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**The ROTB is to endorse the debater who best performatively and methodologically rejects the lack.**

**Ruti 10** Mari Ruti. (2010). *Winnicott with Lacan: Living Creatively in a Postmodern World. American Imago, 67(3), 353–374.[*doi:10.1353/aim.20 [sci-hub.tw/10.1353/aim.2010.0016](https://sci-hub.tw/10.1353/aim.2010.0016)] [https://muse.jhu.edu/article/414021/pdf] // ahs emi

Let us consider Lacan first.1 As we know, Lacan’s theory of subject formation is premised on the notion of foundational lack or alienation. The transition from the Imaginary to the Symbolic—from preoedipal drives to the collective social space of signification and meaning production—is, for Lacan, a process of primordial wounding in the sense that the subject is gradually brought face to face with its own lack. While the internalization of the signifier brings the subject into existence as a creature of desire (thereby giving it access to a fully “human” existence), it simultaneously reveals that the surrounding world is much larger and more powerful than any individual subject could ever be—that the self is always merely a minor participant in a system of signification that operates quite independently of its “private” passions and preoccupations. In this manner, the signifier shatters the fantasies of omnipotence and wholeness that characterize the emerging ego of the mirror stage. One could, then, say that, in the Lacanian scenario, we purchase our social subjectivity at the price of narcissistic injury in the sense that we become culturally intelligible beings only insofar as we learn to love ourselves a bit less.It is worth noting right away that one of the things that drives a wedge between Lacan and Winnicott is that while Winnicott regards the ego as what allows the subject to enter into an increasingly complex relationship to the world, Lacan associates it primarily with narcissistic and overconfident fantasies that lend an illusory consistency to the subject’s psychic life. Lacan explains that the subject’s realization that it is not synonymous with the world, but rather a frail and faltering creature that needs continuously to negotiate its position in the world, introduces an apprehensive state of want and restlessness that it finds difficult to tolerate and that it consequently endeavors to cover over by fantasy formations. In other words, because lack is devastating to admit to—because the subject experiences [lack] it as a debilitating wound—it is disposed to seek solace in fantasies that allow it to mask and ignore the reality of this lack. Such fantasies alleviate anxiety and fend off the threat of fragmentation because they enable the subject to consider itself as more unified and complete than it actually is; by concealing the traumatic split, tear, or rift within the subject’s psychic life, they render its identity (seemingly) reliable and immediately readable. As a result, they all too easily lead the subject to believe that it can come to know itself in a definitive fashion, thereby preventing it from recognizing that “knowing” one version of itself may well function as a defense against other, perhaps less reassuring, versions. One consequence of the subject’s dependence on such egogratifying fantasies is that they mislead it to seek self-fulfillment through the famous objet petit a—the object cause of desire that the subject believes will return to it the precious sense of wholeness that it imagines having lost.2 In this scenario, the subject searches for meaning outside of itself, in an object of desire that seems to contain the enigmatic objet a. Lacan’s goal, in this context, is to enable the subject to perceive that this fantasmatic quest for secure foundations is a waste of its psychic energies. His aim is to convince the subject that the objet a will never give it the meaning of its existence, but will, instead, lead it down an ever-**widening spiral of existential deadends.** How, then, does the Lacanian subject find meaning in its life? Lacan’s answer is that it is only by accepting lack as a precondition of its existence—by welcoming and embracing the primordial wound inflicted by the signifier—that the subject can begin to weave the threads of its life into an existentially evocative tapestry. It is, in other words, only by exchanging its ego for language, its narcissistic fantasies for the meaning making capacities of the signifier, that the subject can begin to ask constructive questions about its life.3 For Lacan, there are of course no definitive answers to these questions. But this does not lessen the value of being able to ask them. The fact that there is no stable truth of being does not prevent the subject from actively and imaginatively participating in the production of meaning.

**The 1AC is an endorsement of a never-ending quest for knowledge, a striving toward the material and calculable, inseparable from an unconscious paranoia that eats at the subject as its lifelong quest for meaning is for not. We sacrifice the very nature of knowledge while disintegrating our psychic integrity and crushing any value to life.**

