## Framing

#### Philosophy is not an isolated, investigative project, but rather a way of life – we cannot allow ourselves to be assimilated by any given system, for this alienates us from our individual human nature, which constrains what our obligations are meant to be.

#### This brings us to the question of ethics as a way of life. Dominant theorization splits ethics between theories of facticity and transcendence – facticity attempts to ground normative truths in material reality – transcendence attempts to establish a unified, a priori system for ethics. Both approaches fail:

#### A] Facticity is too narrow – people confer value unto things external to them – for example, I might like video games and you might not, but video games aren’t objectively valuable – the capacity to choose comes before that which is chosen.

#### B] Transcendence cannot account for i. How everyone relates to the world differently and has varied moral circumstances – universalizability presumes one possesses the epistemic information to determine if their situations are similar and ii. How the objects of our perception are situated within the material world, just as we are.

#### The solution to this dichotomy is existential phenomenology – a recognition that the individual is grounded in the world around them, while also accepting the authority of freedom. Existence is inherently absurd, since when I commit an action, it becomes an aspect of the world and is no longer a “free action,” for it is a product of my consciousness – this means that in becoming myself, for existence is defined by choice, I must also be a “thing” of the world – we must face the absurd and embrace authenticity.

De Beauvoir 47 (bracketed for gendered language) [Simon de Beauvoir. a French writer, intellectual, existentialist philosopher, political activist, feminist and social theorist, “The Ethics of Ambiguity.” Webster University Philosophy Department. Translated by Bernard Frechtman. <https://www.marxists.org/reference/subject/ethics/de-beauvoir/ambiguity/ch01.htm>] TVS KK // shs bs

The failure described in Being and Nothingness is definitive, but it is also ambiguous. Man, Sartre tells us, is “a being who makes himself a lack of being in order that there might be being.” That means, first of all, that his passion is not inflicted upon [one] him from without. [One] He chooses it. It is his very being and, as such, does not imply the idea of unhappiness. If this choice is considered as useless, it is because there exists no absolute value before the passion of man, outside of it, in relation to which one might distinguish the useless from the useful. The word “useful” has not yet received a meaning on the level of description where Being and Nothingness is situated. It can be defined only in the human world established by man’s projects and the ends he sets up. In the original helplessness from which man surges up, nothing is useful, nothing is useless. It must therefore be understood that the passion to which [one] man has acquiesced finds no external justification. No outside appeal, no objective necessity permits of its being called useful. It has no reason to will itself. But this does not mean that it can not justify itself, that it can not give itself reasons for being that it does not have. And indeed Sartre tells us that man makes himself this lack of being in order that there might be being. The term in order that clearly indicates an intentionality. It is not in vain that man nullifies being. Thanks to him, being is disclosed and he desires this disclosure. There is an original type of attachment to being which is not the relationship “wanting to be” but rather “wanting to disclose being.” Now, here there is not failure, but rather success. This end, which man proposes to himself by making himself lack of being, is, in effect, realized by him. By uprooting [oneself] himself from the world, [one] man makes [oneself] himself present to the world and makes the world present to [them] him. I should like to be the landscape which I am contemplating, I should like this sky, this quiet water to think themselves within me, that it might be I whom they express in flesh and bone, and I remain at a distance. But it is also by this distance that the sky and the water exist before me. My contemplation is an excruciation only because it is also a joy. I can not appropriate the snow field where I slide. It remains foreign, forbidden, but I take delight in this very effort toward an impossible possession. I experience it as a triumph, not as a defeat. This means that [hu]man, in his vain attempt to be God, makes himself [themselves] exist as man, and if he is satisfied with this existence, he coincides exactly with himself. It is not granted him to exist without tending toward this being which he will never be. But it is possible for him to want this tension even with the failure which it involves. His being is lack of being, but this lack has a way of being which is precisely existence. In Hegelian terms it might be said that we have here a negation of the negation by which the positive is re-established. Man makes himself a lack, but he can deny the lack as lack and affirm himself as a positive existence. He then assumes the failure. And the condemned action, insofar as it is an effort to be, finds its validity insofar as it is a manifestation of existence. However, rather than being a Hegelian act of surpassing, it is a matter of a conversion. For in Hegel the surpassed terms are preserved only as abstract moments, whereas we consider that existence still remains a negativity in the positive affirmation of itself. And it does not appear, in its turn, as the term of a further synthesis. The failure is not surpassed, but assumed. Existence asserts itself as an absolute which must seek its justification within itself and not suppress itself, even though it may be lost by preserving itself. To attain his truth, man must not attempt to dispel the ambiguity of his being but, on the contrary, accept the task of realizing it. He rejoins himself only to the extent that he agrees to remain at a distance from himself. This conversion is sharply distinguished from the Stoic conversion in that it does not claim to oppose to the sensible universe a formal freedom which is without content. To exist genuinely is not to deny this spontaneous movement of my transcendence, but only to refuse to lose myself in it. Existentialist conversion should rather be compared to Husserlian reduction: let man put his will to be “in parentheses” and he will thereby be brought to the consciousness of his true condition. And just as phenomenological reduction prevents the errors of dogmatism by suspending all affirmation concerning the mode of reality of the external world, whose flesh and bone presence the reduction does not, however, contest, so existentialist conversion does not suppress my instincts, desires, plans, and passions. It merely prevents any possibility of failure by refusing to set up as absolutes the ends toward which my transcendence thrusts itself, and by considering them in their connection with the freedom which projects them.

