicity of people, as a “species body” or “population.” The aim of this intervention is to create of conditions under which the population can prosper, through the **optimal arrangement of people** in their relations with their social, environmental, and economic milieu.168 Foucault describes the mechanisms through which this biopolitical regulation is effected as “**apparatuses of security**.” These intervene in a population, not in order to eliminate a phenomena (such as disease or pollution) but rather to **control** **it** in a way that is optimal: “in a word, security mechanisms have to be installed around the random element inherent in a population of living beings so as to optimize a state of life.”169 Paul Patton points out that what is meant by security in this context is not “the life or safety of individuals but the achievement and maintenance of an overall equilibrium or regularity in a population.”170 Through his analysis of the state of exception, however, Agamben, however, blurs together the Hobbesian sense of security as the protection of life, together with the Foucauldian analysis of the “apparatuses of security.” Not only does State of Exception’s genealogy of the state of exception as a paradigm of government repeatedly cast it as a “technique of government,”171 but his approach to “Security and Terror” asserts that measures of security “require constant reference to a state of exception.”172 Agamben’s descriptions of the use of the state of exception as a technique of government also briefly cite the logic that Foucault sees as guiding the use of security mechanisms: the logic of law and discipline is that of ordering and restricting, such that “**security wants to regulate disorder**.”173 Agamben asserts that contemporary governance, instead of maintaining order, operates through the “the **administration of the absence of order**”;174 in this way, instead of preventing catastrophes, today “**politics secretly works towards the production of emergencies**.”175 Similarly, State of Exception casts the political form of the global police state as “**a new planetary order which is in truth the worst of all [~~disorders~~]**.”176 Here, he also explicitly links this governance through [~~disorder~~] to sovereignty and, in particular, the exploitation of the indeterminacy of the decision on the exception, arguing that since the Second World War, “the voluntary creation of a permanent state of emergency (though perhaps not declared in the technical sense) has become one of the essential practices of contemporary states, including so-called democratic ones.”177 It would appear, then, that for Agamben, the state of exception is one of the “apparatuses of security” that the contemporary state deploys in order to maintain equilibrium. However, **the “equilibrium”** that the state maintains through the use of the state of exception is a profoundly **unstable one**. Similar to his analysis of biopolitics and the concentration camp in Homo Sacer, Agamben’s account of the contemporary security asserts that the logic of the protection of life, upon which the modern state was justified, now **poses a threat to that very life**. In the previous chapter, I argued that the strength of Agamben’s work lies in his use of political problems as a departure point for a critique of a political tradition that seeks to render its political apparatuses inoperative. In Homo Sacer he achieves this by implicating the concepts of the modern political tradition in the development of the biopolitical catastrophe, thereby problematising a politics that would seek to restore the “original” meaning of concepts such as “nation,” “right”, and “democracy” as a response to their hollowing out by political nihilism. Although, in State of Exception he develops a critique of the crisis of the constitutional politics of liberal democracy, this lacks a corresponding immanent critique of the relationship between juridical nihilism and the liberal democratic state from which it emerged. The “paradigm of security” also provides a crucial link between **liberalism and the state of exception**, and has the potential to do the work that his critique of concepts such as “right” and “nation” does in Homo Sacer: that is, foreclosing the resort to a politics that would simply seek to restore the status quo of the modern political tradition, by illuminating the relationship between that tradition and the development of the political problems it attempts to combat.

**We should imagine a world where things aren’t what they seem – the desire of the 1ac is the opposite of the life guided by reason – return to immanence and embrace contingency**

**Gulli 16** (Bruno Gulli - teaches philosophy at Long Island University, “Sovereign Violence and the Power of Acting – (Imagining the Unsovereign Law)”, A Journal of the Social Imaginary, 2016, <https://cab.unime.it/journals/index.php/IMAGO/article/viewFile/1307/1024>, MG)

