# Glenbrooks r6

## 1AC

### Framework

#### The meta-ethic is moral pluralism – ethics can’t be defined universally rather conflicting ethical viewpoints have equal ethical worth – prefer:

#### First, ethics are based in language - It creates out ability to think and makes us agents – life outside language is deterministic and without morality - Pettit 09:

Phillip Pettit. Made With Words, Hobbes on Language, Mind, and Politics. 2009. <http://www.jstor.com/stable/j.ctt7rp73.3> //LHPYA

This picture of the mental life with which nature furnishes human beings, according to Hobbes, has two striking features. The first is that every process that takes place within the mind, cognitive or appetitive, is entirely particularistic. People will see and remember, represent and desire, only concrete things and situations. They will have no capacity to hold by general claims about how things are, or by general policies or principles for the direction of action. They will be prisoners of the imagined particular. Presented with a triangle, they will register just the individual figure contemplated, not any general aspect of the triangle (DCr 6.11; L 4.9). They will see the triangle before them, but will not register it as a triangle, a closed figure, or a drawing; not having access to such classes, they will not have the capacity to register it as anything more general than this particular thing: they will not be able, however implicitly, to classify it. The second aspect of Hobbes’s picture is that all that happens in the natural mind does precisely that: it happens. The succession of conceptions in which mental life consists is a form of vital motion, not of animal or voluntary motion; “one conception followeth not another, according to our election, and the need we have of them, but as it chanceth us to hear or see such things as shall bring them to our mind” (EL 5.1). The process does not evolve under the prompting or guidance of the agent’s desire to have those conceptions assume a certain pattern—say, constitute correct and consistent representations—but only as a by-product of a desire to act in one or another concrete fashion. If the subject is well constructed, then the succession of conceptions will lead rationally to action; the action will satisfy the subject’s desires according to evidentially sensitive representations. But no matter how rational the process or result, this succession of conceptions will not be prompted or guided by the agent’s desires in the manner of an active, intentional performance. The natural agent, animal or human, may be rational, instantiating a certain model of homo rationalis. Yet no one in this natural state will exemplify homo ratiocinans. No one will display the sort of active reflection that we naturally ascribe to Auguste Rodin’s sculpture of the thinker, bent over in concentrated thought. But while the natural mind is particularistic and passive in Hobbes’s portrait, he had no doubt that is not how our minds are. We adult, articulate human beings have words and concepts, not just for particular things, but for classes and categories of things, and we use them to classify, cross-check, and pursue interconnections. More specifically, we do this actively or intentionally, asking ourselves questions about how the words and concepts go together, and seeking to determine the answers. We may do this publicly in speaking with one another, but we may also do it silently, as in reflecting and taking counsel with ourselves. In these two respects, then, we reveal a mind that is decidedly different from the natural mind that Hobbes finds in the animal kingdom. The Linguistic Way Beyond How do human beings escape the constraints of the natural mind? How do they achieve the capacity to represent and desire things under general aspects, and think about them in an active, voluntary way? Hobbes’s answer is the most startling and original claim that he makes in the whole of his philosophy. The claim is that language or speech is a historical invention, and that it is language that makes possible the general, active form of thinking that we human beings display; it enables us to classify as well as register particulars, and seek out the implications of those classifications in a voluntary or active manner. Language, in Hobbes’s story, provides the magic that enables us to jump the limitations of the natural, animal mind. The claim is most vividly expressed in Leviathan. Having reviewed the capacities of the natural mind that human beings share with animals, Hobbes directs us to other human capacities or faculties that “proceed all from the invention of words, and speech. For besides sense, and thoughts, and the train of thoughts, the mind of man has no other motion; though by the help of speech, and method, the same faculties may be improved to such a height, as to distinguish men from all other living creatures.”(L 3.11).