#### Freedom for subject formation necessitates letting others engage in self-creation simultaneously.

**Manzi 13** (Yvonne Manzi, 1-23-2013, accessed on 11-6-2020, E-International Relations, "Jean-Paul Sartre: Existential “Freedom” and the Political", <https://www.e-ir.info/2013/01/23/jean-paul-sartre-existential-freedom-and-the-political/>) SHS AK // shs bs

Having acknowledged Sartre’s focus on subjectivity, and having noted that his focus is entirely on the individual and the ‘wrongness’ of the imposition of outside values upon the individual, one wonders how it is possible for society to continue and for a community to maintain itself. In Existentialism and Humanism,[25] Sartre seems to introduce a vague idea of community. “In willing freedom we discover that it depends entirely upon the freedom of others” and he adds that “I cannot make liberty my aim unless I make that of others equally my aim” (2007, 62). This seems to allow the idea that therefore humans will act in solidarity with each other in spite of a lack of transcendental[26] values. In Being and Nothingness he explains this further and states that we have a responsibility towards our freedom and the freedom of others. By responsibility, he means “consciousness of being the incontestable author of an event or of an object” (1943, 553). Because an individual is absolutely free, when he makes a choice he becomes that choice and that choice becomes him. The changes he makes in the world because of that choice also become him. In Sartre’s words, “what happens to me happens through me”[27] and as a for-itself, I must “wholly assume the situation with the proud consciousness of being the author of it” (Ibid, 554). An example of this is war – if I am born into a war, I am born into a situation and this situation is what I am. I then have to make choices which I am wholly responsible for. If I choose to fight in the war as opposed to desertion or suicide, I have chosen to continue this war, and this war becomes mine.[28] This is what Sartre means when he claims that humans are responsible for both their own and others’ freedom.

#### Thus the standard is consistency with existential freedom. Impact calc: because normativity is generated internally, agents must have the freedom to self-create unimpeded – promotion of self-creation is good and the opposite isn’t.

#### Prefer additionally:

#### [1] Performativity – only freedom is constitutive to human subjecthood and any moral theory because the act of adopting an ethical framework or developing and making arguments presupposes the ability to radically choose.

#### [2] External theories fail because we cannot guide actions without understanding the particular circumstance of every agent. Benhabib.

[Benhabib, Seyla. "The Generalized and the Concrete Other: The Kohlberg-Gilligan Controversy and Feminist Theory." Praxis International. 1986. Pg. 38-60.] SHS ZS.