A critique of sovereign violence, therefore, cannot simply rest on the reality of affects and desire and the deterministic tendencies engendered by it. What must be taken into account by such a critique is the fact of contingency –as well as the awareness of it. **Being aware of contingency means imagining how things could be other than they are**. Obviously, this awareness and this imagination are not found in the detached place of a simple and unified subject, but rather in the multiple conditions of subjectification and in the process of individuation –and this is what determination amounts to. Yet, a vortex of original contingency and freedom must exist if we are to posit the possibility of change. Things can change –as John Duns Scotus notes— because they are possible, rather than necessary (Duns Scotus 1987: 44). Indeed, “**those who deny that some being is contingent should be exposed to torments until they concede that it is possible for them not to be tormented**” (9). Something different can be imagined only because it is possible –and possibility is part of reality. So when Lordon denies what he calls “the tense of regret” as “a retrospective illusion” and as “the Spinozist non-sense par excellence,” he is perhaps denying the reality, or actuality, of potentiality (Lordon 2014: 143). He says that “to be able to do and to do are one and the same thing: we could only have done what we did, neither more nor less” (143-144). But I find this unrealistic and false. For instance, I could have gone to the movies last night even though I didn’t. I believe that, even from a Spinozist point of view, the denial of ‘I could have,’ which I would not necessarily call “the tense of regret,” is a bit too strong. (Let us also note that the tense of regret is rather ‘I should have’ and admit that regret itself is in any case an important moment in human experience – and that we often learn from it.) That denial does in fact reduce reality to what is simply there, the merely given, by excluding potentiality. For it seems impossible to deny ‘I could have’ without at the same time also denying the ‘I could’ of transformation and change. To be sure, Lordon does not at all rule out change. But he inscribes it in a determinist –though he specifies, non-fatalist—ontology. For instance, he says, When the indignation that gets people moving prevails over the obsequium that makes them stay put, a new affective vector is formed, and individuals who used to be determined to respect institutional norms … are suddenly determined to sedition (140). But what accounts for this indignation? I would suggest that it is not at all a matter of determinism or free will. As far as I know, one of the most interesting takes on this issue is Jean-Paul Sartre’s denunciation of it as a false problem. At the outset of the chapter on freedom in Being and Nothingness, Sartre says, It is strange that philosophers have been able to argue endlessly about determinism and free will, to cite examples in favor of one or the other thesis without ever attempting first to make explicit the structures contained in the very idea of action (1956: 559). For Sartre, an action must be intentional: “The careless smoker who has through negligence caused the explosion of a powder magazine has not acted” (ibid.). This intentionality is what makes agents (bodies) expend their freedom, their nothingness. But as Sartre famously says, there is no exit from it, “we do not choose to be free” (623). We are “thrown into freedom,” condemned to it (ibid.). Sartre provides the solution to the false problem mentioned above, the paradox of freedom, by means of the notion of ‘situation’: “there is freedom only in a situation, and there is a situation only through freedom” (629). Situation means determination, but outside the logic of determinism. **Freedom means power to act, outside the illusion of a free will**. A critique of sovereignty also needs to posit something outside sovereignty. **However, this is not a moment of transcendence; rather, it is a return into immanence**. To say that there is a return to immanence seems to imply that there was an exit from it. In fact, there was no exit, but only the positing of a fictitious reality, **the illusion of sovereignty as a totality**. **The end of that illusion gives the sense of a return into what has always already been there**. In fact, it is sovereignty itself – sovereignty’s first and foremost expression of violence—that by positing itself as separate and distant creates a **metaphysical and fictitious paradigm of power** as potestas (authority) rather than potentia (potency). The fact that the paradigm is fictitious does not mean that it lacks real efficacy. What it lacks is **authenticity** and, if you will, **legitimacy**. Yet, it is a real and effective power. Lordon is absolutely right when he says, on the basis of Spinoza, that there “is no potestas that does not emanate from potentia(multitudinis) –but in the form of hijacking and to the advantage of the most powerful of master-desires, the desire of the sovereign” (160-161). **What must be shown is that the desire of the sovereign –a despotic desire—is the opposite of the life guided by reason, and closer to freedom, defining the desire of the multitude**. It is this reason that is neither private nor public, but something altogether different. In fact, it is common reason, that is to say, humanity.

#### **Contingency comes first – it shapes politics, acts as a precondition for liberal freedom, and counters dogmatic identities that otherwise threaten solvency**

Alt 16 (Suvi Alt - Assistant Professor in International Relations at the University of Groningen, “Beyond the Biopolitics of Development”, University of Laplap, 9 December 2016, <https://core.ac.uk/download/pdf/79177315.pdf>, MG)

