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**Link: Intellectual property is an abstraction - only challenges to the fundamental system of knowledge production produce skills needed to solve the aff and avoid propertisation of the commons**

**McGillivray 17 - James McGillivray, Osgoode Hall Law School of York University PhD Dissertations, January 17th, 2017** “'Pyrates' of the Lyceum: Big Pharma, Patents, and Academic Freedom in Neoliberal Times” [https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1030&context=phd] Accessed 9/29/21 SAO

Intellectual property is an abstraction (as are all rights) and it is intangible by definition.239 Yet, it begs the question what is intellectual property? As a concept and in a post-industrial and post-modern world, intellectual property and its symbolic constituents240 appear to slip the gravitational pull of the material world – of so-called “real” property – and exists as a reflection in a mirror241 or, put differently, as a simulacrum. 242 Hence, from the outset, it would appear that a historical materialist and a critical political economy approach to analysing intellectual property is doomed to failure. Fortunately, for our purposes, the story is far more interesting. Intellectual property is a commodity and an interdisciplinary approach to political economy possesses the possibility to thoroughly interrogate contemporary intellectual property regimes; and, subsequently, their relationship to higher education. Thus, through political economy we can achieve a better understanding of the structure and system that governs the production of knowledge in the discourse(s) and causerie(s) of intellectual property in late-capitalist society and their impact on the university and academic freedom. Following Michel Foucault’s use of the term discourse, 243 Edward Saïd held that “discourse” was a useful concept to analyse and unpack the questionable “science” of “orientalism.”244 For Saïd, by examining the discourse of colonialism is to note the inherit ideological process that was used to justify, legitimate, spread, and violently impose European colonialism and “a history of ‘governmentality’”245 on “backward” countries – or impose a trustworthiness for or upon the “uncivilised” world.246 These are countries that are currently referred to in ‘politically correct’ “newspeak” 247 as developing countries. According to the United Nation’s Standard Country or Area Codes for Statistical Use, “The designations ‘developed’ and ‘developing’ are intended for statistical convenience and do not necessarily express a judgement about the stage reached by a particular country or area in the development process.”248 Yet, whether it wants to or not, it does express a judgement. Moreover, similar to the discourse on colonialism, the discourse on intellectual property is situated in the overall ‘development language’ and a teleologically driven European modernising process. ‘Development’ theorist, Eduardo Galeano, reminds us to be cautious in the use of terms like ‘progress’ and ‘development.’ As Galeano wryly observed, the purported ethically neutral language of development models fail to realise that “[u]nderdevelopment isn’t a stage of development, but its consequence….”249 For economist Ha-Joon Chang, neoliberal development advocates laconically fail to understand that “developing” countries that show reluctance to modernise under neoliberal economic recipes and solutions to underdevelopment are exercising democratic freedom. Underdeveloped countries are not merely demonstrating “stupidity in… not accepting such… tried and tested recipe[s] for development”250 but are clearly demonstrating worldly intelligence and resistance to such folly. 251 Put differently, both “right” and “left” neoliberalists modernisers see the market model as the only solution to achieve economic progress and modernisation. Indeed, the suggestion is that economic progress and modernisation can only be integrated through a western development model and economic system: one that incorporates not only the West’s technology but incorporates and embodies its central ideas and principles surrounding progress, the rule of law, and ownership. According to Chang, both “right” and “left” neoliberalists provide different sides of the same coin never noticing that it is possible that the coin being offered in the exchange that is flawed. 252 That is, that the currency and debt of the modernising promises offered by the West to the world from colonialism, neo-colonialism, industrialisation, private property to intellectual property may be counterfeit; but, as long as it is believed in, it has social credit. 253 3.1.4 Intellectual Property as a Discourse Foucault’s use of the term “discourse” would not be out of place to use in our discussion of intellectual property and as a strategy to understand the ‘propertisation,’ commodification, ownership and protection of ideas.254 Similar to the discourse of colonialism, intellectual property as a ‘discourse’ is used to construct, justify and legitimate further expansion of intellectual property’s commodity form and its application. The discourse of colonialism can be a useful comparator in trying to understand and discuss the ever-expansive growth of intellectual property. In general, the discourse of colonisation helps to frame, conceptualise and understand the propertising and commodifying discourses of “progress” and “innovation” inherent in intellectual property claims. As an analogy and to paraphrase Saïd: “Without examining… [intellectual property] as a discourse one cannot possibly understand the enormously systematic discipline by which European culture was able to manage – and even produce – [intellectual property]” 255 and the power required to construct intellectual property as a commodity and system and impose it on the world. 3.1.5 Corporate Influence, Property Interests and Academic Freedom The freedom to seek truth is always tenuous.256 At the beginning of the 21st century, Canadian higher education has been periodically punctuated by complaints and allegations as to how corporate influence has set the terms and conditions as to the conduct of academic inquiry and academic freedom. 257 As much as this may appear novel to some observers, it is part of a larger and older debate as to the status of education in Anglo-American institutions of higher learning.258 Perhaps one of the most notable American educational critics, Thorstein Veblen, in Higher Learning in America, 259 asked the prescient question as to whether higher education should serve private gain or, in the first and last instance, the public good? Veblen found that the threat to the academy was that “the ideals of scholarship are yielding ground, in an uncertain and varying degree before the pressure of business-like exigencies.” 260 At the tail end of the First World War, Veblen’s concerns as to intellectual autonomy, academic freedom and corporate influence on universities fell mostly on deaf ears – or perhaps only on those afflicted with selective hearing. Business interests have historically dogged the operation of the modern university (in Canada it was, initially, the business of religion). Stanley Aronowitz suggests that in America: Veblen went so far as to argue that since the Morrell Act in 1863 by which Congress for the first time committed the Federal government to support public higher education, primarily with land grants, the business of the university was to provide knowledge and a trained cadre for private industry, especially science and technology of agricultural production. The burden of his claim is that the concept of an autonomous university, revered since the Enlightenment, remained an ideal that was far from the existing situation.261 To merely begin and confine the limits of this study to the popular theoretical justifications as to intellectual property and the university would be disingenuous. Intellectual property law is a process. Indeed, labouring on and over issues as to jurisdiction, refining statutory definitions and developing **critiques of intellectual property** and its impact on higher education, **are abundant, but provide little systemic analysis of the underlying culture of capitalism promoting it**. In order to theorise intellectual property, and, ultimately, the patent system’s impact on higher education, one needs to avoid the extremes that attach to liberal conceptions of ownership, property, and the ownership of knowledge. 3.1.6 Intellectual Property as a Social Relationship Intellectual property must be understood in its historic sense: its disparate and uneven historical presence and development is the raw material of what comprises human relationships in – and not outside – history. This notion of intellectual property entails historical relationships and communities. As such, it evades the scientific classification of “category” or “structure” that is analytically clear as “self-evident” in law. What is more, it radically questions the objective “facts” that black-letter law actively promotes and (self)reflexively deploys to hermetically seal itself off from self-critical positions: and, thus, from serious scrutiny. Our relationship with intellectual property ought to be a lingua franca whose fluency tends or attempts to evade black-letter legal analysis – who owns what in a capitalist economy – and be democratic in the broadest public policy sense. In terms of definitions or ownership, it ought to be clear that black-letter historical analysis resolves little and when “we attempt to stop it dead at any given moment… [we] anatomise its structure”: 262 put differently, we fail to keep in mind that the concept of property is very much the product of living beings and their relationships. To paraphrase the British historian E.P. Thompson, “[i]f we remember that… [intellectual property] is a relationship, and not a thing, we can not think in this way.”263 **Understanding property and intellectual property as relational** and as a human relationship **allows us to approach the conundrum of pharmaceutical patents in** university research **in a novel way and**/or at least test its theoretical weakness in a constructive and **critical manner**. 3.2 Constitutive Discourse, Liberalism(s) and Intellectual Property 3.2.1 Liberalism, Ideology and Discourse Liberalism(s),264 as in other various forms of political discourse and ideology, bring(s) powerful assumptions and concretises sets of social relations that operate to define the scope of property and the operation of ownership. Hence, most general discussions as to the economic dimensions of how late-capitalism structures the growth of intellectual property, and its accompanying scientific and technological revolutions, fail to thoroughly question is the deterministic and one-sided optics being constructed in universities – what some critics perhaps un-ironically refer to as “academic myopia.” 265 Commodification has a price. Commodifying academic research has transformed and continues to transform our culture and, of course, academic culture. It appears or attempts to appear as a natural outgrowth of a market society; but, as we know, appearances can be deceiving. This naturalisation of intellectual property by capital marks much of the popular and some or much of the informed academic literature on intellectual property.266 However, this view represents a failure and marginalisation of a critical perspective on modernity and fails to question our current system of intellectual ownership. It almost **effortlessly and implicitly incorporates the ever-expanding propertisation of the world as inevitable and natural**. Arguments around “liberalism” and neoliberalism generally ignore – or appear ambivalent to – intellectual property’s importance in the development of the political economy in the “West.” Critical intellectual property concerns are generally marginalised in much mainstream ‘globalisation literature.’ Yet, intellectual property frequently appears in global discussions surrounding international trade agreements in neutral or positive terms. The consequences of the constitutive technologies that flow from intellectual property seldom question the domination exerted by the constitutive framing of intellectual property regimes.

**Link: The Aff can’t solve. Nixon’s proclamation that “Gold is dead” marked the end of material labor relations. With no anchor to production the financialization of capitalism has made revolution impossible. Our only hope for labor emancipation is the exacerbation of viral reactions to accelerate catastrophic collapse.**

**Baldwin 15 - Dr. Jon Baldwin, London Metropolitan University, International Journal of Baudrillard Studies, July 2015** “Baudrillard and Neoliberalism” [https://baudrillardstudies.ubishops.ca/baudrillard-and-neoliberalism/] Accessed 10/5/20 SAO