**It is no longer plausible to maintain** that such **a standpoint can universalize** adequately. Kohlberg views the veil of ignorance not only as exemplifying reversibility but universalizability as well. This is the idea that “we must be willing to live with our judgment or decision when we trade places with others in the situation being judged” (Kohlberg, 1981: 197). But the question is, which situation? **Can moral situations be individuated independently of our knowledge of the agents involved** in these situations, of their histories, attitudes, characters, and desires? **Can I describe a situation as one of arrogance or hurt pride without knowing** **something about you** as a concrete other? **Can I know how to distinguish between a breach of confidence and a harmless slip of the tongue, without knowing your history and** your **character**? **Moral situations**, like moral emotions and attitudes, **can only be individuated if they are evaluated in light of our knowledge of the history of the agents involved in them**. While every procedure of universalizability presupposes that “like cases ought to be treated alike” or that I should act in such a way that I should also be willing that all others in a like situation act like me, **the most difficult aspect of any such procedure is to know what constitutes a “like” situation** or what it would mean for another to be exactly in a situation like mine. **Such a process of reasoning**, to be at all viable, **must involve the viewpoint of the concrete other**, for situations, to paraphrase Stanley Cavell, do not come like “envelopes and golden finches,” ready for definition and description, “nor like apples ripe for grading.”29 When we morally disagree, for example, we do not only disagree about the principles involved; very often we disagree because what I see as a lack of generosity on your part you construe as your legitimate right not to do something; we disagree because what you see as jealousy on my part I view as my desire to have more of your attention. **Universalistic moral theory** **neglects** such **everyday, interactional morality and assumes that the public standpoint of justice**, and our quasi-public personalities as right-bearing individuals, are the center of moral theory. Kohlberg emphasizes the dimension of ideal role-taking or taking the viewpoint of the other in moral judgment. Because he defines the other as the generalized other, however, he perpetrates one of the fundamental errors of Kantian moral theory. **Kant’s error was to assume that** I, as **a pure** **rational agent** reasoning for myself, **could reach a conclusion that would be acceptable for all at all times and places**.31 In Kantian moral theory, moral agents are like geometricians in different rooms who, reasoning alone for themselves, all arrive at the same solution to a problem. Following Habermas, I want to name this the “monological” model of moral reasoning. Insofar as he interprets ideal role-taking in the light of Rawls’s concept of a “veil of ignorance,” Kohlberg as well sees the silent thought process of a single self who inaginatively puts himself in the position of the other as the most adequate form of moral judgment. I conclude that a definition of the self that is restricted to the standpoint of the generalized other becomes incoherent and cannot individuate among selves. **Without assuming the standpoint of the concrete other, no coherent universalizability test can be carried out,** **for we lack the necessary epistemic information to judge my moral situation to be “like” or “unlike” yours.**

#### [3] Inescapability – attempting to not engage in self-creation is an action of self-creation, as all actions continuously construct one’s identity. Moral theories require bindingness – otherwise they could be opted out of and would fail to generate obligations.

#### [4] Compatibility – All theories are compatible with and concede the validity of existentialism insofar as the choice to follow a theory is a commitment to radical freedom.

**Sartre 3** ((bracketed for gendered language) Jean-Paul Sartre, Jean-Paul Charles Aymard Sartre was a French philosopher, playwright, novelist, screenwriter, political activist, biographer, and literary critic. He was one of the key figures in the philosophy of existentialism and phenomenology, and one of the leading figures in 20th-century French philosophy and Marxism., "Existentialism is a Humanism", <http://homepages.wmich.edu/~baldner/existentialism.pdf>) SHS AK

Our point of departure is, indeed, the subjectivity of the individual, and that for strictly philosophic reasons. .... And at the point of departure there cannot be any other truth than this, I think, therefore I am, which is the absolute truth of consciousness as it attains to itself. Every theory which begins with man, outside of this moment of self-attainment, is a theory which thereby suppresses the truth, for outside of the Cartesian cogito, all objects are no more than probable, and any doctrine of probabilities which is not attached to a truth will crumble into nothing. In order to define the probable one must possess the true. Before there can be any truth whatever, then, there must be an absolute truth, and there is such a, truth which is simple, easily attained and within the reach of everybody; it consists in one’s immediate sense of one’s self. In the second place, this theory alone is compatible with the dignity of [hu]man, it is the only one which does not make man into an object. All kinds of materialism lead one to treat every [hu]man including oneself as an object – that is, as a set of pre- determined reactions, in no way different from the patterns of qualities and phenomena which constitute a table, or a chair or a stone. Our aim is precisely to establish the human kingdom as a pattern of values in distinction from the material world. .... .... What is at the very heart and center of existentialism, is the absolute character of the free commitment, by which every [hu]man realizes hi[the]mself in realizing a type of humanity – a commitment always understandable, to no matter whom in no matter what epoch – and its bearing upon the relativity of the cultural pattern which may result from such absolute commitment.