#### Language is structurally negative and doesn’t refer to reality – if I say I saw an oak tree you know I didn’t see a car or person but you can’t visualize what I did see – since our rationality is based in language truth is created by individuals rather than extrinsically found but that creates infinite violence over meaning creation - Parrish:

Derrida`s Economy of Violence in Hobbes` Social Contract, Richard Parrish

For Hobbes truth is a function of logic and language, not of the relation between language and some extralinguistic reality,"25 so the "connections between names and objects are not natural."26 They are artificially constructed by persons, based on individual psychologies and desires. These individual desires are for Hobbes the only measure of good and bad, because value terms "are never used with relation to the person that useth them, there being nothing simply and absolutely so, nor any common rule of good and evil to be taken from the nature of the objects themselves."27 Since "there are no authentical doctrines concerning right and wrong, good and evil," these labels are placed upon things by humans in acts of creation rather than discovered as extrinsic facts. Elaborating on this, Hobbes writes that "the nature, disposition, and interest of the speaker, such as are the names of virtues and vices; for one man calleth wisdom, what another calleth fear; and one cruelty what another justice."29 A more simplistic understanding of the brutality of the state of nature, which David Gauthier calls the "simple rationality account,"30 has it that mere materialistic competition for goods is the cause of the war of all against all, but such rivalry is a secondary manifestation of the more fundamental competition among all persons to be the dominant creator of meaning. Certainly, Hobbes writes that persons most frequently "desire to hurt each other" because "many men at the same time have an appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it; whence it follows that the strongest must have it, and who is strongest must be decided by the sword."31 But this competition for goods only arises as the result of the more primary struggle that is inherent in the nature of persons of meaning creators. In the state of nature, "where every [person] is [their] own judge," persons will "mete good and evil by diverse measures," creat[e]ing labels for things as they see fit, based on individual appetites. One of the most significant objects that receives diverse labels in the state of nature is 'threat'. Even if most people happen to construe threat similarly, there will be serious disagreement regarding whether or not a specific situation fits a commonly-held definition.

#### However, the world doesn’t simply exist in irresolvable plurality. Pluralism creates constitutive competition over power within society. Only agonistic pluralism is capable of recognizing this and maintaining politics and ethics without arbitrarily granting power to certain groups by prioritizing their viewpoints. That means recognizing the Other’s right to their own ideas without labeling them an enemy to destroy – Mouffe 2k:

(Chantal Mouffe, Professor at the Department of Political Science of the Institute for Advanced Studies. June 2000. “The Democratic Paradox”) // LHP YA