The French Revolution gave expression to the idea that truth is created rather than found.487 Instead of being of a transcendent origin, truth is made in the human world. The ontological proposition of contingency has thus been necessary for a modern account of freedom from transcendental rule.488 **Contingency is a precondition for liberal freedom**. The contemporary importance of contingency is also founded on its association with the biopolitical imaginary. As discussed in the previous chapter, contingency is not one property of emergent life; it is the property of emergent life.489 Furthermore, Foucauldian conceptions of power are also based on an understanding of both the origins and nature of power as contingent. Recognising the contingency of all forms of social and political order is arguably one of the core tenets of different forms of poststructuralist thinking. Likewise, poststructuralism has contributed to politics an understanding of humans as beings produced by contingent histories, events and practices. Foucauldian analyses of ourselves as historically determined beings are directed at ‘the contemporary limits of the necessary’, thus exposing the contingency of such truths and practices that produce subjects.490 Contingency is put forward as a **precondition for politics** in the works of a number of contemporary thinkers including William Connolly, Jacques Rancière and Michael Shapiro. Appreciation of our own contingency and of our indebtedness to difference provides, for Connolly, a **way of countering dogmatic identities and thus functions as the basis of his account of a pluralistic democratic ethos**.491 Likewise, Shapiro affirms the possibility of ‘a contingency-embracing order where new relations, based on de-identification with old imposed essences, can flourish.’492 For Rancière, democracy refers to the institution of politics as the system through which any order of distribution of bodies is ‘thrown back on its contingency.’493 According to Robert Nichols, a free relation to the world means ‘being attuned to the contingency and indeterminacy of world-disclosure, which, in turn, means accepting that “we” (our selfhood) are beholden to this contingency – that we are contingent beings who are “held” by ontological freedom.’494 The effectiveness of the political is arguably manifested wherever the necessity of subjectivities, relations and systems of governance is **exposed as a fiction** and replaced with a **recognition of contingency** as the formative principle of the political. The biopolitical problematisations of various practices and rationalities pertaining to ‘life’ that have proliferated within the past decade are also intimately **tied to the concept of contingency**. According to Thomas Lemke, the primary aim of an analytics of biopolitics is to reveal the contingency of the rationalities on which biopolitical governance is based.495 Biopolitical analysis ought to, therefore, be concerned with exposing contingency where none appears to exist. But how can this construction of contingency as the site of the political delineate itself from the neoliberal governing that relies on contingency for ts very functioning? This question is often left unaddressed by those pursuing biopolitical analysis. As contingency appears to have become the principal characteristic of neoliberal life and the primary site through which it is governed, how can we think of a politics that is capable of challenging such ‘governing through contingency’ without resorting to pre-conceived transcendental truths or simply settling for the existing ontology? If the referent of biopolitical governance is, indeed, no longer the human but contingency, then the challenge to biopolitical governance has to either come from **within that contingency** or give its **own account of the relation between life and contingency**. Politics that is internal to neoliberal contingency will **perceive contingency as the price that is to be paid for freedom**. The search for ways of being governed differently is arguably possible because all systems of governance are contingent, except, of course, for the governance implied by the neoliberal conception of life as contingent. Put differently, life is free to become anything but the ontology of becoming cannot be questioned.

#### **Politics requires engagement with ethics and requestioning – failure to weigh the kritik ensures ethics that aren’t worth our time**

Schwarz 13 (Elke Shwarz - Senior Lecturer in Political Theory at Queen Mary University, “The Biopolitical Condition: Re-thinking the Ethics of Political Violence in Life-Politics”, The London School of Economics and Political Science, November 2013, <http://etheses.lse.ac.uk/760/1/Schwarz_Biopolitical_Condition.pdf>, MG)