As would be expected of a thinker from the left concerned with issues of political economy, Jean Baudrillard’s work can be used to illuminate the machinations of geopolitical finance and the global economy. The most significant event to recently occur to this economy was the financial crash and crisis of 2007/8. A Baudrillardian reading of these events is the prime focus of the essay. Baudrillard’s work proposes that the origins of the crash can be found in the transformation of capitalism into a new form of hyper-capitalism, namely neoliberalism. As well this is the transformation of the economy into a financial simulacrum, namely a hyper-real economy. This article proposes that the suspension of the gold standard by United States President Richard Nixon in 1971 is the principal act of deregulation of the market. This fundamentally transmuted the nature of the economy. This ‘freeing’ of the market can be understood as a semiotic act, even a creative act, and is compared to radical movements in the arts. It is common to use the phrase gold standard to refer to a model of excellence or a foundation upon which judgement may be based. Postmodernity may be defined as an era that has lost such gold standard foundation. Nixon’s claim that ‘Gold is dead’ echoes Friedrich Nietzsche’s claim that ‘God is dead.’ Nothing is the same after this. There is no longer any possible morality of the market. The flow of capital is freed from any anchor to real wealth. We witness, as Baudrillard had fully anticipated, the virtual international autonomy of financial capital. Monetary debt becomes a mere paper promise and the world becomes more successful at creating claims on wealth than creating wealth itself. This is the play of floating capital. In this financial simulacrum money becomes a sign free of any reference to real wealth or production. When this simulacrum is exacerbated to the point of parody, the bubble bursts and crash ensues. The crash and crisis of neoliberalism can be seen to fully correlate with Baudrillard’s principle of exacerbation. The article begins by outlining the official and unofficial accounts of the crash of 2007/8. It suggests that capital is, to a certain extent, perpetual crisis. The move of the economy into neoliberalism and the discontent this facilities is remarked upon. The deregulation of the gold standard is a key moment in the move to a hyper-real economy. Analogies with post-modern architecture, music, literature, and poetry are made. These analogies are possible because, at heart, they all involve issues with the political economy of the sign. Indeed, in the early 1970’s Baudrillard had identified a certain correlation between Saussure and Marx on the semiotics of value. The deregulation of the gold standard is argued in the article to be central to the genealogy of the hyper-real economy. The implications of this are considered as well as consequences of the move to simulated finance and the virtual market. One outcome is the freeing of the economy and unlimited financial speculation. The trans-economics of speculation is argued to be exacerbated to the point of parody, and hence the bubble bursts. The article concludes with a discussion of the Baudrillardian motif of exacerbation. The world’s leading economies are in crisis and the harsh repercussions of the financial crash of 2008 are still being felt. The global financial meltdown continues and economic inequality has reached extremes not seen for a century. Business and government in their economic activity, commercial or military expansion, corruption, and surveillance are widely distrusted. Many people regret the consumerism and social corrosion of modern life. **However the emancipatory activities of protest, activism, and both the traditional and radical left, appears already exhausted, ineffectual, and have yet to deliver.** Less fortunate people in the west seem entrapped in a form of what Baudrillard would call Stockholm syndrome – expressing empathy for a system that does not have their interests at heart and which conceals gross inequalities of wealth, power, and opportunity. They seem content to accept exploitative and precarious working conditions, and the compensatory pathologies of narcissistic consumption (retail therapy), media spectacle (a thousand channels and nothing on), fantasies of status and advancement (the mythologies of advertising), and celebrity idolatry (the twittered selfie). Meek acceptance or resignation to a banal, materialistic, nihilistic society appears complete for some. Capital and affluent societies have always had waves of boom and bust – stasis and chaos – but what is crucial about the current financial situation is its scale. It is a global crisis and not regional like other previous crashes. It cannot be contained, assistance is not available from some other region, and austerity measures are already being met with civil disobedience. Dependent on one’s perspective, this heralds one of the greatest catastrophes of recent history or one of the most significant opportunities for radical change. Nobel laureate economist, Joseph Stiglitz, has proposed that the crisis – the fall of Wall Street, the revelation of the machinations of the bankers, and market fundamentalism – presents a legitimation crisis to capitalist society akin to the effect of the fall of the Berlin Wall upon communism. What was the catalyst for the crash? After decades of largely steady growth and expansion the global economy began to reveal signs of distress in 2007. On the 9th August BNP Paribas is the first major bank to acknowledge the risk of exposure to the subprime mortgage market and freezes three of their funds. Subprime lending is typically made to those who may have difficulty maintaining the repayment schedule. These high credit risk loans are characterized by higher interest rates making them lucrative to the institutions granting them. The chief executive of another major bank, Northern Rock, will later claim that this was ‘the day the world changed.’ In 2008 it became apparent that financial difficulty had snowballed and that the world was experiencing the onset of the worst economic crisis since the Great Depression of the 1930s. Day by day there was the utter collapse of huge and household name financial institutions, the failure of core businesses, stock and housing market downturn, and decline in consumer wealth and economic activity. Global retirement funds dropped by 20 per cent in a single week. Economies worldwide slowed, credit was tightened, and international trade declined. Banks had to be bailed out by nation states to avert a meltdown on Wall Street. A number of causes and triggers of the crash were proposed with varying weight given by differing authorities. These involved a complex intersection of economic policies and deregulation. They include the encouragement of home ownership, the relatively easy access to loans for subprime borrowing, and subsequent overvaluation of bundled subprime loans, all of which assumed the housing market would continue to grow indefinitely. There were also questionable modes of trading by buyers and sellers, an ambition for short-term instant profit over longer term growth. There was a lack of adequate capital holdings by banks and insurance companies to support the financial commitments they made. An important distinction should be made here between the individual and the economic system itself. Often it is all too easy to scapegoat a few individuals for their failings in the attempt to present the financial system as essentially just and workable. Undoubtedly there were individuals’ idiosyncrasies within the system. There was blatant greed, idiocy, insider dealing, criminal activity, and escalation of little more than Ponzi schemes. There were dealers on cocaine, antidepressants, or anti-anxiety medication, which fuelled exuberance and the taking of risks one would normally avoid. Memorably, Tom Wolfe cites a study that discovered that “traders with unusually high levels of testosterone at the start of the trading day could be counted on to turn a profit by the day’s end.” However, when it came to sex “his demonstration rarely took more than 60 seconds. It went pump pump pump pump pump pump pump pump oo-oo-oo-oo-oo-oooouh uh oo agghhh and bingo – roll off, snore like a bear” (Wolfe, 2013: 19). Traders treated their customers with disdain, referring to them as ‘muppets’, ‘guppies’, ‘suckers’, ‘marks’, ‘sheep’, ‘chumps’, ‘lambs’, ‘baby seals’ (Ibid). But these were the only people actually providing ‘liquidity’, that is, ready money. Also worthy of consideration are the hiring policies of financial Human Resources departments with their tried and tested techniques for ensuring they only hire the most aggressive and money-driven of all their candidates, and their ability to weed out anyone with morals, restraint or empathy. Whilst there is an element of ‘human error’ to the crash ultimately focus should be upon the economic system itself, a system that churns out and feeds off such individuals. The U.S. Senate’s report, Wall Street and the Financial Crisis: Anatomy of a Financial Collapse, concluded that the crash was the result of “high risk, complex financial products; undisclosed conflicts of interest; the failure of regulators, the credit rating agencies, and the market itself to rein in the excesses of Wall Street” (U.S. Senate: Levin-Coburn, 2011). Concomitant with this, and to address and attempt to lessen the chance of a recurrence, the Dodd-Frank Wall Street Reform and Consumer Protection Act regulatory reforms were adopted. This was an overhaul of the U.S. financial regulatory system on a scale not seen since the restructurings that followed the Great Depression. The act attempts to increase regulation of banking and risk, increase transparency of markets (in particular derivatives), and protect consumer and insurance interests. There are further measures to increase standards and cooperation in accounting procedures and credit rating agencies. The ambition of the legislation is announced as follows: “To promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ‘too big to fail’, to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes” (Ibid.). Alongside the new regulatory measures there have been two dominant responses to attempt to lessen the impact and aggravation of the crisis. One is unprecedented fiscal stimulus such as institutional bailouts and quantitative easing – the printing of more money – to promote economic activity. Another has been the implantation of austerity measures such as public spending cuts, and certain tax increases. The general mood from western governments and big business has been one initial embarrassment and hand-wringing followed by an air of business as usual: the show must go on. There has been the regulatory patching up, the closing of a few loopholes, the making of some cuts here, and a stimulus of the economy there. The belief is that after several years, maybe even a decade or two, economic growth will return to the previous level and things will be back to normal. The masses must tighten their belts. They must accept the slashing of public spending, the shrinking of social protection, and an impoverished quality of life. They must accept the thwarting and regression of progressive change. They must knuckle down and ride out the storm while seeing advancement opportunities for their children dwindle to levels unknown for more than half a century. That is the mainstream official, Wall Street, version of events. On this account the crash presents no insurmountable obstacle to the ideology of free market capitalism. The crash is seen as just a blip. There is historical amnesia and myopia in this official vision. On the other hand there is a more critical view of the crash. Capitalism, its critics say, has always had waves of boom and bust. A boom fuelled by lending and private debt is always and inevitably followed by bust. Witness the recent bubbles in third world debt (1980s), the Asian meltdown (1990s), dot.com fever (2001), and property and mortgages (2007). On this view capitalism is perpetual crisis. The regular and cyclical nature of boom and bust is apparent in a broad historical overview of US economic activity. There were depressions in the 1830s, 1870s, and 1890s, and a financial panic in 1907: “It is interesting to note that all were immediately preceded by some kind of speculative financial boom that went bust, followed thereafter by the sharp and deep contraction of the real economy in the wake of the speculative bust” (Rasmus, 2010: 11). The crash of 1929 was a massive financial catastrophe chiefly caused by highly leveraged speculative borrowing. Hand-wringing and regulation followed such as the introduction of rules to stop such leveraged speculative trading by banks with customer deposits. Certain stability in the 1950s and 60s followed and there was no major financial catastrophe until the deregulation and removal of the aforementioned rules in the 1970s and 80s. Hence we arrive at another massive financial catastrophe caused in part by highly leveraged speculative borrowing. Again, this is being followed by hand-wringing and regulation. And so it continues like endless sequels to a film that was awful to begin with. As Marx and Engels had anticipated in The Communist Manifesto, “And how does the bourgeoisie get over these crises?