Besides putting the emphasis on practices and language-games, an alternative to the rationalist framework also requires coming to terms with the fact that power is constitutive of social relations. One of the shortcomings of the deliberative approach is that. by postulating the availability of a public sphere where power would have been eliminated and where a rational consensus could be realized, this model of democratic politics is unable to acknowledge the dimension of antagonism that the pluralism of values entails and its ineradicable character. This is why it is bound to miss the specificity of the political which it can only envisage as a specific domain of morality. Deliberative democracy provides a very good illustration of what Carl Schmitt had said about liberal thought: 'In a very systematic fashion liberal thought evades or ignores state and politics and moves instead in a typical always recurring polarity of two heterogeneous spheres, namely ethics and economics.'ll Indeed, to the aggrgative model, inspired by economics, the only alternative deliberative democrats can oppose is one that collapses politics into ethics. In order to remedy this serious deficiency, we need a democratic model able to grasp the nature of the political. This requires developing an approach which places the question of power and antagonism at its very centre. It is such an approach that I want to advocate and whose theoretical bases have been delineated in Hegnnony aNi SodaJist Strategy.29 The central thesis of the book is that social objectivity is constituted through acts of power. This implies that any social objectivity is ultimately political and that it has to show the traces of exclusion which governs its constitution. This point of convergence - or rather mutual collapse - between objectivity and power is what we meant by 'hegemony'. This way of posing the problem indicates that power should not be conceived as an external relation taking place between two preconstituted identities, but rather as constituting the identities themselves. Since any political order is the expression of a hegemony, of a specific pattern of power relations. political practice cannot be envisaged as simply representing the interests of preconstituted identities, but as constituting those identities themselves in a precarious and always vulnerable terrain. To assert the hegemonic nature of any kind of social order is to operate a displacement of the traditional relation between democracy and power. According to the deliberative approach, the more democratic a society is, the less power would be constitutive of social relations. But if we accept that relations of power are constitutive of the social, then the main question for democratic politics is not how to eliminate power but how to constitute forms of power more compatible with democratic values. Coming to terms with the constitutive nature of power implies relinquishing the ideal of a democratic society as the realization of a perfect harmony or transparency. The democratic character of a society can only be given by the fact that no limited social actor can attribute to herself or himself the representation of the totality and claim to have the 'mastery' of the foundation. Democracy requires, therefore, that the purely constructed nature of social relations finds its complement in the purely pragmatic grounds of the claims to power legitimacy. This implies that there is no unbridgeable gap between power and legitimacy - not obviously in the sense that all power is automatically legitimate, but in the sense that: (a) if any power has been able to impose itself, it is because it has been recognized as legitimate in some quarters: and (b) if legitimacy is not based in an aprioristic ground, it is because it is based in some form of successful power. This link between legitimacy and power and the hegemonic ordering that this entails is precisely what the deliberative approach forecloses by positing the possibility of a type of rational argumentation where power has been eliminated and where legitimacy is grounded on pure rationality. Once the theoretical terrain has been delineated in such a way, we can begin formulating an alternative to both the aggregative and the deliberative model, one that I propose to call 'agonistic pluralism'.30 A first distinction is needed in order to clarify the new perspective that I am putting forward, the distinction between 'politics' and 'the political'. By 'the political', I refer to the dimension of antagonism that is inherent in human relations, antagonism that can take many forms and emerge in different types of social relations. 'Politics', on the other side, indicates the ensemble of practices, discourses and institutions which seek to establish a certain order and organize human coexistence in conditions that are always potentially conflictual because they are affected by the dimension of 'the political'. I consider that it is only when we acknowledge the dimension of 'the political' and understand that 'politics' consists in domesticating hostility and in trying to defuse the potential antagonism that exists in human relations, that we can pose what I take to be the central question for democratic politics. This question, pace the rationalists, is not how to arrive at a consensw without exclusion, since this would imply the eradication of the political. Politics aims at the creation of unity in a context of conflict and diversity; it is always concerned with the creation of an 'us' by the determination of a 'them'. The novelty of democratic politics is not the overcoming of this us/them opposition - which is an impossibility - but the different way in which it is established. The crucial issue is to establish this wIthem discrimination in a way that is compatible with pluralist democracy. Envisaged from the point of view of 'agonistic pluralism', the aim of democratic politics is to construct the 'them' in such a way that it is no longer perceived as an enemy to be destroyed. but as an 'adversary', that is. somebody whose ideas we combat but whose right to defend those ideas we do not put into question. This is the real meaning of liberal-democratic tolerance, which does not entail condoning ideas that we oppose or being indifferent to standpoints that we disagree with. but treating those who defend them as legitimate opponents. This category of the 'adversary' does not eliminate antagonism, though. and it should be distinguished from the liberal notion of the competitor with which it is sometimes identified. An adversary is an enemy. but a legitimate enemy. one with whom we have some common ground because we have a shared adhesion to the ethico-polirical principles of liberal democracy: libeny and equality. But we disagree concerning the meaning and implementation of those principles, and such a disagreement is not one that could be resolved through deliberation and rational discussion. Indeed, given the ineradicable pluralism of value. there is no rational resolution of the conflict. hence its antagonistic dimension.3J This does not mean. of course, that adversaries can never cease to disagree, but that does not prove that antagonism has been eradicated. To accept the view of the adversary is to undergo a radical change in political identity. It is more a sort of conversion man a process of rational persuasion (in the same way as Thomas Kuhn has argued that adherence to a new scientific paradigm is a conversion). Compromises are, of course, also possible; they are part and parcel of politics; but they should be seen as temporary respites in an ongoing confrontation.

#### Thus, the standard is consistency with agonistic pluralism.

#### Impact Calc:

#### A] There are 3 ways states can orient themselves with the us/them distinction: First, universality, in which they falsely deny the distinction’s existence, second, antagonism, in which you try to destroy the other, and third, agonism in which you accept the others’ difference. Since the resolution is a question of how states should interact, the only way to deny my framework is to prove either antagonism or false universality is better than agonism.