Ethics and law are not the same. While the latter relies on abstraction, the former always contains an element of contingency inherent to human interactions, enshrined in experience. Whether this element is considered to be embodied (Coker 2013 p.190) or whether is rooted in sensibility (Critchley 2009 p.63), it relies on the human and his subjectivity to be actualised. In current narratives of warfare, this human element, and with it its radical uncertainty, is obscured by **codes, algorithms and statistical perceptions**. (Sylvester 2013 p.111) It is further occluded by the subservience mandate in the military profession. If we want to rethink ethics, we ought to consider it in the **context of politics**, the human and the complexities of today’s technologised world. As Braidotti suggests, “an ethics worthy of the complexities of our time requires a fundamental **redefinition of our understanding** of the subject in his location …”. (Braidotti 2011 p.300) In this, ethics ought to be able to incorporate the uncertain, the un-ascertainable, including fallibility, alterity and the multitude of plural beings. (in Braidotti’s case human and non-human entities) In this vein, Vivienne Jabri advocates an ethicality that questions subjectivity as a singular way of being and doing and is able to embrace the ‘messiness’ that emerges in human interaction. (Bauman 2000; Jabri 1998) I suggest that we must consider the subject and how we conceive of the subject in conceiving of an ethics that is not limited and limiting through code but has the capacity to be inclusionary assessing each situation, specifically those in war where life and death are at stake, anew. It is through the “unobvious decision” within which ethics is revealed. (Coker 2013 p.175) It is by doing what is not expected, and which might pose a certain, further risk, in which ethics is actualised. Politics, as an aspect and consequence of interaction in human plurality relies on ethical principles that enable humans to coexist not merely in Mitsein, but rather Fürsein (being-for) in a shared world (Bauman 2000 p.84), taking up a certain responsibility for the Other. It is, as indicated earlier, the very plurality of mankind within a shared space that gives rise to ethics in the first place. As Bauman rightly points out “[w]e share the world, and so we willy-nilly affect each other’s lives; what we do, or abstain from doing is not indifferent to the life of the others.” (Bauman 2000 p.84) In other words, in being and acting among others in a shared space, we already have a responsibility for the other – a responsibility that we may or may not take up. In such a shared world, interdependencies between individuals not only give rise to the conception of ethics but also give it meaning as “ethicality has … everything to do with what **human beings do to each other**” (Bauman 2000 p.83) – including political action. Subjectivity, the sense of self, is key here, as Critchley notes, “… ethics is entirely my affair, not the affair of some hypothetical, impersonal or universal I running through a sequence of possible imperatives” (Critchley 2009 p.66) t requires, however, a restyling of the subject not as analysable entity under the sway of progress and development toward an improved goal. The **biopolitical technology perspective** perpetually measures the human and humanity **against that which it is not, i.e. perfect and secure**. First and foremost, understanding the human subject as a political being (in the Arendtian sense), means to understand her as one that must take responsibility, that reveals herself, in freedom, in the political interaction with others. Jabri addresses the importance of the understanding of the self and subjectivity in the context of shaping ethics. She advocates a subjectivity that incorporates alterity and contingency in the context of interactions with the other. It is only such a subjectivity of incorporated and accepted difference that can give rise to an ethicality and a normative International Relations enterprise that rejects rigid prescriptions and ethics as code, but rather seeks a morality and ethicality of multiplicities in an everchanging interaction with the self in one’s context. In introducing a different way of thinking about ethics, Jabri highlights the unknowable and incalculable nature of human reality and underlines Bauman’s insight that “in place of the regularisation or systematisation of human moral conduct” one should call for “**a recognition of uncertainty**, mystery or spontaneity” (Jabri 1998 p.594) to encompass aspects of spontaneity and inexplicable sympathies. Jabri, with Bauman, advocates a release of morality from the rigid frameworks of law-like depersonalised rules of ethical codes in support of a conception of morality that **disregards “epistemological certainties**” (Jabri 1998 p.594) and recognizes the “**ambiguities and complexities, which surround each moral act**”. (Jabri 1998 p.594)

#### **The perm fails – the power of contingency lies in the hands of the beholder, incorporating everyday politics into contingency makes the state of exception permanent, serves as a barrier to agency, and recreates chaos**

Körösényi, Illés, and Metz 16 (András Körösényi - Professor of Political Science at the Corvinus University of Budapest, Gábor Illés - Junior Research Fellow at the Institute for Political Science at Centre for Social Sciences for the Hungarian Academy of Sciences, Rudolf Metz - PhD Candidate at Doctoral School of Political Science for the Faculty of Social Sciences at the Corvinus University of Budapest, “Contingency and Political Action: The Role of Leadership in Endogenously Created Crises”, Cogitatio, 23 June 2016, <https://www.cogitatiopress.com/politicsandgovernance/article/view/530/530>, MG)

The role of contingency depends on the abilities and goals of the political actor who faces the crisis situation (or creates one). Technocrats, like Monti, were trying to “erect defences and barriers” against fortuna, while the agency of de Gaulle or Orbán can rather be characterized as “boring the hard boards” of the institutional arrangement, economic conventions, and authorities. As we saw in their cases, political leaders can not only **utilize the higher level of contingency to create a new arrangement** (a new state of normalcy) shaped to their wants; they can also try to **incorporate an elevated level of contingency into everyday politics, making the state of exception permanent**. This paper aimed to contribute to the field at two levels. On the theoretical one, two contributions can be emphasized. Firstly, we introduced a conceptual typology that offers an overview of the approaches dealing with the relationship between crisis and political agency. This typology in our view can to a certain extent alleviate the stark distinction between structure and agency through using the same concept (that of contingency) to describe both of them. Contingency, as we have seen, can be a constraining element of the structure that forces the politician to take a certain course of action (background contingency). But at the same time it can become operative, if the political actor wants and is able to take risk (Weber), or continually makes order and **recreates chaos** (Schabert, 1989). The views of Schabert and Weber point toward a “monist” understanding of political action, where contingency permeates everything and where it is both the **barrier to and an element of agency**. This view can be contrasted with the “dualist view”, where structures and agency are starkly separated, and contingency is a feature of the structure, and the only task of political agency can be to abate it. Secondly, the aim of the typology was not just to add another theoretical perspective to the existing ones (it was not just an end in itself), but it also served as means to call attention to a potential relationship between agency and crisis that has been largely passed over by literature. This relationship is the most voluntaristic—and the “most clearly Weberian”—one, where there is no exogenous shock present, and **leaders generate crisis situations themselves** (quadrant D).