#### [5] Consequentialism fails – A] Induction fails – 1. saying that induction works relies on induction itself because it assumes that past trends will continue, which means it’s circular and unjustified 2. It assumes specific causes of past consequences which can’t be verified as the actual cause B] Butterfly effect - every action has infinite stemming consequences so it is impossible to evaluate an action based off them; one government policy could end up causing nuclear war in a million years. C] Aggregation is impossible – pleasure and pain vary from person to person; we have no idea how many headaches equal a migraine

## Offense

#### I affirm the resolution resolved: A just government ought to recognize an unconditional right of workers to strike. I defend the resolution as a general principle to promote existential freedom. PICs don’t negate because general principles tolerate exceptions.

#### First, core existential values emphasize radical freedom which materializes in the form of commitment to a cause. Nurbudhiati 05

[Yoan Nurbudhiati, 2015, <http://jurnalvivid.fib.unand.ac.id/index.php/vivid/article/view/38>]

Existentialism is one of philosophical schools which mainly focus on an individual as the master of himself, resisting the outside pressure of mass society which attempts in creating standardize human being. The concept of Freedom and Authenticity by Jean Paul Sartre is able to explain the constant attempt of Scout’s rebellion to the strict authorities. In Being and Nothingness Sartre presents his notion of freedom as the act of making choices, and indeed not being able to avoid making choices. Sartre’s conception of choice can best be understood by reference to an individual’s original choice. He asserts in his book Existentialism is a Humanism that "...there is no determinism— man is free, man is freedom." (2007:29). Freedom in Sartre’s opinion is not merely freedom to do something. One is free when [they] he succeeded in acknowledging his consciousness that something is lacking in [their] his life, which triggered him to make a strong purpose of himself and choose to commit something regarding to that matter.

#### A] Workers’ strikes provide a sense of radical freedom from the ability to create meaning via a commitment to a movement. A strike may be the commitment of the worker to the thing that is lacking in their life.

#### B] Government endorsement of the strike is thus good, because it encourages conditions for radical freedom.

#### Second, discouraging strikes limits the worker to being only defined as one, putting limits on the capability of workers to self-create. Strikes allow an identity of the self because workers are able to distinguish themselves from companies that try to categorize them as laborers.

#### Third, strikes challenge the dynamic of the workplace when employers take control of the worker, limiting their ability to self-create. Gourevitch 16:

[Gourevitch, Alex. "Quitting work but not the job: Liberty and the right to strike." *Perspectives on Politics* 14.2 (2016): 307. Yoaks] shs bs

So the point about structural domination was that workers might be forced to make a variety of explicit concessions on any number of issues—wages, hours, conditions, stultifying jobs. But the point about personal domination in the workplace is that the contract also seems to involve the tacit concession of generic control over a further set of unknown issues. The problem from the standpoint of contract theory is that the contract itself cannot adequately explain why this power is assumed to devolve to the employer nor why law should support this assumption. At most, we can only say that the worker agreed to give up this control, not that she in any way agreed to the various decisions about her work. Usually, however, we do not think a human being has a right to such blanket alienation of her liberty. In the case of work, the only reason supporting that worker’s alienation of control as authoritative seems to be that the worker sold her property—her labor-power—and therefore has no right to control that property for the duration of the work (within the reasonable boundaries of protective labor legislation) or that she owes obligations of deference to the employer. As we have seen, workers resist these accounts on the grounds that their capacity to labor is not a commodity at all. Or at least, labor-power cannot operate as a commodity in this case because a crucial feature of the sale of property —separability of the seller’s will from the commodity sold —is impossible. Therefore whatever the status the labor contract has, the authority relations of the workplace itself cannot legitimately be derived from the contract—at least not from the contract conceived as a sale of property. Workers nevertheless find themselves in a world in which employers do legally possess this arbitrary authority. The strike is, again, one way of challenging this authority by attacking the idea that, since they appear like sellers of their capacity to labor, workers may be treated as subordinates. The strike is a way of pressing the claim that workers, too, should exercise control rather than submit passively to managerial prerogatives. There are many historical examples of resistance to this kind of personal domination, such as “control strikes,” strikes over the introduction of new technology, and even strikes over seemingly lesser issues like “abolition of the luncheon privilege.” 74 The general point being that strikes that target decisions usually falling under the domain of “core of entrepreneurial control” are not just about instrumental considerations regarding compensation and conditions but about resisting the very logic of contract and property that supports the manager’s authority in the first place.75