…by paving the way for more extensive and more destructive crises” (Marx, 2002: 184). What is crucial, however, about the contemporary financial situation is its scale. In the late 1990s Baudrillard had proposed that “what has triumphed isn’t capitalism but the global” (Baudrillard, 1998: 10). It may now already be a cliché and a form of wishful-thinking for some, but Christian Marazzi suggests that this is “one of the greatest crises of history” (Marazzi, 2011; 9). joseph Stiglitz has proposed that the crash presents a legitimation crisis for capital and should all but silence the most vociferous supporters of neoliberalism (the neoconservative supported vision of ‘capitalism on steroids’). This may well be overly optimistic but what remains significant is the fact that ‘capitalism’ or ‘neoliberalism’ is now emerging as the name of the problem rather than as something that seems obvious, the best, natural, or even inevitable. The term neoliberalism was originally coined in Europe in the late 1930s to suggest a new form of liberalism following the decline of interest in classical liberalism. It fell out of favour until recently whereby the meaning has shifted somewhat to embrace a host of related ideologies, mode of governance, and policy packages that are all favourable to a hyper-capitalism. There is a clear relationship with globalisation and imperialism. There are nuances but typically the political philosophy of neoliberalism supports total economic liberalisation, ultra-free trade, open markets with no geographic restriction, complete deregulation, and on-going privatisation. It would weaken and decrease the public sector in favour of the private sector. For its critic’s neoliberalism is a form of fundamentalism as crude and dangerous as any other fundamentalism. This market fundamentalism seeks market solutions and suggests competition as the answer to any problem**. The competition**, however, is not on a level playing field: **it is won by those with** connections and concentration of **capital, founded on imperialism, slavery, theft, and lineage**. The players take illegal short cuts, creatively cut corners, exploit others, and avoid tax payments. As with any competition it ensures that there are some winners but a majority of losers. This is at odds with the neoliberal claim that competition ensures the best outcome for all involved. A political economy has been established which ultimately only benefits a wealthy elite. Neoliberalism advocates the unfettered use of free market techniques and principles outside the spheres of commerce and business in the creation of new markets and interventions in non-economic areas and social space such as health, care, education, culture, energy, and so on. The basic premise is that everything will run better if run as a business. The neoliberal answers to the canonical questions of philosophy, such as ‘Why are we here?’ and ‘What should I do?’ are answered thus: We are here for the market, and you should compete. Neoliberals tend to believe that “humans exist for the market, and not the other way around” (Treanor, 2005). The human is defined as merely a potential entrepreneur, the middle-manager of their own life, which is seen as their own initial capital and enterprise. Neoliberalism perhaps makes sense only to those already holding the bargaining chips of economic power, or the poor souls who have internalised this ideology and definition of their finite time on earth in purely economic terms. Since the 1970s neoliberalism as a practical system of government has been implemented in various forms around the world often under the guise of liberal-democracy but in reality as variants of crony capitalism (a sprinkling of liberal legitimacy to dictatorships), corporatocracies (the corporate takeover of nation states), and unfettered and unrequested globalisation. The governments of Ronald Regan and Margret Thatcher, with big business whispering and tonging in their ears, are said to have done much to facilitate and disseminate such neoliberal ideology. A key resource for their ideas is Friedrich Hayek’s paranoid and unwarrantedly influential book The Road to Serfdom. Hayek argued that the trend, as he saw it, towards socialism and collectivisation occurring throughout the west in the 1940s was incompatible with freedom and democracy. The fear is of the growth of the state and variants of socialism. His ideology is perhaps best summarised by Ronald Reagan’s famous quip: “The nine most terrifying words in the English language are ‘I’m from the government and I’m here to help.’” Given the recent bank bailouts this rings rather hollow today. Thatcherism is largely synonymous with neoliberalism. The tributes that followed the recent death of Thatcher revealed how much of neoliberalism is now taken for granted even of the left of the political spectrum. One delightful piece of dissention was offered by Labour M.P. Glenda Jackson in a House of Commons speech which went against the mainstream of historical amnesia. She spelled out the disapproval of such neoliberalism for the general population of the UK. Thatcherism wrought “the most heinous social, economic and spiritual damage upon this country… We were told that everything I had been taught to regard as a vice – and I still regard them as vices – was, in fact, under Thatcherism, a virtue: greed, selfishness, no care for the weak, sharp elbows, sharp knees, all these were the way forward…[people know] the price of everything and the value of nothing” (U.K. Parliament, CM201213). Also typical in enumerating the social problems, growing populist reaction, and discontent of neoliberalism are the heartfelt words of a UK school teacher: “We train children to be successful, ruthless, greedy and selfish; our virtues are money, fame and looks. We do not reward kindness, do not value loyalty, we do not care about courage” (Griffiths, 2013: 11). The World Health Organisation has predicted that depression is on track to become the second most widespread disease, after heart disease, in the developed world by 2020. Oliver James (2008) posits a strong correlation between rising rates of mental distress and nations most advanced in neoliberalism. Our hugely increased wealth over the past half century has done nothing to increase our happiness. In fact not only does market capitalism have little impact on improving levels of happiness but it actually exacerbates certain types of mental illness. Rates of distress among women in the UK almost doubled between 1982 and 2000. This is also true of the US and in striking contrast with more egalitarian and collectivist countries. Capitalism itself, with countless boom and bust cycles, is fundamentally bi-polar, swinging from the hyped-up mania and exuberance of a boom to the depression and come down of a bust. The advocacy of cognitive behaviour therapy, James suggests, must be refuted as merely a sticking plaster for a sick society which encourages individuals to try to think positively rather than challenge the status quo. James describes the human being under neoliberalism as a passive, empty, anxious, isolated person for whom life has no meaning except work and who compensates for this through compulsive consumption. Our emotional malaise is a direct result of increased competitiveness, individualism, materialism, and the way that these exploit our insecurities. **Selfish capitalism generates insecurity and inflates comparisons**. A winner-takes-all competitiveness merely creates losers and a pandemic of low self-esteem. It offers only compensatory pathologies around consumption, celebrity, and status. The acceleration of neoliberalism is clearly a crisis in itself, and a back-drop to the actual crash. There will be numerous ways of telling the story of the crash and the ‘biggest bubble in history’ but at some stage all plot lines will converge to one place and one time: Camp David, Maryland, on the afternoon of Friday 13th August 1971. Here, in secret, Richard Nixon met Federal Reserve chairman Arthur Burns and other advisers. The backdrop was high inflation, and high unemployment. These were implications of the fact that since the mid 1960’s the US had begun to borrow enormous sums to fund Lyndon B. Johnson’s ‘Great Society’ and the Vietnam War. In essence “the US began to live – and kill – considerably beyond its means” (Kunkel, 2012:23). To avert a run on America reserves Nixon announced the advice he was going to follow on television on Sunday 15th August, before the markets opened: “I have directed Secretary Connally to suspend temporarily the convertibility of the dollar into gold … Now, what is this action – which is very technical – what does it mean for you?” (http://www.presidency.ucsb.edu/ws/index.php?%20pid=3115%20#axzz%201UZnES7PMon). Indeed, what does it mean and what are the implications today? Previously the Bretton Woods system of international financial exchange had fixed exchange rates based on the US dollar, which was redeemable for gold by the US government at the price of $35 per ounce. This anchor meant that the U.S. was committed to backing every dollar overseas with gold. The dollar was anchored to gold and other currencies were anchored to the dollar. Paper banknotes in circulation carried the guarantee that they could be exchanged for a certain amount of gold. As gold is scarce, this put strict limits on the amount of money that governments could print. The suspension of the direct convertibility of the U.S. dollar into gold ushered in the era of **freely floating currencies**. This is a move away from the strict post-Depression regulation of U.S. finance. The current world monetary system assigns no special role to gold; indeed, the Federal Reserve is not obliged to tie the dollar to anything. It can print as much or as little money as it deems appropriate. Nixon’s neat opportunism “changed the rules of world trade” (Auters, 2010: 35). and Slavoj Žižek confirms that the decision to abandon the gold standard for the US dollar “was the sign of a much more radical shift in the basic functioning of the capitalist system” (Zizek, 2012: 17). In semiotic terms Nixon suspended the relationship between a sign and its referent – in this instance money and gold. This disconnected the circuit between paper and bullion, and hence representation and the real. The implications following this type of divorce of sign systems from their referent (even if the relationship was always only ever idealist or utopian) underpin much of Baudrillard’s work. The implications of the loss of a core referent, or loss of a sign systems connection to a reality, are often discussed under the rubric of postmodernism. The much debated term was first used around the 1870s but gained wider currency in the 1970s. Following Nixon there is no transcendental law of capital and in many ways anything goes. There is incredulity to grand narrative of the modern, planned, regulated market. One can make an analogy with developments in the arts. Around the date of the ‘Nixon Shock’, July 15, 1972 at 3.32 pm to be exact, Pruitt–Igoe, a large urban housing project in St. Louis, Missouri, was given the final coup de grâce by dynamite and the first stage of demolition was complete. For architectural theorist and provocateur, Charles Jenks, this was the day modern architecture died and a new paradigm emerged: postmodern architecture. The destruction of the complex, typified by poverty, crime, and segregation, signalled the failure of public policy planning and is seen as a direct indictment of the ideals of modernism and of the society-changing aspirations of the International School. Modernist architectural form, planning, and space were meant to regulate good conduct and healthy behaviour. Postmodern architecture, for better or worse, is incredulous to such ambitions and has loss the gold standard and regulation of modernist planning. In music one might point to composer Arnold Schoenberg’s ambition of the emancipation of the dissonance. Music loses the standard of tonality and arguably sounds like the dissonance of emancipation. Literature loses the regulated contract between author, text, and reader with fragmentation, paradox, parody and questionable narrators. The work of art loses the divine and cult value. It is no longer the representation of a referent just as money is no longer a representation of gold or wealth. Religious and mythological themes, the portrait of the patron, the landscape, and the slice of modern life all dissipate. Art becomes a self-referential sign system playing with its own possibilities. Its referent becomes other art movements and as such becomes simulation. New Age spirituality is a quasi-sentiment of the ineffable freed from the dogma and rituals of the standard of institutionalised religion. In Baudrillard’s signature theory, reality itself becomes a self-referential system disconnected from the gold standard of the Real. Let us take a moment to stretch a tentative analogy with what happened in poetry and the deregulation of verse. The Oxford Companion to English Literature announces that “Verse in the twentieth century has largely escaped the straitjacket of traditional metrics.” Likewise we can say that ‘Economics in the twenty first century has largely escaped the straitjacket of the traditional regulated market.’ In England ‘free verse’ was initially a term of derogation before it became a battle cry, and today is more or less a neutral descriptor. Emerging at the advent of European modernism, the French term vers libre, first used by Gustave Kahn in the late 1880s, signified poetry free from the closed forms such as the sonnet, villanelle, or sestina, making very little or no use of traditional rhyme or meter. Kahn refused all legitimacy to traditional meter, seeing in it only a constraint, “an essentially political one – the inherited legacy of royal centralism and absolutism, put to work in servile manner” (Meillassoux, 2012: 22). Charles Baudelaire, with his focus on modern life in the city, also signals the freeing of poetry from strictly religious, mythological, or natural referents. There is no standard in terms of form or content that poets are bound or restricted by. For pedagogical convenience we can cite the myth of Arthur Rimbaud as pioneering these developments. The poet is raised to ‘seer’ with ‘verbal hallucinations’ and ‘verbal alchemy’ under the aegis of the theory that ‘inventing the unknown calls for new forms’. This is Rimbaud, in his own words, “exempt from all morality” (Robb, 2001: 194). Une Saison en Enfer was one of the first modern works of literature to show “that experiments with language are also investigations into the self.” Fifteen years before the vers libre made its official appearance in French literature, the idea that poems could be written without rhyme or metre “sounded like artistic vandalism” Ibid.). For Stéphane Mallarmé, Rimbaud was the sort of ‘attractive hooligan’ who could, and did, do “serious damage to French literature” (Ibid.). In ‘Crisis of Verse,’ Mallarmé will speak of the “exquisite and fundamental crisis” (Meillassoux, 2012: 21). occasioned by the emergence of free verse. The qualified acceptance of free verse is enabled insofar as “God had ceased, for the young Mallarmé, to guarantee the status of literary symbols” (Ibid.: 28). For verse, as the poet believes, there are to be no political or centralist constraints, no referents or standards, no morality, and ‘God has ceased.’ For the economy, as Nixon states, there are to be no political or centralist constraints, no referents or standards, no morality and ‘Gold is dead.’ For organised religion and philosophy, as Nietzsche states, there are to be no political or centralist constraints, no referents or standards, no morality, and ‘God is dead.’ If we have broken with these standards and referents of poetry, religion, and philosophy then it is because we have killed their guarantor and transcendental signified – God. If we have broken with these standards and referents of the economy then it is because we have killed their guarantor and transcendental signified – Gold. The ending of the gold standard may not be the single cause of the current crisis but it is certainly an enabling factor. In 1973 dollar-gold convertibility was abandoned once and for all. Enter now the play of borrowing and lending: all monetary debt since has been “mere paper promises” (Kunkel, 2012: 23). Overall indebtedness has grown faster than most national economies: “In the last forty years, the world has been more successful at creating claims on wealth than it has at creating wealth itself” (Ibid.). Marx’s circuit M – C – Mˈ (Money – Commodity – Money) becomes, as he anticipated, M – Mˈ (Money – Money). In likewise, fashion pioneer of semiology, Ferdinand de Saussure’s formula S – R (signifier and signified comprise the (S) sign which refers to (R) a referent) become S – S (Sign – Sign). That is, it becomes what Baudrillard will term a simulation, a self-contained self-referential sign system. In the financial economy money – a ‘paper promise’, a ‘claim on wealth’ – becomes a sign free of any reference to real wealth or production: a financial simulacrum. Economic referents enter into a play of self-generated signs abstracted from real value. In The Mirror of Production, Baudrillard summarises: “The sign no longer designates anything at all. It approaches its true structural limit which is to refer back only to other signs. All reality then becomes the place of a semiurgical manipulation, of a structural simulation” (Baudrillard, 1975: 128). A financial bubble, viewed through a Baudrillardian lens, can be conceived as one such simulation. It is becoming routine in discussions of Baudrillard to note the uncanny nature of how his thought anticipates and seems to predict future developments: “the prefigurative qualities of Baudrillard’s writing are, now, self-evident” (Noys, 2012). Problems with the symbolism of the disentangling of the gold-standard are emblematic and the seeds of the current crash are planted in the early 1970s. Baudrillard notes, in 1973, that this process culminates in the ‘virtual international autonomy of finance capital’, in the uncontrollable ‘play of floating capital’. When financial capital is extracted from ‘all productive cautions’, and even from ‘all reference to the gold standard’, then ‘general equivalence’ becomes the strategic place of the manipulation: “Real production is everywhere subordinated to it. This apogee of the system corresponds to the triumph of the code” (Baudrillard, 1975: 129). Here, in a characteristic motif, the economic real (of production for instance) is subordinated to economic simulation: simulation becomes more real than the real (hyper-real). The code now becomes the greater political problem than alienation, exploitation, inequality, and so on. **The financial simulacrum should not be taken as having no effect on everyday economic life:** the code, the model, precedes the real. The economy is hence forth considered hyper-real. Elton McGoun uses Baudrillard’s notion of hyper-reality in his study of intrinsic value. The simulation-model and virtual market comes to determine the real economy itself: “decisions affecting production and employment are made on the basis of stock prices, and not on the basis of production and employment” (Elton, 1997: 113) The following conclusion is reached: it is not the ‘real economy’ that shapes reality but activity in the financial economy. “The financial economy is thereby more real than the real economy itself; it is a hyper-real economy” (Ibid.). This results in a financial simulation which consists of an exchange sphere without any reference to economic reality. It is an internal (virtual) exchange with no referent. The sophistication of the financial simulacrum tends to reduce the degree of materiality of the financial reality. Schinckus explains the evolution from commercial fairs to financial markets, whereby “the goods were not exposed anymore and the transactions (on paper) became symbols” Schinckus, 2008: 1086. Finance has largely abandoned its role of raising capital or supporting entrepreneurial activity (with subsequent variants of exploitation) and is now almost totally dedicated to speculation. Orléan evokes the ‘virtual character’ of finance to describe this disconnection with the sphere of production (Orléan, 1999). Schinckus uses Baudrillard to tease out some of the consequences of the move to e-finance and the technological virtualization of the financial market. The emergence of automatic trading and the creation of electronic financial products have profoundly modified the organisation of the markets and financial exchanges themselves. The ‘Iowa Electronic Market’, created in 1988, was the first virtual market where all interactions took place online. Oral negotiation has been superseded by an abstract sociability whereby traders only interact via computer screens. Wolfe describes traders “trying to monitor six screens at once, six screens that fan out three over three, obscuring any connection we have to the real world” (Wolfe, 2013: 27). This leads to a ‘screen sociability’ which sees traders “personify their screen by giving them a hypothetical personality” (Schinckus, 2008: 1081). Often stock market transactions (or rather risks) concern minute quantities, which may be just fractions of a per cent. But when these are amplified into quantities of hundreds of millions of dollars of shares these fractions soon add up. One might buy a stock (any stock, it is immaterial – and herein lies one of the very problems) to hope to inflate the general share price and then sell immediately and attempt to make an instant profit. Or vice versa, sell then buy. Wolfe cites an early example from the pioneer Edward Thorp: “He bets $332.5m – virtually one third of a billion – on selling a stock short – and bets another third of a billion buying the same stock to make a profit of one one-hundredth of 1%. Think of risking a total of close to two thirds of a billion dollars to make $2.5m! Sheer madness” (Wolfe, 2013: 21). One effect of the emergence of quantitative trading is that “It had nothing to do with any stock’s or bond’s value. It was a purely mathematical way to game the markets” Ibid.). One issue with this creation of a virtual market is the ambition to reach the idea of the ‘perfect market’ model seen only in economic theory textbooks. In this case, “the finance reality has become a “hyper-reality” i.e. the image of the theoretical reality that we have in mind” (Schinckus, 2008: 1082). One trend of this desire to develop ‘hard models’ in finance has been the rise of econophysics, whereby economists, physicists, statisticians and computer specialists endeavour to apply models seen and developed in physics to the market. In these instance financial quotations are studied as if they behaved, for example, like gas molecules. These models then actually shape the market by being transformed into computational algorithms to price or hedge financial securities with the belief that returns will behave like physical entities. One prominent simulation model, certainly influential in derivatives, has been the Black-Scholes formula published in 1973. This was meant to cut risk and scientifically legitimate the activities of options markets around the world. However, over-reliance upon the model, and its incorrect axioms (e.g. the presupposition of negligible probability of extreme price change) was said, by the likes of NassimTaleb and Jean-Philippe Bouchaud, to spiral into the worldwide October 1987 crash. Capital freed from regulation has no obstacle to circulation and value radiates “endlessly in every direction” (Baudrillard, 1987: 25). Recently, **trade in derivatives worldwide was one quadrillion US dollars, which is ten times the total production of goods on the planet over its entire history**. This is one sense of what Baudrillard means by ‘floating capital’. There is no anchor in real production or wealth. Žižek has recently suggested that the stages in the predominant mode of money seem to obey the Lacanian triad of psychoanalytic concepts of the Real, Symbolic, and Imaginary. Gold functions as the Real of money (what it is ‘really worth’); with paper money we enter the Symbolic register (paper is the symbol of its worth, worthless in itself); and, finally, the emerging mode is a purely ‘Imaginary’ one – money will increasingly exist as a purely virtual point of reference, of accounting, without any actual form, real or symbolic (the ‘cashless society’) (Zizek, 2012: 101). Financial speculation is “without reference to production or its real conditions…it plays now on its own orbital circulation and revolution alone” (Baudrillard, 1998:1). One result of this is the ‘fictitious’ nature of wealth, as Gérard Duménil and Dominique Lévy suggest in The Crisis of Neoliberalism. For instance, income is withdrawn against asset bubbles, and there are claims made on future wealth that neither can, nor will, be produced. The signs engendered by the financial simulation cannot fully be converted into real wealth, as the market is currently experiencing. Duménil and Lévy make the case that neoliberalism has less been an ideological programme on behalf of free markets than a quest for more high income on the part of the upper classes. This goes against the traditional legitimisation of neoliberalism by positing old fashion greed against liberty and free-flowing markets. In true ‘trickle-down’ fashion, however, this quest for wealth and property also appeals to the middle-class and the poor. Subprime lending was the attempt to extend to ordinary consumers “through rising home prices [consumer debt, student loans, credit, etc.], a fictitious income long enjoyed by the financial classes. The scheme could hardly last” (Kunkel, 2012: 28). This is congruent with the claim by Angela Mitropolous and Melinda Cooper that the crisis was generated by “usury from below that extended beyond the limits which were tolerable to capital” (Noys, 2010: 46). This is to say that the growth of the bubble accelerated and inflated into what The Economist has called “the biggest bubble in history.” For Baudrillard, the crisis was an always already coming implosion impacted upon by the hyper-real economy and trans-economics of speculation. This is a flouting of the ‘law’ of value, of the market, production, surplus-value, and the’ very logic of capital’. The trans-economic develops into “a game with floating, arbitrary rules, a jeu de catastrophe” (Baudrillard, 2001: 1). Interestingly here, the crisis has come and traditional political economy has come to an end, “but not at all as we expected it to – it will have ended by becoming exacerbated to the point of parody” (Ibid.). **The financial crisis has emerged,** the bubble has burst**, and we witness one of the biggest threats to capitalism** and neoliberalism **thus far, through the exacerbation of simulation.** This has not come about through radical politics and not – as much as it would have been desirable to be agents of change – through critique, or dialectics, or rational discussion, or insurrection, or event, or act, or the deconstruction of political concepts, or long-term revolution, or instant revolt, and so on. Baudrillard’s argument is that we need to follow this process and exacerbate further the contradictions of the hyper-real economy to ensure its demise. **If capital is now floating capital, then let us let it float away.** This is the parodic, ironic, and ecstatic play of the processes often analysed under the rubric of postmodern. Regarding the crisis there is no transcendent critique at play but immanent implosion. This resonates with the theoretical manoeuvre that Benjamin Noys (2012) has identified as ‘accelerationism.’ Noys notes that there are those who argue for the need to ‘radicalise and deepen the tendencies’ that led to the current crisis: “The tendency now becomes the immanent radicalisation of capital’s own dynamic of deterritorialisation” (Noys, 2010: 51). For Baudrillard, this immanent implosion and exacerbation is “a way of putting an end to the economy that is the most singular in style, ultimately more original than our political utopias” (Baudrillard, 1998: 2). Ecstasy is the process in play rather than dialectics. The only revolution in things today is no longer in their dialectical transcendence (Aufhebung), but in “their potentialization, in their elevation to the second power, in their elevation to the Nth power, whether that of terrorism, irony, or simulation” (Baudrillard, 1990: 63). Baudrillard proposes that it is from the inside, by overreaching themselves, “that systems make bonfires of their own postulates, and fall into ruins” (Baudrillard, 2001: 6). This is the fate that arguably awaits the exacerbation of neoliberal capital. Rather than confront power, **one must use power against itself**. As Baudrillard cites as a preface in Forget Foucault, “As in judo, the best answer to an adversary manoeuvre is not to retreat, but to go along with it, turning it to one’s own advantage” (Baudrillard, 1987). In a methodological consideration Baudrillard writes that **the only justification for thinking and writing is that it accelerates these terminal processes. “Here, beyond the discourse of truth, resides the poetic and enigmatic value of thinking**” (Baudrillard, 2000: 83). Exacerbation is a radical form of Daoism, a going with the flow, not offering resistance but letting the power of the system destroy itself. This is certainly counter intuitive and a novel proposition but is perhaps better placed than the attempt to confront a vastly more powerful opponent head-on, or to attempt make an absurd system moral or regulated. Neoliberalism and its “democratic dictatorship is shaping up nicely,” Baudrillard claims(Baudrillard, 1997: 149). If this is the case then ultimately, for Baudrillard, we are to challenge this from the realm of the symbolic. The economic and semiotic system suppresses and is built upon the denial of the symbolic: one must “therefore displace everything into the sphere of the symbolic, where challenge, reversal and overbidding are the law “(Baudrillard, 1993: 136). Is this principle of exacerbation, which is witnessed in the escalation and overbidding of (‘primitive’) potlatch competition that Baudrillard frequently return to, going to be effective in the ruination of neoliberalism? It is at moments like the socio-economic present that we are most likely to find out.