### Case

#### Unions don’t solve inequality – they’re too weak and tons of alt causes

Epstein 20 [Richard A. Epstein Peter and Kirsten Bedford Senior Fellow @ the Hoover Institution. "The Decline Of Unions Is Good News." https://www.hoover.org/research/decline-unions-good-news]

So what then could justify this inefficient provision? One common argument is that unions help reduce the level of income inequality by offering union members a high living wage, as seen in the golden age of the 1950s. But that argument misfires on several fronts. Those high union wages could not survive in the face of foreign competition or new nonunionized firms. The only way a union can provide gains for its members is to extract some fraction of the profits that firms enjoy when they hold monopoly positions.

When tariff barriers are lowered and domestic markets are deregulated, as with the airlines and telecommunications industries, the size of union gains go down. Thus the sharp decline in union membership from 35 percent in both 1945 and 1954 to about 15 percent in 1985 led to no substantial increase in the fraction of wealth earned by the top 10 percent of the economy during that period. However, the income share of the top ten percent rose to about 40 percent over the next 15 years as union membership fell to below 10 percent by 2000.

But don’t be fooled—that 5 percent change in union membership cannot drive widespread inequality for the entire population, which is also affected by a rise in the knowledge economy as well as a general aging of the population. The far more powerful distributive effects are likely to be those from nonunion workers whose job prospects within a given firm have been compromised by higher wages to union workers.

It is even less clear that the proposals of progressives like Sanders, Warren, and Buttigieg to revamp the labor rules would reverse the decline of unions. Not only is the American labor market more competitive, but the work place is no longer dominated by large industrial assembly lines where workers remain in their same position for years. Today, workforces are far more heterogeneous and labor turnover is far higher. It is therefore much more difficult for a union to organize a common front among workers with divergent interests.

Employers, too, have become much more adept at resisting unionization in ways that no set of labor laws can capture. It is no accident that plants are built in states like Tennessee and Mississippi, and that facilities are designed in ways to make it more difficult to picket or shut down. None of these defensive maneuvers would be necessary if, as I have long advocated, firms could post notices announcing that they will not hire union members, as they could do before the passage of the NLRA.

#### K turns case – in a world in which the unconditional right to strike is awknolaged things like lines of flight which your authors say are good

#### Zero reason uncondo rts is key – squo condo strikes solve

#### Zero reason their advocacy resolves the harms they outline –UQ o/w, the colonialism and capitalism they describe in the squo implies that workers striking wouldn’t get rid of it – neoliberal policies implicate basic intentional circumvention

#### Unions are vulnerable to right-wing populism – the plan creates divisions

Gruenberg 21 [Mark Gruenberg is head of the Washington, D.C., bureau of People's World. He is also the editor of Press Associates Inc. (PAI), a union news service in Washington, D.C. that he has headed since 1999. Previously, he worked as Washington correspondent for the Ottaway News Service, as Port Jervis bureau chief for the Middletown, NY Times Herald Record, and as a researcher and writer for Congressional Quarterly. Mark obtained his BA in public policy from the University of Chicago and worked as the University of Chicago correspondent for the Chicago Daily News. "Worldwide, union leaders grapple with members backing right-wing ‘populists’." https://peoplesworld.org/article/worldwide-union-leaders-grapple-with-members-backing-right-wing-populists/]

WASHINGTON—For years, union leaders on both sides of “The Pond”—also known as the Atlantic Ocean—have faced a problem: Right-wing ideologues’ “populist” rhetoric sways millions of their members to vote against their own interests.

And then once those putative plutocrats achieve public office, they show their true colors, by enacting and enforcing repressive pro-corporate anti-worker laws.

The problem is visible in the U.S., where 40% of union members and their families backed former GOP Oval Office occupant Donald Trump in 2020. But it’s not just Trump.