#### B] Agonism posits the conditions for truth construction – that means it functions as a metaethical constraint on other ethics and they aren’t competitive with our principle.

#### Prefer the standard:

#### 1] Actor specificity – the resolution is a question of what an ideal state ought to do - the state necessitates the paradox of exclusion — the necessary determination of who belongs to the state requires the exclusion of who doesn’t while including everyone makes exercising rights impossible - Mouffe 2:

(Chantal Mouffe, Professor at the Department of Political Science of the Institute for Advanced Studies. June 2000. “The Democratic Paradox”)

“In order to illustrate his point, Schmitt indicates that, even **in modem democratic states** where universal human equality has been established**, there is a category of people who are excluded as foreigners or aliens and that there is therefore no abso­lute equality of persons**. He also shows how the correlate of the equality among the citizenry found in those states is a much stronger emphasis on national homo­geneity and on the line of demarcation **between those who belong to the state and those who remain outside it**. This is, he notes, to be expected and, **if** this were not the case and **a state attempted to realize the universal equality of individuals in the political realm without concern for national or any other form of homogeneity, the consequence would be a complete devaluation of political equality and of politics itself.** To be sure, this would in no way mean the disappearance of substantive inequalities, but says Schmitt,‘**they would shift in another sphere, perhaps separated from the political and concen­trated in the economic, leaving this area to take on a new, disproportionately decisive importance**. Under the conditions of superficial political equality, **another sphere in which substantial inequalities prevail** (today for example the economic sphere) will dominate politics.’ It seems to me that, unpleasant as they are to liberal ears, those arguments need to be considered carefully. They carry an important warning for those who believe that the process of globalization is laying the basis for worldwide democratization and cosmopolitan citizenship. They also provide important insights for understand­ing the current dominance of economics over politics**. We should indeed be aware that without a demos to which they belong, those cosmopolitan citizen pilgrims would in fact have lost the possibility of exercising their democratic rights of law­making**. They would be left, at best, with their liberal rights of appealing to transna­tional courts to defend their individual rights when those have been violated. In all probability, such **a cosmopolitan democracy**, if it were ever to be realized, **would not be more than an empty name disguising the actual disappearance of democratic forms of government** and indicating the triumph of the liberal form of governmental rationality that Foucault called ‘govermentality’. True, by reading him in that way, I am doing violence to Schmitt’s questioning since his main concern is not democratic participation but political unity. He con­siders that such a unity is crucial because without it the state cannot exist. But his reflections are relevant for the issue of democracy since he considers that in a demo­cratic state, **it is through their participation in this unity that the citizens can be treated as equals and exercise their democratic rights**. Democracy, according to Schmitt, consists fundamentally in the identity between rulers and ruled. It is linked to the fundamental principle of the unity of the demos and the sovereignty of its will. **But for the people to rule it is necessary to determine who belongs to the peo­ple.** "Without any criterion to determine who are the bearers of democratic rights, the will of the people cannot take shape. It could, of course, be objected that this is a view of democracy which is at odds with the liberal democratic one and some would certainly claim that this should not be called democracy but populism. To be sure, Schmitt is no democrat in the liberal understanding of the term and he had only contempt for the constraints imposed by liberal institutions on the democratic will of the people. But the issue that he raises is a crucial one, even for those who advocate liberal democratic forms. **The logic of democracy does indeed imply a moment of closure which is required by the very process of constituting the ‘people’. This cannot be avoided, even in a liberal democratic model, it can only be negotiated differently. But this can only be done if this closure and the paradox that it implies are acknowledged. By stressing that the identity of a democratic political community hinges on the possibility of drawing a frontier between ‘us’ and ‘them’,** Schmitt highlights the fact that **democracy always entails relations of inclusion/exclusion.** This is a vital insight that democrats would be ill-advised to dismiss because they dislike its author. One of the main problems with liberalism—and one that can endanger democracy—is precisely its incapacity to conceptualize such a frontier. As Schmitt indicates, the central concept of liberal discourse is ‘humanity’, which, as he rightly points out, is not a political concept and does not correspond to any political entity. **The central question of the political constitution of ‘the people’ is something that liberal theory is unable to tackle adequately because the necessity of drawing a ‘frontier’ is in contradiction with its universalistic rhetoric**. Against the liberal emphasis on ‘humanity’, it is important to stress that the key concepts in concep­tualizing democracy are the ‘demos’ and the ‘people’.” (41-44)