#### Link: The semiotic battle ground in which violence is constituted gives images of ethical deviation power by affirming their reality, something the AC is entirely invested in. The alternative is assimilated to justify the moral superstructure they criticize by humanizing the system

**Robinson 12 - Andrew Robinson, Ceasefire, August 24th, 2012** “An A to Z of Theory | Jean Baudrillard: From Revolution to Implosion” [https://ceasefiremagazine.co.uk/in-theory-baudrillard-10/] Accessed 3/9/20 SAO

Baudrillard and resistance Last week, this column explored Baudrillard’s account of the collapse or implosion of capitalism. What does all of this mean for political resistance? For one thing, it means that the dominant system must continue to be opposed. For Baudrillard, there is always something missing from the code. It is always incomplete, leaving a radical remainder. The system is based on a split. The code is differentiated from reality. It has to be, to avoid symbolic exchange. It cannot achieve the complete inclusion which comes about with generalised reversibility. Yet the code tends to take over all of social space. Its “other” disappears or becomes invisible. It tries to be a complete system, a total reality. It largely succeeds in sucking intensity from social life. Yet it also remains vulnerable, because of the exclusion on which it is based. Baudrillard theorises resistance in terms of the irruption of the symbolic in the realms controlled by the code. It is something like what Hakim Bey terms the ‘return of the primitive’. We really need the dimension of the ‘secret’. Its forced revelation is destructive and impossible. The return of the symbolic is discussed in various ways in different texts. Resistance arises when subjects come to see their own programmed death in the accumulation, production and conservation of their subjectivity. They become fiercely opposed to their reduction to the regime of work-buy-consume-die. Resistance becomes increasingly nihilistic, in response to the programming of the universe. It becomes resistance to the code as meaning, and at the same time as lack of intensity. In seeking to restore intensity, it resorts to the modalities of symbolic exchange. The impossibility of “revolution” It is important to differentiate Baudrillard’s view from standard accounts of revolution. To be sure, this is the position from which Baudrillard emerges. In the early work, The Political Economy of the Sign, Baudrillard argued that the regime of the code could only be destroyed by a total revolution. ‘Even signs must burn’. Baudrillard’s early work can be read as a call for a Situationist-style overthrow of capitalism through a revolution in the everyday, which breaks the power of the code and of signs. In more recent works, Baudrillard rethinks this view. He claims that revolution is now impossible. Baudrillard makes this claim because of the end of production. Revolution was historically seen as the liberation of the productive energy of humanity from the confines of capitalism. But if production no longer exists, this kind of vision has no hold. **Labour has become another sign**. There is no tendency for it to liberate itself by moving beyond capitalism. Baudrillard is deeply critical of standard leftist responses to neoliberalism. He criticises revolutionaries of his day for seeking a return to the “real”. He sees this as nostalgia for the previous, Fordist period of capitalism. People seek to get rid of the code, and go back to the earlier kind of simulation. Or they seek to identify something which is not yet signified in the system and which ought to be – for instance, excluded groups who should be included. This actually ties people to the prior forms of the dominant system. For Baudrillard, **the weapons of the previous period are already neutralised** in the order of the code. Revolution is a casualty of the end of the period of system-expansion. Explosions and revolutions are effects of an expanding order. This expanding order is an effect of the regime of production. But simulation is instead an inward-looking order. It is ‘saturated’ – it cannot expand any further. As a result, explosion will never again happen. It has been replaced by the ‘cold’ energy of the simulacrum. Instead, there is constant implosion. The world is saturated. The system has reached its limits. It is socially constructed as dense and irreversible, as beyond the ‘liberating explosion’. Baudrillard believes that we are past a point of no return: the system can’t be slowed down or redirected to a new end. We are in a ‘pure event’, beyond causality and without consequence, and every effort to exorcise hyperreality simply reinforces it. These are little fractal events and gradual processes of collapse which no longer create massive collapses, but exist horizontally. Events no longer resonate across spheres. It is as if the forces carrying the meaning of an event beyond itself have slowed to a standstill. The London ‘riots’ or the student fees protests, for example, do not turn into generalised rebellions in Britain as perhaps they still might in Egypt or Greece. We are in an era of ‘anomalies without consequences’. But the system will nevertheless come to an end, by other means. Even if people can’t revolt, a reaction is certain. Explosive violence is replaced by implosive violence, arising from a saturated, retracting, involuting system. The system has lost its triumphal imaginary because of its saturation. It is now in a phase of mourning, passing towards catastrophe. Things don’t get transcended anymore, but they expand to excess. Baudrillard sees this as the culmination of a kind of negative evolution. Systems pass through stages: a loose state produces liberty or personal responsibility; a denser state produces security; an even denser state produces terror, generalised responsibility, and saturation. Beyond saturation there is only implosion. Anti-consumerism is another target of critique. Criticising consumer society for doing what it claims to do – for supplanting ‘higher’ virtues with everyday pleasures – is a false critique which reinforces the core myth of consumerism. Consumer society functions as it does, precisely because it does not provide everyday pleasures. Rather, it simulates them through the code. Baudrillard also criticises moral critique and scandal, such as Watergate. He argues that the system requires a moral superstructure to operate, and the revival of such a superstructure sustains the system. What is really scandalous is that capital is fundamentally immoral or amoral. Moral panics serve to avoid awareness of this repressed fact. Similarly, **critiques of ideology risk reaffirming the system’s maintenance of the illusion of truth**. This helps cover up the fact that truth no longer exists in the world of the code. Since there is no reality beneath the simulacrum, such analyses are flawed. It is now the left (or the Third Way) that tries to re-inject moral order and justice into a failing system, thereby protecting it from its own collapse. Baudrillard implicitly criticises theories such as Laclau’s, which seek to re-inject meaning and intensity into politics. For Baudrillard, this task is both **impossible and reactionary**. Baudrillard sees the system as creating the illusion of its continued power by drawing on or simulating antagonisms and critique. There is thus a danger that **critique actually sustains the system, by giving it a power it doesn’t have**. **Trying to confront and destroy the system thus inadvertently revives it, giving it back a little bit of symbolic power.** He also sees conspiracy theories and current forms of Marxism as attempts to stave off awareness of the reality of a systematic code. In any case, the energy of the social is simply a distorted, impoverished version of the energy of “diabolical” forces (i.e. of symbolic exchange). Baudrillard thinks that societies actually come into being, not for the management of interests, but coalesce around rituals of expenditure, luxury and sacrifice. Politics itself was a pure game until the modern period, when it was called upon to represent the social. Now politics is dead, because it no longer has a referent in reality. This is because it lacks symbolic exchange. The absence of symbolic exchange leads also to an absence of possibility of redistribution, either North to South or elite to masses. Fascism also resists the death of the real, in a similar way. It tries to restore in an excessive way the phenomena of death, intensity and definite references, in order to ward off the collapse of the real. Fascist and authoritarian tendencies revive what Baudrillard terms ‘the violence necessary to life’ – they keep up some kind of symbolic power. (Baudrillard’s Lacanian heritage is clearly shown in this idea of a necessary violence). Baudrillard has a certain sympathy for the desire to escape hyperreality in this way, but also sees it as futile. People doing this – both left and right – are trying to resuscitate causes and consequences, realities and referents, and recreate an imaginary. But the system deters such efforts from succeeding. Le Pen for instance is ultimately absorbed, as the mainstream integrates and repeats his racist ideas. This analysis could also be applied to various “fundamentalisms” and ethno-nationalist movements today. This kind of resistance is ultimately reactionary, seeking to restore the declining regime of signs. But it can only be understood if its basis in energies of resistance to simulation is recognised. It is because it channels such resistance that it is able to mobilise affective forces. Baudrillard’s analysis is here similar to Agamben’s view that the sovereign gesture is now exercised everywhere because of the rise of indistinction and indeterminacy. The paradox is that the performance of fundamentalism often leads back towards the world of simulation and deterrence. Such movements map symbolic exchange onto the state, restoring some of its reality, but ultimately contributing to the persistence of simulation. Resistance from inside the regime of power is impossible because of deterrence. Baudrillard suggests that it’s now impossible to imagine a power exercised inside the enclosure created by deterrence – except for an implosive power which abolishes the energies preventing other possibilities emerging. He also suggests that the loss of the real is irreversible. Only the total collapse of the terrain of simulation will end it, not a test of reality. A truly effective revolution would have to abolish all the separations – including the separation from death. It cannot involve equality in what is separated – in survival, in social status and so on. The strategy for change is now exacberation, towards a catastrophic end of the system. Baudrillard believes that the resultant death of the social will paradoxically bring about socialism.

**Thus, the alternative: I am plagiarizing the 1AC. It’s mine. The aff has nothing left to bargain with. This is the best challenge to systems of property. We shatter the illusion of neoliberal control of knowledge production.**

**Froomkin 13 - David Froomkin, The Morningside Review, Published in Partnership with Columbia University Libraries, Columbia Undergrad Student, May 1st, 2013** “Plagiarism as Revolution, Concept as Content: Apotheosizing the Author under the Aegis of Appropriation” [https://journals.library.columbia.edu/index.php/TMR/article/view/5441] Accessed 9/29/21 SAO