Over the years, millions supported other right-wing Republicans such as Sens. Mitch McConnell (Ky.), Ted Cruz (Texas), various U.S. representatives, Gov. Greg Abbott (Texas), and former Govs. Bruce Rauner (Ill.) and Scott Walker (Wis.).

All of them, especially Trump and Cruz, spout populist bombast and claim to represent workers—and then enact edicts benefiting the corporate class.

“Trump’s policies favored the rich and the well-connected. But four in ten union voters wanted to give him a second term” last November, said Knut Pankin, moderator of a late-March panel discussion on Right-Wing Populism As An Anti-Worker Agenda. “Why?”

The dilemma exists in other democracies, too. Some unionists heeded anti-immigrant screeds from Germany’s extreme right Alternative for Deutschland, Marine LePen’s French National Rally (formerly the National Front), Norbert Hofer’s Austrian Freedom Party, Hungarian Prime Minister/strongman Viktor Orban of Fidesz, and Poland’s Law and Justice Party, panelists said.

Once those blocs won power in Austria, Poland, and Hungary, or influenced elections in France, mainstream politicians followed their lead, cracking down on workers as well as targeting migrants. The pols feared they would otherwise lose more votes to the right.

The panel, sponsored by Georgetown University’s Kalmanovitz Initiative for Labor and the Working Poor, and the Friedrich Ebert Stiftung, a foundation set up to foster U.S.- German relations, tried to figure out why workers vote that way—and how to reorient them.

That’s not to say panelists Vonda McDaniel, president of the Nashville, Tenn., Central Labor Council, Prof. Federico Finchelstein, an expert on East European politics at New York’s New School for Social Research, and Prof. Thomas Greven of the Free University of Berlin reached a conclusion. They offered some reasons for the rightward shift and some solutions.

All those parties, including the GOP, “started as bourgeois, middle-class, shopkeeper-oriented” organizations, but have since pivoted to right-wing populism, Greven explained.

“Cruz at the Conservative Political Action Conference was trying to be the inheritor of the white working class who supported Trump,” he contended. The Texan proclaimed the GOP “the party of steelworkers, construction workers, police officers, firefighters, and waitresses.”

Nationalism, protectionism, and racism

“But one common denominator” is the GOP and the other right-wing parties, plus the workers they appeal to, “have a radicalized response” that “is nationalist, protectionist and nativist…to all facets of globalization,” he said. Those facets include corporate export of workers’ jobs to low-wage nations and resentment of refugees and migrants, often people of color whom white nativists in Europe and the U.S. view as a threat.

“’Us versus them’ is much easier to sell to working-class constituents. Union status doesn’t inoculate people versus right-wing populism,” Greven said. While populists’ pro-worker rhetoric is “a charade,” and progressives’ answer, “tax the rich,” is not enough, he added.

#### Removal of codification fails **fails; cooption, power of elites, etc.**

Chirot, 2020

(Daniel, the Herbert J. Ellison Professor of Russian and Eurasian Studies at the Henry Jackson School of International Studies at the University of Washington. This essay is adapted from You Say You Want A Revolution? Radical idealism and Its Tragic Consequences, published by Princeton University Press.March 3, "The Tragedy of Revolution: Lessons from the Past," American Interest, https://www.the-american-interest.com/2020/03/03/the-tragedy-of-revolution-lessons-from-the-past/)/EE