#### 2] K Solvency –

#### A] Only a state that accepts opposing views can ever be open to radical revision – other systems insist on their own foundation and can’t accommodate changing views that make them exclusionary or illegitimate. Controls the internal link to other evaluative mechanisms: agonism makes it possible to implement them AND be receptive of the demands of justice to come

#### B] Controls the internal link to all K alts and radical politics – the ability to speak out and fight for particular reforms is guaranteed by the agonistic mindset – alternatives shut down the collective ability to communicate to others to advance that agenda.

#### C] Mobilization requires pragmatic demands - Mouffe 16:

Shahid, Waleed. “America in Populist Times: An Interview With Chantal Mouffe.” The Nation, 15 Dec. 2016, www.thenation.com/article/archive/america-in-populist-times-an-interview-with-chantal-mouffe/. //LHPYA

In the present state, we really are in a condition that is much worse than 50 years ago. The first step is to reestablish what has been lost. The ultra-left is wrong when they publicly advocate for the destruction of capitalism, of the state, and things like this. This is the part of the left that has always existed without any real influence, power, or strategy. We need a war of position where progressive forces can build real influence in civil society, the dominant institutions, mainstream culture, and the media. We need to start from the ordinary struggles that large portions of society face. There are lots of different struggles, but we need to establish a real chain of equivalence to confront the dominant struggles against a common adversary—and not simply link the struggles, which is only one step. The enemy is Wall Street, the political establishment, the oligarchy. We will always fail unless we articulate collective wills in the language of the people. This is the main problem that I see in the left in the United States. There is a huge gulf between the language of the people and the language of the movements. I understand it is not easy in the United States for a variety of reasons—there has never been a real left party in the United States and you live in an incredibly diverse country. But elections are where people must come together for common aspirations. Elections offer real opportunities to articulate different kinds of struggles in the form of a collective will. And this must be intentionally constructed. It’s latent and there, but the new political identity and bonds of solidarity must be actively constructed by leaders with care and discipline.

#### 3] Performativity – debate assumes that difference exists, which is specifically true for switch side debate, and debate must protect the right to disagree without being targeted for your difference to ensure safety. That is a constitutive necessity of discourse spaces that outweighs on a pre and post fiat layer.

#### A] it is specific to the judge’s obligation in the debate space, not just educational space

#### B] switch side debate could not exist without agonism, making it a pre-requisite to being in debate in the first place

### Offense

#### Plan: Resolved: A just government ought to recognize an unconditional right of workers to strike except for police workers. I’m willing to clarify to meet neg interps in cross – Nolan 20:

Nolan , Hamilton. “It's Time to Kick Police Unions out of the Labor Movement. They Aren't Allies | Hamilton Nolan.” The Guardian, Guardian News and Media, 13 June 2020, https://www.theguardian.com/commentisfree/2020/jun/13/police-unions-afl-cio-labor-movement?ref=hvper.com. // LHP PS