“Art is either plagiarism or revolution.” —attributed to Paul Gauguin In “It’s Not Plagiarism. In the Digital Age, It’s ‘Repurposing.,’” Professor Kenneth Goldsmith writes about his course “Uncreative Writing,” which explores the concept of authorship. His students study the Internet’s impact on the proliferation of plagiarism. Goldsmith observes that “the sheer penetration and saturation of broadband . . . makes the harvesting of masses of language easy and tempting,” going on to discuss new artistic methods facilitated by the Internet that rely on appropriating previous artistic works (“It’s Not Plagiarism”). In his course, Goldsmith encourages—and even requires—his students to plagiarize. Worried about the conventional and clichéd way in which creative writing is often taught, with students told that their job as authors is to produce works of originality, Goldsmith established his course as an alternative: We retype documents and transcribe audio clips. We make small changes to Wikipedia pages (changing an “a” to “an” or inserting an extra space between words). We hold classes in chat rooms, and entire semesters are spent exclusively in Second Life. Each semester, for their final paper, I have them purchase a term paper from an online paper mill and sign their name to it . . . Students then must get up and present the paper to the class as if they wrote it themselves, defending it from attacks by the other students. What paper did they choose? Is it possible to defend something you didn’t write? Something, perhaps, you don’t agree with? Convince us. (“It’s Not Plagiarism”) By making his students express themselves in words not of their own choosing, Goldsmith forces them to confront what constitutes authorial intent. Though they copy, they engage in the significant job of arranging. Even in choosing which paper to plagiarize, his students necessarily express themselves. Moreover, as they are appropriating others’ ideas, the aesthetic value of their products must derive entirely from the method of composition. “Uncreative Writing” proposes a radical redefinition of authorship for the digital age, which would make context the new content. Indeed, it suggests that even if it is impossible to create substantively original works, art may still derive its aesthetic value from its conceptual basis. To justify his project, Goldsmith invokes the example of novelist Jonathan Lethem, whose February 2007 article in Harper’s Magazine, “The Ecstasy of Influence: A plagiarism,” epitomizes the kind of patch-written project Goldsmith extols. There is not a single new idea in Lethem’s essay; instead, it synthesizes the ideas of a great number of authors—and indeed does so without obvious attribution. As Lethem’s title points out, his entire essay is a plagiarism. Goldsmith writes, In academia, patchwriting is considered an offense equal to that of plagiarism. If Lethem had submitted this as a senior thesis or dissertation chapter, he’d be shown the door. Yet few would argue that he didn’t construct a brilliant work of art—as well as writing a pointed essay—entirely in the words of others. It’s the way in which he conceptualized and executed his writing machine—surgically choosing what to borrow, arranging those words in a skillful way—that wins us over. Lethem’s piece is a self-reflexive, demonstrative work of unoriginal genius. (“It’s Not Plagiarism”) That Lethem’s finished product succeeds stylistically is unquestionable. Despite his almost complete reliance on appropriation, Lethem manages paradoxically to create a brilliant work of art by synthesizing his influences so beautifully. As Goldsmith points out, it is the conceptually elegant method by which Lethem crafts his essay that gives it its appeal. Goldsmith characterizes copyright criticism as the centerpiece of Lethem’s argument. “Echoing the cries of free-culture advocates such as Lawrence Lessig and Cory Doctorow, [Lethem] eloquently rails against copyright law as a threat to the lifeblood of creativity,” he writes (“It’s Not Plagiarism”). Yet, Lethem does much more than simply criticize copyright. Lethem’s observation that all works of art embody their antecedents leads him to argue that copying is not only inevitable, but desirable. Many masterpieces owe their creation to artists’ inspiration by predecessors. Thus, Lethem questions the traditional conception of authorship, which rests on the assumption that creators produce works of unique inspiration (63). This assumption underpins Jane Ginsburg’s 2009 article “The Author’s Place in the Future of Copyright,” in which Ginsburg, a Columbia law professor, defends the traditional view of authorship. In stark opposition to Lethem’s critique, she views copyright as vital in protecting this tradition. “Vesting copyright in authors,” she writes, “made authorship the functional and moral center of the system” (148). Ginsburg believes that authorship is the basis of a social system of value. Lethem’s argument for copying, she suggests, is an affront to authorship. To allow anyone to plagiarize an author’s work would be to reduce its value and thus be an attack on the author. Ginsburg worries that “the advent of new technologies of creation and dissemination of works of authorship not only challenges traditional revenue models, but also calls into question whatever artistic control the author may retain over her work” (148–9). The prospect of authors losing their creative control scares her, because she equates authorship with originality and fears the demise of originality. Ginsburg criticizes advocates of a free culture who claim that copyright “somehow degrades the noble calling of disinterested creativity” (152), labeling them “techno-postmodernists.” She writes: “If the author is dead, or must be dethroned, then the reader not only lives, but reigns supreme. Readers give meaning to the texts they peruse; reading itself becomes a creative act” (151). The postmodern theory supposes that readers rather than authors give meaning to texts today in the act of reading them. This would undermine the traditional concept of authorship by devaluing the role of the author. Ginsburg views techno-postmodernism as nihilistic because it challenges her value system. Ginsburg argues that “the Internet gives concrete effect to the postmodernist theory of reader as creator, for all readers can remanipulate the text, and none can impose unilateral significance” (151). As Goldsmith points out in his article, the Internet makes appropriation easy, which Ginsburg would argue facilitates the dethroning of the author. It would be easy to label Goldsmith a techno-postmodernist and to interpret his course as an attack on authorship, yet the opposite is true. By reimagining what the author can be in the 21st century, Goldsmith defends authorship against those who would devalue it. Ginsburg might see the goal of the course as manipulating text to expose a lack of “unilateral significance,” fitting with her thesis about readers’ replacement of the author (Ginsburg 151). However, Goldsmith’s course is concerned not with the role of the reader, but of the writer. It is not a course in techno-postmodernism. The “new writing has an electronic gleam in its eye,” but “its results are distinctly analog, taking inspiration from radical modernist ideas and juicing them with 21st-century technology” (“It’s Not Plagiarism”). Indeed, Goldsmith rightly rejects the nihilistic notion that authorship is dead. He agrees with Ginsburg that this is a theory under which “individual creativity is discredited” (Ginsburg 152). Rather, Goldsmith argues that the new literature is “a writing imbued with celebration, ablaze with enthusiasm for the future, embracing this moment as one pregnant with possibility” (“It’s Not Plagiarism”). Ginsburg’s account of the techno-postmodernists does not reflect Goldsmith’s argument: he suggests that by copying, writers can create works of aesthetic value—and that this is perhaps the only source of creativity left to artists today. Goldsmith is trying not to dethrone, but to inaugurate, the author. Lethem represents better the idea behind Goldsmith’s course; indeed, his theory defends postmodernism from charges of nihilism, reinterpreting what postmodernism means in the context of authorship. Lethem examines T.S. Eliot’s preoccupation with attribution, implying that it reflects a broader social paradigm. Lethem argues that this obsession with citation “can be read as a symptom of modernism’s contamination anxiety. Taken from this angle, what exactly is postmodernism, except modernism without the anxiety?” he asks (62). Lethem suggests there is nothing nihilistic about this postmodern approach to creation. Rather, he reconciles postmodernism with a concept of authorship, suggesting that authors may still create original works of art using techniques of appropriation. Copying, Lethem says, allows authors to “make the world larger” (65). This strongly implies that he has not abandoned the possibility of creating works of originality. In light of Lethem’s claim that **appropriation reinforces authorship**, it is possible to consider Goldsmith’s course a reaction to the supposed nihilistic reductionism of Ginsburg’s techno-postmodernists. Goldsmith’s seeming willingness to concede the death of originality proves chimeric, as he ultimately suggests that copying allows his students to produce work of incredible creativity. Goldsmith observes that his students will at first invariably react with horror to his instruction that they copy. Yet, ultimately, they reconsider their objections. Goldsmith describes how “after a semester of my forcibly suppressing a student’s ‘creativity’ by making her plagiarize and transcribe, she will tell me how disappointed she was,” not because her creativity had been stifled, but “because, in fact, what we had accomplished was not uncreative at all; by not being ‘creative,’ she had produced the most creative body of work in her life” (“It’s Not Plagiarism”). Goldsmith’s seeming **dismissal of authorship is an attempt to reclaim it** in an age in which, to many, it seems impossible to create a substantively original work. Indeed, Goldsmith’s article can be interpreted as an articulation of a fundamental principle of authorship: that creation is as much about methodology as about material—and, moreover, that through plagiarism his students elevate method to material. For Goldsmith, the “trend among younger writers who take [Lethem’s] exercise one step further by boldly appropriating the work of others without citation, disposing of the artful and seamless integration of Lethem’s patchwriting,” reveals that “context is the new content” (Goldsmith 3). Modern technology has created an aesthetic sensibility that considers appropriation an essential aspect of authorship. **What matters is no longer what one says, but the mode of her saying it**. Still to Goldsmith, the postmodern writer gains authorship by creating a work of aesthetic merit. Thus, in a world in which “long-cherished notions of creativity are under attack, eroded by file-sharing, media culture, widespread sampling, and digital replication,” Goldsmith’s course “rise[s] to that challenge by employing strategies of appropriation, replication, plagiarism, piracy, sampling, plundering, as compositional methods” (“Uncreative Writing” 1). “Along the way,” he writes in his syllabus, “we’ll trace the rich history of forgery, frauds, hoaxes, avatars, and impersonations spanning the arts, with a particular emphasis on how they employ language” (1). Goldsmith’s course thus focuses on employing language to express old ideas in new ways, which he believes permits new authorship. Yet there is an ambiguity at the heart of Goldsmith’s idea. Writing of the beauty of plagiarists’ products, Goldsmith concludes that “far from being coercive or persuasive, this writing delivers emotion obliquely and unpredictably, with sentiments expressed as a result of the writing process rather than by authorial intention” (“It’s Not Plagiarism”). Goldsmith seems to distinguish between compositional method and creation, the latter alone associated with traditional views of authorship. In this, he channels postmodernist French philosopher Michel Foucault, who argues that authorship is a modern concept, sure to wither away. Foucault claims in his 1969 essay “What Is an Author?” that “the author does not precede the works; he is a certain functional principle by which, in our culture, one limits, excludes, and chooses; in short, by which one impedes the free circulation, the free manipulation, the free composition, decomposition, and recomposition of fiction” (Foucault 119). Thus, he argues authorship is a characteristic of, rather than requisite for, a work. Authorship matters to Foucault only because it affects the perception of a work. Foucault anticipates presciently the controversy over the disappearance of authorship. Moreover, he argues that “the author function will disappear . . . in such a manner that fiction and its polysemous texts will once again function according to another mode, but still with a system of constraint—one which will no longer be the author, but which will have to be determined or, perhaps, experienced” (119). Foucault expresses the postmodern theory that claims that authorship will be replaced by a different lens through which to interpret text. Foucault does not address Ginsburg’s concern, shared by Lethem and Goldsmith, about the demise of originality, but another idea from the same essay may better reflect the postmodern development in authorship. Foucault advances the concept of “discursivity,” a specific—and heightened—form of authorship in which creators establish not only an idea but an avenue for ensuing ideas. “Founders of discursivity,” Foucault writes, “are unique in that they are not just the authors of their own works. They have produced something else: the possibilities and the rules for the formation of other texts” (Foucault 114). He gives as his examples Freud and Marx, who pioneered fields of thought. Perhaps the new aesthetic sensibility of the digital age extends the realm of Foucauldian discursivity to include all works that are plagiarized by the “techno-postmodernists.” These works spawn methodological progeny in a parallel fashion to Marx’s and Freud’s inspiring their heirs. If Goldsmith’s methods of appropriation can indeed be considered an extension of the realm of discursivity, then the very plagiarism that Ginsburg decries as defacing an original work instead uplifts it, giving the original creator’s authorship a discursive character. Viewed this way, Goldsmith’s process could heighten authorship itself. Lethem provides perhaps the best extension of Foucault’s theory of authorship. Asking whether “our appetite for creative vitality require[s] the violence and exasperation of another avant-garde, with its wearisome killing-the-father imperatives,” Lethem suggests “we [might] be better off ratifying the ecstasy of influence—and deepening our willingness to understand the commonality and timelessness of the methods and motifs available to artists” (67). Lethem proposes to end discussions of modernism and postmodernism, and instead to embrace methods of reuse as a definitive aspect of authorship. **To do so would be to embrace the collaborative character of authorship in contemporary times.** This is exactly what Goldsmith does in “Uncreative Writing.” By employing plagiarism, Goldsmith revolutionizes the concept of authorship, which he says derives not only from the substance of a work but also from its very composition. Like Ginsburg, he maintains that authorship still lives, but he differs from her in his rejection of the limited view of authorship which she defends. Instead, sharing Lethem’s view that plagiarism allows contemporary artists to create works of originality, Goldsmith expands authorship twice: once by recognizing the significance of appropriation and again by extending Foucault’s discursivity.