The first modern revolutions—the American one of 1775 and the French one 1789—could have been avoided with some liberalization that had been obviously necessary for some time. This was particularly true of the French Revolution, as France easily had the wealth to solve its fiscal crisis and had the cadres of Enlightenment thinkers and officials necessary to carry out reforms. But stubborn resistance to change by royal and aristocratic forces provoked more change that might earlier have been sufficient. In France, as in so many 20th century revolutions, the first wave of liberal, moderate revolutionaries were quickly overwhelmed by extremists who led the nation into civil war, terror, and eventually a Napoleonic military dictatorship whose constant wars ruined the country. What can we learn from these and many analogous cases? For one, it’s that revolutionary outcomes only seem pre-ordained in hindsight. Once the violence begins, events can quickly spin out of control as counterrevolutionary forces fight back and revolutionary extremists take control. Foreign intervention against the revolution makes that even more likely. Of the great modern revolutions, the American one stands out as an exception because ruling domestic elites never lost control and limited their revolution to political rather than social and economic changes. (To be sure, that had its own costs, as the issue of slavery was left unaddressed and has haunted the United States ever since.) Secondly, moderate liberal reformers have repeatedly failed to grasp how dangerous radicals really are. Leaders like Lafayette or Condorcet in France only belatedly found out that they were as much the target of extremists on their left as were the counterrevolutionary aristocrats on their right. Lafayette fled into exile and Condorcet was murdered despite his long-standing support for a liberal revolution. The same fate befell Kerensky and other moderates in Russia, and also to a series of relative moderates in Mexico. Shapour Bakhtiar, a liberal opponent of royal dictatorship in Iran was repeatedly jailed by the Shah, and only brought to power in 1978, too late to save the situation. He eased the transition to democracy but was forced to flee by Khomeini, and he was eventually murdered by Iranian agents in Paris. The same lack of foresight can be seen in relatively more moderate conservatives who oppose revolutionary change and are more willing to seek allies on the far right than to compromise with moderate leftist reformers. That leads to the kind of alliance that put Mussolini in power in Italy in 1922 and Hitler in Germany in 1933. The great historian Crane Brinton postulated that every revolution would eventually have a “Thermidorian reaction,” named after the month in the French revolutionary calendar when, in 1794, the murderous leader of the terror, Robespierre, was overthrown and guillotined. The lesson of twentieth century revolutions is that indeed Thermidorian reactions happen, but they can take much longer to occur than in France when the radicals were in power a mere two years. In Russia it was only after Stalin’s death in 1953, and even more in the 1970s and 1980s, that the revolution abandoned its radical ideals. Something like that happened with Deng Xiaoping in China, but only incompletely, and in a way that still has to be played out. In Iran the struggle between radical and more centrist revolutionaries continues to this day. A third general lesson that can be drawn from modern revolutions is that they are all eventually corrupted. After radicals have established a dictatorship, the means of exposing and controlling corruption cease to be available to these regimes. That is what has happened to the majority of anti-colonial “Third World” revolutionary regimes like those of Angola and Algeria, or the Baathist ones in Syria and Iraq (before it was overthrown by the Americans). It is what Xi Jinping fears in China, and what had happened to European communism by the 1980s. That this is the ultimate fate of radical revolutions should be no comfort: The most prevalent regime type to follow failed revolutions is the kind of authoritarian kleptocracy best exemplified by Vladimir Putin. Finally, the fourth conclusion is that reform can take place without revolution as long as political elites understand the need for gradual change and compromise. In many cases repression of liberal moderation can last a long time, but eventually some unforeseen event—a war, a pandemic, an economic depression—coupled with overreactions by the forces of repression, and creeping cynicism within the elite, will trigger more drastic revolutionary activity. From there, it is all too easy to fall into destructive extremism. Only after years of tragedy does it become clear that all this was in vain, and that better solutions were available.

#### Strikes lead to backlash bills which weaken unions proes a lack of disruption to codification process – empirically proven. Partelow ‘19