## UV

#### 1] 1AR Theory – a] the aff gets it because otherwise the 1NC could engage in unchecked, infinite abuse which outweighs anything else, b] it’s drop the debater because the 2AR is too short to win a shell AND substance so theory can only check abuse for the aff if it’s a win condition, c] no neg RVI because otherwise they could dump on the shell for 6 minutes and get away with anything by sheer brute force, d) competing interps – 1AR interps aren’t bidirectional and the neg should have to defend their norm since they have more time. e) Aff theory first – it’s a much larger strategic loss because 1min is ¼ of the 1AR vs 1/7 of the 1NC - Prefer structural weighing args about aff vs. neg since they apply to each round so are most likely to establish communal norms

#### 2] Fairness is a voter – it’s an intrinsic aspect of a competitive activity like debate. Education is a voter – it’s the only portable skill from debate.

#### 3] Permissibility affirms:

#### A] Dictionary.com defines “ought”: as a verb “used to express justice, moral rightness, or the like” and “wrong” as “not in accordance with what is morally right or good” – proving something isn’t wrong means it’s right.

#### B] We don’t have to justify doing morally neutral things like drinking water

#### 4] Presumption affirms:

#### A] We always default to assuming something true until proven false – if I told you my name is Bryan, you would believe me.

#### B] Affirming is harder. Prefer an empirical analysis – it accounts for all possible factors

**Shah 20** Sachin Shah [debater who analyzes topic stats] February 13, 2020, “A Statistical Analysis of Side-Bias on the 2020 January-February Lincoln Douglas Debate Topic by Sachin Shah” <http://nsdupdate.com/2020/a-statistical-analysis-of-side-bias-on-the-2020-january-february-lincoln-douglas-debate-topic-by-sachin-shah/?fbclid=IwAR2P0AZqQtSiwMZlCpia-Fy1zFOdHn6JrGtcYgGulqeimd-V0a1xbaIMYYs>

This analysis is statistically rigorous and relevant in several aspects: (A) The p-value is less than the alpha. (B) The data is on the current January-February topic, meaning it’s relevant to rounds these months [2]. (C) The data represents a diversity of debating and judging styles across the country. (D) This analysis accounts for disparities in debating skill level. (E) Multiple tests validate the results. It is also interesting to look at the trend over multiple topics. In the rounds from 142 TOC bid-distributing tournaments (September 2017 – 2020 YTD), the negative won 52.75% of ballots (p-value < 0.0001, 95% confidence interval [52.3%, 53.2%]). This suggests the bias might be structural, and not topic specific, as this data spans nine different topics [3]. Given a structural advantage for the negative, the affirmative may be justified in being granted a substantive advantage to compensate for the structural skew. This could take various forms such as granting the affirmative presumption ground, tiny plans, or framework choice. Whatever form chosen should be tested to ensure the skew is not unintentionally reversed.

#### 5] The neg may only link offense under an aff framework: a) makes sure we have a reciprocal number of routes b) shifting in the nc nullifies 6 mins of the aff and the 1ar is too short to restart c) They have 13 mins of rebuttal time while I have 7, the aff framework compensates d) Debating under same FW allows to foster nuanced clash rather than just debating a priori framework disagreements. e) If your FW is so important you can read it on the aff, if you can’t affirm under your FW, it’s unpreferable since there’s no equal ground

#### 6] Aff gets RVI’s - a] The 1AR has to over-cover since the 2NR is devastating which encourages them to under-develop theory in the NC and over-develop in the 2NR— we need the RVI to develop good, in-depth theory offense, b] 7-minute NC means you can brute force theory and I don’t have time to win both layers,