**There is a doublebind – Either you think the K is wrong and intellectual ownership is good so you vote neg because they have failed to prove the resolution true, or you think the aff is true and its good to allow me to steal their intellectual labor and you vote neg because they have no arguments left in the round.**

**The alt solves: The affirmative rejects the imperative for productivity in patent debates and instead takes a detour through the strategy of the worst scenario. The upsetting force of such a fatal attitude reveals the university apparatus at the root of the affs harms as the marvelously absurd outgrowth of the enlightenment that it is. The content of our strategy will never change the equation, but the reversibility of the forms of the system can accelerate them to the point of their vacuity and collapse.**

**Hoofd 17 - Ingrid Hoofd, Utrecht University, 2017** “Higher Education and Technological Acceleration” [https://link.springer.com/book/10.1057/978-1-137-51409-7] Accessed 8/24/19 SAO

The fundamental instability of the university via its ‘self-deconstruction’ therefore also opens up new forms of thought and imaginative opportunities, if only for now appearing as disastrous yet perhaps fortuitous ‘accidents.’ Derrida in fact hints at this, but also at the university’s elusiveness, in “Mochlos, or: the Confl ict of the Faculties,” when he claims that he “would almost call [the university] the child of an inseparable couple, metaphysics and technology” (1993, 5; emphasis mine). Almost, but never quite—here then emerges the possibility of truly subversive change—in the paradoxical gap prised open between the machinery of transparency and its exceedingly stealthy theoretical, administrative, and methodological operations. This **change** however **will** then **not be brought about by the** mere **content of the critique, but by the way it disastrously pushes acceleration to the point of systemic disintegration or implosion**. In Fatal Strategies, Baudrillard calls this the “fatal strategy” that contemporary theory must adopt: a sort of conceptual suicide attack which aims at pulling the rug out under the speed-elitist mobilisation of a host of problematic semiotic oppositions, which also will illustrate the fundamental paradox behind any attempt at structural predictions. In another one of his ‘fatal’ book-chapters titled “The Final Solution,” Baudrillard relates this intensification of the humanist obsession with dialectics, mastery, and transparency—the quest for immortality that is at the basis of technoscientific research—to destruction and the death drive through the metaphor of and actual research around cloning, which strangely resonates well with Derrida’s investigation of the tele-technological archive in Archive Fever. I read Baudrillard’s “Final Solution” at this stage also as a metaphor for the duplication (cloning) of thought into virtual spaces outside the university walls proper, without such a cloning ever succeeding to force its compulsory optimism on everyone and everything. If contemporary research seeks to make possible human cloning, argues Baudrillard, then this endeavour is equivalent to cancer: after all, cancer is simply automatic cloning, a deadly form of multiplication. It is of interest here to note that the possibility of creating an army of clones has likewise garnered much military interest, just as academia today more and more serves military ends. As the logic of cloning as automatic multiplication is typical of all current technological and humanist advancements, the exacerbation of this logic can only mean more promise and death, or perhaps even promise through death. Techno-scientific progress entails a regress into immortality, epitomised by a nostalgia typical of the current sociotechnical situation, for when we were “undivided” (2000, 6). At this point such an argument in fact problematically mirrors the apocalyptic tone of, for instance, the activist-research projects as well as of Heidegger’s arguments. But I contend that Baudrillard refers not only to the lifeless stage before humans became sexed life forms, but also makes an allusion to psychoanalytic readings of the ‘subject divided in language’ and its nostalgia for wholeness and transparent communication. The desire for immortality, like archive fever, is therefore the same as the Freudian death drive, and we ourselves ultimately become the object of our technologies of scrutiny and nostalgia. The humanist quest for total transparency of oneself and of the world to oneself that grounds the idea of the modern techno-scientific university is therefore ultimately an attempt at (self-)destruction, or in any case an attempted destruction of (one’s) radical difference that needs to run its course. The urgent political question which Bernard Stiegler, for instance, as I showed in a previous chapter, problematically avoided in Disorientation, then becomes: which selves are and will become caught up in the delusion of total self-transparency and self-justification, and which selves will be destroyed? And how may we conceive of an “ethic of intellectual inquiry or aesthetic contemplation” that “resists the imperatives of speed,” as Jon Cook likewise wonders in “The Techno-University and the Future of Knowledge” (1999, 323)? It is of particular importance to note here that the very inception of this question and its possible analysis, like the conception of the speed-elite mounted by this book, is itself again a performative repetition of the grounding myth of the university of independent truth, justice, and reason. Therefore, in carrying forward the humanist promise, this analysis is itself bound up in the intensification of the logic of acceleration and destruction, but is then also equally tenuous. This complicity of thought in the violence of acceleration itself in turn quickens the machine of the humanist promise, and can only manifest itself in the prediction of a coming apocalypse—whether it concerns a narrative of the death of thought and the university, or of a technological acceleration engendering the Freudian death drive. We academics are then simply the next target in the technological realisation of complete γνωθι σαυτον (‘know thyself’)—or so it seems. Because after all, a clone is never an exact copy, as Baudrillard very well knows; and therefore, the extent to which all the teaching and research projects discussed in this book hopefully invite alterity can thankfully not yet be thought. The work of Virilio is therefore helpful because it abandons the ‘compulsory optimism’ of standard academic rhetoric for a more fragile optimism that seeks to affirm the fundamental unknowability or sacredness that makes knowledge possible in the first place. In this sense, Virilio and Baudrillard urge us, as Derrida described it, to ‘take a more originary responsibility’ in light of the current negative fallout of the aporetic ideals of the academic institution. And as I hinted at in Chap. 1 , every form of idealism indeed eventually will be or needs to be subjected to its own critique, and perhaps eventually even needs to succumb to it. As much as the practices of these theories, centres, organisations, and left-wing academics are the outflow of a logic of increased visibility and transparency, they also render into visible form the perverse logic of ‘incorporating’ and ‘connecting’ everything and everyone, which, for instance, some of the theorists that argue for ‘bottom-up learning’ outlined as a virtue, in an exceedingly staged visual profusion of relative otherness. Since academic productivity and activism fi nd themselves wholly aligned with the perverse ideals of the university, raising its stakes would therefore not lie in the familiar recanting of ‘freedom,’ ‘empowerment,’ or ‘democracy,’ but in the reinsertion of the (inter-)subjective and ‘noisy’ element in all its teaching and research practices. This would entail an emphasis on the necessary respect for that ‘unknown quantity’ that is inherent in all meaningful learning and interaction, a newfound acknowledgement of the magical aspects of the universe as foundational for all appreciation of it. As Virilio stresses in his second chapter of The Vision Machine, “the presupposition of not-knowing and especially not-seeing … restores to every research project its fundamental context of prime ignorance” so that we “need to admit that for the human eye the essential is invisible” (1994, 23). Baudrillard echoes Virilio’s insight in “The Theorem of the Accursed Share” by emphasising that indeed “Anything that purges the accursed share signs its own death warrant” (1990, 121). Perhaps the biggest mistake in the modern founding of the university then was the denial and attempted erasure of the religious or spiritual aspect of the university, so that, instead of being a vision machine, a ‘more originary responsibility’ would consist of letting it become a ‘humility machine’ in the spirit of its pre-Enlightenment ethics? In any case, the acknowledgement of the profound tension at the basis of the university and the ways it has intensified itself to such an extent today that more and more academics are starting to become disillusioned or confused about their calling, perhaps provides us usefully with the return of that “fatalism” and “magic worldview” that especially Freire so eagerly sought to eradicate. We may therefore want to **welcome the upsetting force of such a fatal attitude** towards the ideal of ‘communication as community’ **as the true antidote**, or perhaps even the quintessential shadow, which has always secretly accompanied the university’s quest for total communication and transparency. The possibility of radicality via communication and its functionalist theories may then finally and surprisingly lie in its unexpected outcomes, both positive and negative. I will be ‘keeping the faith’ together with all these projects and academics then, since also owing to all these theories and projects, the future may be more radically open than ever before, as long as we seriously entertain the possibility that in moving beyond the attempted erasure of fatality and unknowability by the compulsorily optimistic academic performance lies the potential of that ‘more originary’ responsibility. One of the consequences of bringing back fatality and fatalism means to acknowledge that the representational ideal of scientific and philosophical theory—the fantasy that it not only must ‘describe’ reality as closely as possible, but also that such a description is possible or desirable at all— must be abandoned in favour of a speculative poetics. Likewise critical theory, which tradition this book has productively mobilised, after all falls, according to Baudrillard, in The Perfect Crime victim to the thwarted ideals of omniscience and transparent communication. As I noted in Chap. 3 , it is for this reason that Genosko in “The Drama of Theory” rightly parallels the problem of theory with the problem of political theatre, suggesting that what Baudrillard proposes is not replicating the impotent attempts of a theatre seeking to convince by way of documentary realism, but of a ‘reversed’ theatre in which “the object will have its revenge on Western metaphysics” (1994, 295). Genosko in turn helpfully refers to Baudrillard’s usage of the metaphor of the ‘crystal,’ which I concur can be read as an idealisation of the perfectly transparent object and the ideal crystalline universe seemingly represented in scientific description, but just as much as a ‘crystal ball’ into which one “gazes in order to arouse a myriad of sensations”—not the least that sensation of uncertainty as well as an ambivalence concerning the fact that one is being seduced by that object (1994, 296). William Bogard usefully points out in “Baudrillard, Time, and the End,” that seduction indeed precisely consists of “the overcoming of defences (of ‘immunity’)” (1994, 333). Baudrillard also follows this logic of a ‘revenge of the crystal’ when he stresses in an interview with Nicholas Zurbrugg in Baudrillard Live on the possibilities of a renewed theoretical radicalism, that Perhaps the only thing one can do is to destabilize and provoke the world around us**. We shouldn’t presume to produce positive solutions … one needs to make a kind of detour through the strategy of the worst scenario**. It’s not a question of ideas—there are already too many ideas! (1993, 170–171; italics in original) To conclude then, to let the auto-immune disease run its course therefore would entail firstly seeing the university, from its very inception, for the ridiculous scam that it is: a marvellously absurd outgrowth of the delusional ideals of Enlightenment humanism. However, this also means that any representational theoretical critique like this one is just as much a scam of the authority of theoretical analysis, in which possibly, as Lyotard suggested, truth and technique have collapsed into one another. So this book, by partaking in the same ideals of visibility while exposing the problem of the contemporary university to scrutiny and visibility, suggests that we **follow a strategy of ‘fatal’ consciousness-raising in order to hopefully plant the seeds of future radical events regarding academia**. An example here might be a staff and student exodus from the university’s current imperative, which would signify a notable collapse of its prime beliefs towards a more mystical thinking in the hard sciences and in the humanities. Perhaps we should simply let the university bleed to death for now. Only such an apparent ‘solution’ that seeks not solve anything at all or make any predictions, while seemingly absurd, may mean the hopedfor death of the contemporary university and its revival as a radically different entity. This book must therefore finally remain speculative and opaque, and mount this final chapter as a polemical provocation that does not seek to pre-programme what the next stage of the university should look like or which ideals need to be chanted, as doing so would itself fall prey to the problematic and ultimately managerialist claim of transparent (fore)knowledge and true emancipation. This book, in all its philosophical and analytical exposition, after all cannot even with certainty claim that it has represented the reality of the contemporary university in any kind of self-assured manner, or that it does not sneakily mix up the ‘observed pattern’ and the ‘pattern of observation.’ So is this book itself not simply just as much partaking in the delusion that the university always has been? To paraphrase Derrida once again: the university, truly, what an idea! Time perhaps to lay that cursed institution to rest for now and put down that alluring crystal ball, so that we all may rest too.