Earlier this week, my union, **the Writers Guild of America**, East (WGAE), **formally** [**called upon**](https://www.wgaeast.org/writers-guild-of-america-east-unanimously-passes-resolution-calling-on-the-afl-cio-to-disaffiliate-with-the-international-union-of-police-associations/) **the AFL-CIO** – America’s largest union coalition, representing 55 unions, including us – **to expel police unions from its ranks**. (I am one of the 21 elected WGAE council members who unanimously voted to approve this [resolution](https://twitter.com/WGAEast/status/1270075225766592512), but I speak here only for myself.) **We do not dispute the right of anyone to have a union, but police unions are incompatible** with the AFL-CIO’s mission “to **vanquish oppression**”. For centuries, the police have in fact been the tool of oppression wielded to crush working people. A common thread that runs from striking union members getting their heads bashed in to the tragedy of George Floyd is the presence of aggressive and unaccountable police. It is worth noting that **the AFL-CIO’s own** [**constitution**](https://aflcio.org/reports/afl-cio-constitution) **says that affiliated unions can be kicked out if their activities “are consistently directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism** and other forces that suppress individual liberties and freedom of association and oppose the basic principles of free and democratic trade unionism”. When I read those words, I conjure up the image of the combative riot police who unjustly arrested [multiple](https://www.huffpost.com/entry/huffpost-reporter-chris-mathias-arrested_n_5ed320d9c5b640cb8341c921) [journalists](https://www.theroot.com/a-letter-not-from-a-birmingham-jail-1843926346) and WGAE members who were peacefully covering the recent protests against police violence. For centuries, the police have in fact been the tool of oppression wielded to crush working people Unfortunately, getting police unions out of the broader labor movement will not be easy. The AFL-CIO immediately [rejected](https://aflcio.org/press/releases/afl-cio-general-board-recommends-police-reform-calls-defense-secretary-chairman) the WGAE’s resolution with little discussion. Why? It is not as simple as the fear of losing members – the International Union of Police Associations has 100,000 members, a drop in the bucket of the AFL-CIO’s 12.5 million union members. Rather, the union establishment fears for its own existence. To understand this, you have to keep in mind the fact that business interests have been waging a very successful campaign to destroy all unions for decades now. Union membership among private sector workers has plummeted to [less](https://www.bls.gov/news.release/union2.nr0.htm) than 7%; among public sector workers, however, more than 33% are in unions. Government workers are by far the strongest sector of organized labor. And big unions are determined not to allow any sort of attack on public sector union membership – even if those unions are police unions, who are protecting cops who beat and kill the rest of us. Lee Saunders is the head of AFSCME, the most powerful public sector union in the AFL-CIO, which represents 1.4 million state and local government workers, including some cops. In an [op-ed](https://www.usatoday.com/story/opinion/voices/2020/06/09/george-floyd-killing-no-union-contract-shields-police-lee-saunders-column/5318341002/) this week, he wrote: “Just as it was wrong when racists went out of their way to exclude black people from unions, it is wrong to deny this freedom to police officers today.” Fine. But we don’t need them inside of our labor movement, poisoning it for everyone else. (There is a related strain of argument that says that if we push police out of the labor movement, we’ll lose the ability to influence them for the better. This is laughably disconnected from reality. How has that worked out for us so far? Perhaps if we wait another hundred years, we’ll see some progress?) It is sad to see the union establishment ruled more by fear of losing what they have than by a vision for a better future **Union leaders think that the American public is too stupid to understand the difference between regular labor unions and police unions**. I disagree. Here is the difference: **labor unions empower working people. Police unions disempower working people, by making it impossible to reform and hold accountable police forces that systematically abuse, imprison and terrify working people**. Likewise, the motivation of the rightwing assault on unions in general is to disempower working people. The motivation for the current campaign to take police unions out of the labor movement is to empower working people by ensuring that the AFL-CIO is not forced to represent a slice of the workforce that is structurally opposed to its broader mission of freedom and equality for the sort of people most likely to be harassed by the police. This seems simple enough. It is sad to see the union establishment ruled more by fear of losing what they have than by a vision for a better future. **Millions of Americans have taken to the streets to cry out for justice. Not only is it the responsibility of the labor movement to stand next to them – it is the responsibility of the labor movement to be them**. Union membership has been declining for decades, as inequality rises. This is not a coincidence. A revival of working-class power is vital to fixing many of the underlying issues that have broken our nation. (For example, unions are the only thing that has ever helped close the [wage gap](https://www.urban.org/urban-wire/can-labor-unions-help-close-black-white-wage-gap) between black and white workers.) **The energy that has flowed into the protests must also flow into the labor movement. In order for that to happen, unions and the AFL-CIO need to welcome everyone in. That can’t happen when the cops are guarding the door. Time to make a choice. People over police.**

#### Recognizing the right to strike allows workers to engage in a form of violence, but one that can remain in the control of the state, and not escalate out of control of the law. Crepon and Bez 19:

Crépon, Marc, and Micol Bez. "The Right to Strike and Legal War in Walter Benjamin's “Toward the Critique of Violence”." Critical Times 2.2 (2019): 252-260.