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In 2018 and 2019, after a decade of disinvestment in education that led to stagnant teacher salaries, policymakers have introduced [proposals in states](https://thehill.com/homenews/state-watch/426030-states-race-to-prevent-teacher-strikes-by-boosting-pay) across the country to begin reinvesting, spurred in part by teacher walkouts and activism nationwide. While it is wonderful to finally see broad support for raising teacher salaries and investing in public schools, a predictable backlash has also emerged. Legislators in some states that were hotbeds of teacher activism are [introducing bills](http://nymag.com/intelligencer/2019/01/teacher-walkouts-gop-lawmakers-push-retaliatory-bills.html) to explicitly prohibit walkouts or punish teachers who participate, often with a sprinkling of additional anti-union provisions. Weakening unions and refusing to invest in education are long-standing conservative tenets, and these bills are evidence that we should expect conservative policymakers to return to them as soon as they believe them to be politically viable. The consequences of a decade of education funding cuts came into sharp relief last spring, after teachers staged walkouts in [half a dozen states](https://www.nytimes.com/2018/05/16/us/teacher-walkout-north-carolina.html). The [decade of disinvestment](https://www.americanprogress.org/issues/education-k-12/reports/2018/09/20/457750/fixing-chronic-disinvestment-k-12-schools/) in education had its roots in the Great Recession, when many states were forced to drastically cut their K-12 education funding. But as the recovery got underway, many governors — particularly in red states — made intentional policy choices to cut taxes for wealthy residents and corporations rather than allow education funding to rebound to pre-recession levels as revenue increased. As a [result](https://www.americanprogress.org/issues/education-k-12/reports/2018/09/20/457750/fixing-chronic-disinvestment-k-12-schools/%5b), teacher wages stagnated, school budgets were strapped, and expenses such as building repairs and learning materials were deferred year after year. By 2018, reports of [crumbling schools](https://www.motherjones.com/politics/2018/01/its-not-just-freezing-classrooms-in-baltimore-americas-schools-are-physically-falling-apart/), students learning from [decades-old textbooks](https://www.cnn.com/2018/04/03/us/oklahoma-teachers-textbooks-trnd/index.html), high teacher turnover, and staff [shortages](https://tucson.com/news/local/we-continue-to-worsen-nearly-arizona-teaching-jobs-remain-vacant/article_1c8d665a-a422-5c7b-95b9-98afe0cb0c6f.html) in these states became common. Teachers had reached their [boiling point](https://morningconsult.com/opinions/americas-teachers-are-at-their-boiling-point/). The teacher walkouts have been very effective. Though they were a last resort, they finally got lawmakers’ attention in states that had seen the most chronic and severe cuts to education. In the states where teachers walked out, governors who hadn’t historically supported [education funding](https://www.americanprogressaction.org/issues/education/news/2018/10/09/171813/little-late-many-gubernatorial-candidates-education-funding/) agreed to enact significant [pay raises](https://www.latimes.com/nation/la-na-teacher-funding-20180306-story.html) and increases in education funding. For example, in Arizona, Republican Gov. Doug Ducey was forced to sign off on a teacher pay bill he had [previously opposed](https://tucson.com/news/local/gov-ducey-teachers-aren-t-going-to-get-percent-pay/article_75a9b7dc-930b-5374-be12-61fb840e4ced.html) that provided a [20 percent raise](https://www.reuters.com/article/us-usa-education-arizona/arizona-governor-signs-bill-to-boost-teachers-wages-amid-strike-idUSKBN1I40N8) to the state’s teachers — some of the lowest-paid in the nation — and invested an additional $100 million in schools in the state. And now, in several states with low teacher pay that have so far avoided major protests, some governors have proposed salary increases. Remarkably, much of this movement is happening in [deep-red states](https://thehill.com/homenews/state-watch/426030-states-race-to-prevent-teacher-strikes-by-boosting-pay) with historically low education spending. In South Carolina, Gov. Henry McMaster wants to give teachers a 5 percent pay raise; in Texas, Lt. Gov. Dan Patrick has proposed a $5,000 increase; and in Georgia, Gov. Brian Kemp has proposed a $3,000 increase. In all three of these states, teachers are [paid less](http://www.nea.org/assets/docs/180413-Rankings_And_Estimates_Report_2018.pdf) than the national average. It’s likely that last year’s walkouts nudged these governors to consider teacher pay in a way that they wouldn’t have otherwise. Though it goes against traditional conservative principles, supporting these raises is smart politics for these governors. There is widespread public [support for increasing teacher pay](https://www.apnews.com/883e9d387709112a11ee8901c223294e), particularly in the states where walkouts occurred. But even as some conservative policymakers agree to raise teacher salaries, as the 2019 legislative sessions have begun, others in Arizona, Oklahoma, and West Virginia have introduced bills that would [make walkouts illegal](http://nymag.com/intelligencer/2019/01/teacher-walkouts-gop-lawmakers-push-retaliatory-bills.html) and penalize teachers with fines, loss of their teaching licenses, or even [jail time](https://www.vox.com/policy-and-politics/2018/4/23/17270422/colorado-teachers-strike-jail-bill). Some of the bills also contain provisions designed specifically to weaken teachers unions, such as a requirement that teachers must [opt in to dues each year](https://www.nytimes.com/aponline/2019/01/28/us/ap-us-education-bill-west-virginia.html), which sponsors hope will reduce membership by adding an extra step to the process. Legislators in walkout states have also introduced stand-alone proposals designed to make union membership more difficult and, therefore, less likely, such as a prohibition on districts [withholding union dues](https://newsok.com/article/5593286/bill-is-revenge-for-teacher-walkout-unions-say) from teachers’ paychecks. These backlash bills hint at a much more familiar conservative education agenda of slashing funding and working to weaken teachers unions. After all, it is this agenda that led to stagnant teacher salaries, deplorable conditions in many school buildings, and consequences for students whose schools were chronically underfunded in the first place. Supporting increases to teacher pay and greater investment in schools is the right thing to do for America’s students. Unfortunately, this wave of backlash makes clear that for some policymakers, it’s all about politics — and as soon as they have the chance, they’ll once again slash education funding and attack hardworking teachers.