**The role of the ballot is to vote for the debater with the best strategy to rupture the intellectual property simulation in medicine. This means you should evaluate arguments about the form of debate over content level arguments about the resolution. The 1NC is a form of theoretical terrorism that adulterates communicative content catching the debate over capitalism in its own trap and rendering violent signs fuzzy. Every ballot for me has a linear impact that’s solves the aff role of the ballot.**

**Strehle 14 - Samuel Strehle, Institute of Sociology at the University of Basel, in International Journal of Baudrillard Studies, in 2014** ["A Poetic Anthropology of War: Jean Baudrillard and the 1991 Gulf War", https://www2.ubishops.ca/baudrillardstudies/vol-11\_2/v11-2-strehle.html, 2-1-2019] AR

As I have shown, reality for Baudrillard is an oppressive code and not a substantial, ‘profound’ entity. Hence, his analysis of the Gulf War having lost its substance cannot by any chance mean to mourn this reality loss. This becomes even more obvious considering the fact that ‘reality production’ is the main business of exactly that war sign industry Baudrillard is criticizing so vividly. At the same time, though, he strictly denies seeking to “rehabilitate older wars”. But how then shall we interpret his odd return to Clausewitz in particular and, more generally, the introduction of the duel principle and symbolic exchange into his analysis? This question opens up the third level of my argument. The production of war signs is linked to the issue of war not only in matters of content, but also in matters of form. Content-wise, war is just one of many fields in which reality signs are produced; regarding its form, however, it is the pure logic of war itself that works in this industry. The production of reality for Baudrillard is a kind of warfare itself: Not only is it a monologue of power, a “speech without response”, as he states in Requiem for the Media (1971: 172); even more, the “terrorism of the code” (ibid.: 179) is a war-like attack on our senses. We, the viewers, are targets of a bombardment of signs and images. “Semiocracy”, Baudrillard (1976: 78) calls this terror in his writing on the New York Graffiti scene: we live under a dictatorship of signs (against which the Graffiti raise their anti-semiotic counterforce). The war sign industry is just one of many subdivisions of a society-wide ‘reality sign industry’ that floods our lives with all kinds of spectacular products and information.“We are all hostages of media intoxication, induced to believe in the war just as we were once led to believe in the revolution in Romania, and confined to the simulacrum of war as though confined to quarters. We are already all strategic hostages in situ; our site is the screen on which we are virtually bombarded day by day” (Baudrillard 1991b: 25). Finally now, this is where Baudrillard’s genuine theoretical intervention takes place. Like the Graffiti writers, Baudrillard attempts to fight back against the terrorism of the code and its work of purification—somehow continuing Graffiti writing by other means. Baudrillard is leading his own war, his own counter-guerilla warfare against the reality principle. What are his spray cans? Which are the walls on which he puts his ‘mark on society’? It is the holy walls of theoretical discourse that Baudrillard defaces with a low tech weapon called “theoretical terrorism”, as he called it once (Baudrillard 1983a: 91, my translation)—a thinking made to oppose, to challenge the hegemony of reality. The idea of ‘theoretical terrorism’ is strongly linked to his concept of “reversibility”13 —a key term in Baudrillard’s thinking. The term may be characterized by two main aspects: At first, it refers to the reciprocity of gift exchange in which there is no closure of exchange but an endless changing and challenging of sides. In this regard, it is a name for the symbolic fluidity of power.14 At second, it refers to a principle of **changing a situation by radically reversing its viewing angle**—“poetic transference of the situation”, as Baudrillard calls it in Impossible Exchange (1999: 85). Being a rather “phantastic principle” (Zapf 2010: 145, my translation), the concept of reversibility is linked with the most powerful and yet most clandestine subtext in Baudrillard’s oeuvre: ’Pataphysics. The idea behind this absurd science of “imaginary solutions” is as simple as it is mysterious: It is an attempt to create a different reality through imagination.15 Pataphysicians fight reality through the use of imaginary forces, through creating **illusion and deceit**. It is easily overlooked how central this pataphysical approach has been for Baudrillard; even his most serious book, Symbolic Exchange and Death, is surprisingly full of pataphysical statements, especially in the dense, programmatic introductory pages: “The only strategy against the hyperrealist system is some form of pataphysics, ‘a science of imaginary solutions’; that is, a science-fiction of the system’s reversal against itself at the extreme limit of simulation, a reversible simulation in a hyperlogic of death and destruction” (Baudrillard 1976: 4 f.). How can “science-fiction” shatter the system of reality? Baudrillard explains his strategy later in The Perfect Crime (1995), especially in the section on “Radical Thought”, and in Impossible Exchange (1999). Ideas, he claims, can create their own reality, since thinking is a performative act that builds its own ‘parallel world’: “Thought […] does not seek to penetrate some mystery of the world, nor to discover its hidden aspect—it is that hidden aspect. It does not discover that the world has a double life—it is that double life, that parallel life” (Baudrillard 1999: 149). In the performative “act of thinking” (ibid.: 115), **reality is not so much depicted but challenged.** The purpose of theory for Baudrillard is the exact opposite of what we normally would expect: It should not recognize and analyze reality, instead it must deny and contradict its hegemony. **It has to create illusion and establish a power of seduction that makes one lose the path of reality**. The “value of thought”, claims Baudrillard (1995: 94), “lies not so much in its inevitable convergences with truth as in the immeasurable divergences which separate it from truth.” Only in awareness of those abstract ’Pataphysics can we distill any sense out of some of the oddest remarks in Baudrillard’s oeuvre, for example his “delirious self-criticism” from Cool Memories where he accuses himself of “having surreptitiously mixed my phantasies in with reality” and of “having systematically opposed the most obvious and well-founded notions” (Baudrillard 1987: 38). He even complains about readers taking his theories for actual facts and reading them in a “realist version”: “Simulacra are today accepted everywhere in their realist version: simulacra exist, simulation exists. It is the intellectual and fashionable version of this vulgarization which is the worst: all is sign, signs have abolished reality, etc.” (Ibid.: 227). Instead of this “realist version”, Baudrillard suggests that even his most prominent terms can be regarded as pataphysical attempts to seduce his readers through fictitious ideas, for example when he admits

to having “put forward the idea of simulacrum, without really believing in it, even hoping that the real will refute it” (Baudrillard 1995: 101). Apparently he understands his thinking to be something like a playful simulacrum itself, for also theory can precede—and thereby seduce—reality: “The theoretical ideal would be to set in place propositions in such a way that they could be disconfirmed by reality, in such a way that **reality could only oppose them violently, and thereby unmask itself.**

#### Prefer:

**[1] Sequencing DA: Establishing ethical forms of debate is a perquisite to evaluating content. We have to agree upon what truth is before we evaluate the truth value of particular arguments**

**[2] Material Violence DA: Evaluating form gives the judge the ability to preserve debate as a safe space which is key to access and minimizing psychic violence**

**[3] Probability DA: Voting on content will not result in any legislative change in the real world. Your ballot can empirically shape practices in this space. Demonstrated through disclosure**

**[4] Revolutionary Skills DA: Only the form of our communicative challenges to capitalism can avoid cooption and cognitive bias since they reveal the truth instead of showing it**

## CP

**CP Text: Countries in the WTO should create a consent and compensation mechanism to prevent biopiracy in drug development**

**Nard 03 - Craig Allen Nard, Director, Center for Law, Technology, and the Arts, Case Western Reserve University School of Law, Minnesota Law Review, October 2003** “IN DEFENSE OF GEOGRAPHIC DISPARITY” [http://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1277&context=faculty\_publications] Accessed 8/26/21 SAO

Professor Bagley and I are on common ground when she argues that indigenous peoples deserve to be compensated for the commercial exploitation of their traditional knowledge.49 This concern is important, however the problem here is not the availability of patent protection but rather the lack of an adequate compensatory mechanism for developing nations and indigenous peoples.50 Safeguards must be put in place so as to prevent “biopiracy” similar to the Hoodia cactus incident.51 The availability of patent protection must be accompanied by a compensatory structure and mutual consent so that the keepers of traditional knowledge will be equitably compensated, the sovereignty of the host nation respected, and its biodiversity conserved. One way to accomplish these goals is through a contractual arrangement and a notification provision52 that are consistent with the aims of patent law and biodiversity conservation. To this end, it is preferable, as Professor Marco Ricolfi has argued, to amend the domestic patent laws of developed countries to require lawful acquisition of genetic resources and an equitable compensatory arrangement based on the commercial exploitation of these resources.53 A less satisfactory, though workable, approach is to encourage the formation of voluntary contractual relationships between the keepers of traditional knowledge and those who desire it. A prominent example is the bioprospecting agreement54 entered into between the Instituto Nacional de Biodiveridad (INBio),55 a private, non-profit, Costa Rican organization, and Merck, the U.S. pharmaceutical company.56 The terms of the Merck agreement are confidential, but it is known that Merck paid INBio $1.35 million in return for 10,000 samples of flora, soil, and insects collected by INBio and for in formation about how these samples have been traditionally used.57 Merck is also obligated to pay INBio royalties on future sales of products developed from the samples, which in turn are to be invested, in part, in conservation efforts.58

**Mutually Exclusivity: Countries can’t reduce patents and use them as mechanism for wealth transfer.**

**Net Benefit: Capacity Building**

**Empirically bioprospecting with compensation leads to conservation and capacity building which is key to moving past an extractive imperial economy which negates under their standard**

**Castree 2 - Noel Castree, in the journal Transactions of the Institute of British Geographers, October 2002** “Bioprospecting: from theory to practice (and back again)” [https://www.jstor.org/stable/3804566] Accessed 8/26/21 SAO

This brings us to the second supposed strength of **bioprospecting**: that, aside from the monetary benefits, it **brings unique non-monetary advantages to source countries**. Biotechnology is among the most research-intensive of all industries, and the economic value attached to biodiversity increases in proportion to the sophistication with which it is understood and used. This means that what countries like Costa Rica are really selling is not ‘raw biodiversity’ but knowledge of biodiversity (Janssen 1999). This is most obvious in those cases where, say, a pharmaceutical company pays for access to folk knowledge of tropical medicinal plants. But even newly discovered biodiversity has a major actual and potential knowledge component attached to it. The greater the degree of sample analysis a bioprospecting broker can undertake – using, for example, bioassay arrays – the greater the fee per sample it can charge to buyers. As Weiss and Eisner put it in their proselytizing essay ‘Partnerships for value-added through bioprospecting’, Developing countries naturally wish to begin their . . . prospecting activities at as high a technological level as possible, so as to maximise their value-added and to avoid relegating themselves to their traditional roles as suppliers of raw materials to industries in more advanced countries. (Eisner 1998, 489) So, in theory at least, bioprospecting **agreements can bring capacity-building** of a potentially high order to source countries through advanced scientific training and smart machinery being a part of the ‘value-added chain’. The activities of INBio evidently bear out the specific advantages of bioprospecting as a mode of green development in practice. For Nader and Mateo it is making a ‘significant contribution’ (2001, 181) to conservation and socio-economic development; for Weiss and Eisner it is an ‘institutional model’ (1998, 482); and in ten Kate and Laird’s global survey of biocommerce it is the focus of one of a small number of ‘best practice’ case studies. Though Mateo avers that INBio, in fact, ‘does not intend to be a model’ (2000, 44 54), this is rather disingenuous. By virtue of being the most discussed of all bioprospecting bodies, it has inevitably been forced to stand for the wider virtues of market-led sustainable development. This said, none of those commenting favourably on INBio do so uncritically. For instance, Mateo et al. observe that ‘it is not the gold mine that was originally envisaged’ (2001, 486), while Nader and Mateo emphasize that the Institute has only survived because of ‘a significant amount of flexibility’ (2001, 189). Provisos aside, these authors all base their assessments of the Institute on the whole spectrum of its activities, providing an element of comprehensiveness missing from the critiques to be discussed in the next sub-section. Their assessments comprise the following claims. First, INBio **has generated real revenue by selling bio- and data-diversity**. A

## Shell

**Interpretation: The aff must specify which enforcement mechanism they use to reduce IP rights.**

**Violation -**

**[1] RW Education - Current IP laws are designed domestically.**

**[2] Shiftiness: I can read a DA or CP but the 1ar can avoid the link by speccing an enforcement that avoids the issue. That kills speech time and strat since the aff can wait til the 1ar to defend the implementation that is best for them. Controls strongest il to fairness cuz I couldn’t hve engaged.**

#### F

#### Hacking

#### DTD

#### CI

#### No rvis