If we wish to understand how the question of the right to strike arises for WalterBenjamin in the seventh paragraph of his essay “Zur Kritik der Gewalt,” it is impor­tant 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 impor­tant 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.” 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 strugle.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 per­fect illustration of the aforementioned hypothesis. Yet, there are two lines of questioning that destabilize this hypothesis that we would do well to consider. 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

#### That links to my framework – objectivity is impossible so procedures for agonism have to be institutionalized, Mouffe 6:

Chantal Mouffe, [Chantal Mouffe (French: [muf]; born 17 June 1943)[1] is a Belgian political theorist, formerly teaching at University of Westminster.[2] She is best known for her contribution to the development—jointly with Ernesto Laclau, with whom she co-authored Hegemony and Socialist Strategy—of the so-called Essex School of discourse analysis,[3][4] a type of post-Marxist political inquiry drawing on Gramsci, post-structuralism and theories of identity, and redefining Leftist politics in terms of radical democracy. Her highest cited publication is Hegemony and Socialist Strategy: Towards a Radical Democratic Politics.[5] She is also the author of influential works on agonistic political theory, including Agonistics: Thinking the World Politically and The Democratic Paradox.] 2000, “The Democratic Paradox” //LHP AV

In coming to terms with pluralism, **what is really at stake is power and antagonism and their ineradicable character**. This can only be grasped from a perspective that puts into question the objectivism and essentialism which are dominant in democratic theory. In Hegemony and Socialist Strategy,' we delineated an approach that asserts that **any social objectivity is constituted through acts of power**. This means that **any social objectivity is ultimately political and has to** show the traces of the acts of **exclusion** which govern its constitution; **what**, following Derrida**, can be referred to as its 'constitutive outside'**. This point is decisive. It is **because every object has** inscribed in **its very being something other than itself** **and** that as a result, **everything** **is constructed as difference**, **that its being cannot be conceived as pure 'presence' or 'objectivity'**. **Since the constitu-tive outside is present within the inside** as its always real possibility, **every identity becomes purely contingent**. This implies that **we should not conceptualize power as an external relation taking place between two pre-constituted identities**, **but rather as constituting the identities themselves.** **This** point of confluence between objectivity and power **is** what we have called **'hegemony'**. When we envisage democratic politics from such an anti-essentialist perspective, we can begin to understand that, for democracy to exist, **no social agent should be able to claim any mastery of the foundation of society.** This signifies that the relation between **social agents becomes** more **democratic** **only as far as they accept the particularity and the limitation of their claims; that is, only in so far as they recognize their mutual relation as one from which power is ineradicable**. **The democratic society cannot be conceived any more as a society that would have realized the dream of a perfect harmony in social relations. Its democratic character can only be given by the fact that no limited social actor can attribute to herself or himself the representation of the totality**. **The** main **question** **of democratic politics** **becomes** then not how to eliminate power, but **how to constitute forms of power** which are **compatible with democratic values**. To acknowledge the existence of relations of power and the need to transform them, while renouncing the illusion that we could free ourselves completely from power — **this** **is** what is specific to the project that we have called **'radical and plural democracy'**. **Such** a project **recognizes that** the specificity of modern **pluralist** **democracy** — even a well-ordered one — **does not reside in the absence of domination** and of violence **but in the establishment of** a set of **institutions** **through which they can be limited and contested.** **To negate the ineradicable character of antagonism and to aim at a universal rational consensus** **— this is the real threat to democracy**. Indeed, **this can lead to violence being unrecognized and hidden behind** appeals to **'rationality'**, as is often the case in liberal thinking which disguises the necessary frontiers and forms of exclusion behind pretenses of 'neutrality'

### Method

#### Forms of fragmented politics completely cedes the political to capitalism. Engagement in undercommon communication is too individualized and resists collective and concrete change. This constitutes enjoyment of melancholic pleasures of being distanced and accommodated to the real world, and as a result remains stuck in parasitic oppression without change – Dean 13:

“Communist Desire”, Jodi Dean, , 2013, LHP AM

An emphasis on the drive dimension of melancholia, on Freud's attention to the way sadism in melancholia is 'turned round upon the subject's own self', leads to an interpretation of the general contours shaping the left that differs from Brown's**. Instead of a left attached to an unaclmowledged orthodoxy,** **we have one that has given way on the desire for communism, betrayed its historical commitment to the proletariat, and sublimated revolutionary energies into restorationist practices that strengthen the hold of capitalism**. **This left has replaced commitments to the emancipatory, egalitarian struggles of working people against capitalism - commitments that were never fully orthodox, but always ruptured, conflicted and contested - with incessant activity** (not unlike the manic Freud also associates with melancholia), and so **now satisfies itself with criticism and interpretation, small projects and local actions, particular issues and legislative victories, art, technology, procedures, and process**. It sublimates revolutionary desire to democratic drive, to the repetitious practices offered up as democracy (whether representative, deliberative or radical). **Having already conceded to the inevitably of capitalism, it noticeably abandons 'any striking power against the big bourgeoisie',** to return to Benjamin's language. For such a left, **enjoyment comes from its withdrawal from responsibility, its sublimation of goals and responsibilities into the branching, fragmented practices of micro-politics, self-care, and issue awareness**. Perpetually slighted, harmed and undone**, this left remains stuck in repetition, unable to break out of the circuits of drive in which it is caught** - unable because it enjoys. **Might this not explain why such a left confuses discipline with domination, why it forfeits collectivity in the name of an illusory, individualist freedom that continuously seeks to fragment and disrupt any assertion of a collective or a common?** The watchwords of critique within this structure of left desire are moralism, dogmatism, authoritarianism and utopianism - watchwords enacting a perpetual self-surveillance: has an argument, position or view inadvertently rukeo one of these errors? Even some of its militants reject party and state, division and decision, securing in advance an inefficacy sure to guarantee it the nuggets of satisfaction drive provides. **If this left is rightly described as melancholic, and I agree with Brown that it is, then its melancholia derives from the real existing compromises and betrayals inextricable from its history - its accommodations with reality, whether of nationalist war, capitalist encirclement, or so-called market demands.** Lacan teaches that, like Kant's categorical imperative, the super-ego refuses to accept reality as an explanation for failure. Impossible is no excuse - desire is always impossible to satisfy. A wide spectrum of the contemporary left has either accommodated itself, in one or another, to an inevitable capitalism or taken the practical failures of Marxism-Leninism to require the abandonment of antagonism, class, and revolutionary commitment to overturning capitalist arrangements of property and production. **Melancholic fantasy (the communist Master, authoritarian and obscene) as well as sublimated, melancholic practices (there was no alternative) shield this left, shield Ltd, from confrontation with guilt over such betrayal as they capture us in activities that feel productive, important, radical.**

### ROB

#### The role of the ballot is to evaluate the truth or falsity of the resolution through a normatively justified framework via fair, safe, and educational arguments. no tricks, yes phil and yes theory. Prefer it –

#### 1] Reciprocity – normative frameworks provide a reciprocal burden of justifying an obligation with the ability to turn them – other frameworks are arbitrarily impact exclusive and don’t articulate a 1-1 burden

#### 2] Philosophy – only our role of the ballot incentivizes nuanced discussions over the interactions of different ethical theories. That comes first –

#### A] constitutivism – LD debate is a values debate wshich means the intrinsic purpose of the activity is philosophical discussion

#### B] hijacks any voter – the question of why those are good relies on philosophical justification, ie constitutivism or something.

### Underview

#### 1] 1ar theory paradigm –

#### A] the aff gets it – otherwise the neg can engage in infinite abuse, making debate impossible

#### B] drop the debater because the 1ar is too short to win theory and substance

#### C] no RVIs – the 2nr has enough time and the 2ar needs strategic flexibility

#### D] competing interps – 1ar interps aren’t bidirectional and reasonability incentivizes brute force defensive dumps