**Mills,** Mills, Jon. “Lacan on Paranoiac Knowledge.” *Dr. Jon Mills Psychoanalyst Philosopher Psychotherapy Psychologist*, Process Psychology, www.processpsychology.com/new-articles/Lacan-PP-revised.htm.When these aspects of human life are broadly considered, it becomes easier to see how our linguistic-epistemological dependency has paranoiac *a priori* conditions. From Freud to Klein and Lacan, **knowledge is a dialectical enterprise** that stands **in relation to fear--to the horror of possibility**--the possibility of the *not*: **negation**, conflict, **and suffering saturate our very beings, beings whose self-identities are linguistically constructed. The relation between knowledge and paranoia is** a **fundamental** one, and perhaps no where do we see this dynamic so poignantly realized than in childhood. From the 'psychotic-like' universe of the newborn infant (e.g. see Klein, 1946), to the relational deficiencies and selfobject failures that impede the process of human attachment, to the primal scene and/or subsequent anxieties that characterize the Oedipal period, leading to the inherent rivalry, competition, and overt aggression of even our most sublimated object relations, -- fear, trepidation, and dread hover over the very process of knowing itself. **What is paranoid is that which stands in relation to opposition**, hence that which is **alien to the self. Paranoia is** not simply that which is beyond the rational mind, but it is **a generic process of *nosis***--**'I take thought, I perceive,** I intellectually **grasp,** I **apprehend'**--hence have ***apprehension* for what I encounter in consciousness**. With qualitative degrees of difference, we are all paranoid simply because others hurt us, a lesson we learn in early childhood. **Others hurt us with their knowledge**, with what they say, as do we. **And we hurt knowing. 'What will the Other do next?' We are both pacified yet cower in extreme trembling over what we may and may not know**--what we may and may not find out; and this is why **our relation to knowledge is fundamentally paranoiac**. For Aristotle (1958), "all men by nature desire to know" (p. 108). **This philosophic attitude is kindled by our educational systems** perhaps informing the popular adage, **'knowledge is power.' But whose?** There is no doubt that the acquisition of knowledge involves a power differential, but what if **knowledge itself is seen as too powerful because it threatens our psychic integrity**? In the gathering of **knowledge** there **is** simultaneously **a covering-over**, a blinding **to what one is exposed to**; moreover, **an erasure**. I ~~know~~ (No)! Unequivocally, **there are things we desire to know nothing about at all; hence the psychoanalytic attitude places unconscious defense--negation**/denial and repression--**in the foreground of human knowledge, the desire not to know. When we engage epistemology**--the question and meaning of knowledge--**we are intimately confronted with paranoia**. For example, there is nothing more disturbing when after a lifetime of successful inquiry into a particular field of study it may be entirely debunked by the simple, arrogant question: 'How do you know?' **Uncertainty, doubt, ambiguity, hesitation, insecurity--anxiety!: the process of knowing exposes us** all **to immense discomfort. And any epistemological claim is equally a metaphysical one**. Metaphysics deals with first principles, the fundamental, ultimate questions that preoccupy our collective humanity: 'What is real? Why do I exist? Will I *really* die?' Metaphysics is paranoia--and we are all terrified by its questions: 'Is there God, freedom, agency, immortality?' *Is? Why? Why not? Yes but why?!* **When the potential meaning and quality of one's personal existence hinge on the response to** these **questions, it is no wonder** why most **theists say only God is omniscient**. And although Freud (1927) tells us that the very concept of **God is an illusory derivative** of the Oedipal situation--a wish to be rescued and comforted from the anxieties of childhood helplessness, He--our exalted Father in the sky--is ***always* watching**, judging. Knowing this, the true believer has every reason to be petrified. For those in prayer or in the madhouse, **I can think of no greater paranoia**.

**Pandemic threat construction justifies the ever-expansion of the bio-political regime through the normalization of biopolitical technologies and attitudes that are masked as requirements for the health of citizens.**

Couch et al 20**:** Couch, Danielle et al. "COVID 19 - Extending Surveillance And The Panopticon". Journal Of Bioethical Inquiry, 2020. Accessed 10 Nov 2020. //Scopa

Surveillance is a core function of all public health systems. Responses to the COVID-19 pandemic have deployed traditional public health surveillance responses, such as contact tracing and quarantine, and extended these responses with the use of varied technologies, such as the use of smartphone location data, data networks, ankle bracelets, drones, and big data analysis. Applying Foucault’s (1979) notion of the panopticon, with its twin focus on surveillance and self-regulation, as the preeminent form of social control in modern societies, we examine the increasing levels of surveillance enacted during this pandemic and how people have participated in, and extended, this surveillance, self-regulation, and social control through the use of digital media. Consideration is given to how such surveillance may serve public health needs and/or political interests and whether the rapid deployment of these extensive surveillance mechanisms risks normalizing these measures so that they become more acceptable and then entrenched post-COVID-19. Much media coverage and wider social discourse have presented the COVID-19 pandemic as “unprecedented,” but in some ways this is not the case. Throughout history, outbreaks of disease have ravaged humanity, producing profound, enduring effects, even occasionally leading to the collapse of civilizations. What is unprecedented about the COVID-19 pandemic is the different type and extent of surveillance that has been deployed in response to it. In this paper we examine various examples of this surveillance in relation to Foucault’s (1979) notion of the panopticon and consider current and future implications. Surveillance and Foucault’s Panopticon Eighteenth-century English social reformer and utilitarian philosopher Jeremy Bentham designed the panopticon, a circular or rotunda shaped prison with an inspection room in the centre so that “a functionary standing or sitting on the central point, had it in his power to commence and conclude a survey of the whole establishment in the twinkling of an eye” (Bentham, quoted in Steadman 2012, 4). Foucault used the underlying concept as a metaphor for the disciplinary regime that prevails in modern society, in which the key form of social control has moved from spectacle, which prevailed in pre-modern societies, to surveillance (Foucault 1979). The panopticon allows disciplinary power to be enacted through hierarchical observation, examination, and normalizing judgement (Foucault 1979). In many settings, including in medicine and public health, the regime of power is all-pervasive: the few watch the many, undertaking surveillance using “methods of fixing, dividing, recording” throughout society (Foucault 1979, 305). As a form of social control, this ubiquitous panoptic surveillance contributes to the feeling of being under continual surveillance, and so in response to this individuals become their own agents of surveillance by complying with normative expectations and conventions without having to be actually under surveillance. People willingly participate in this surveillance. In this manner panoptic surveillance is an apparatus of discipline which makes the exercise of power more efficient and effective—it is a subtle form of coercion (Foucault 1979), and thus the power is enacted invisibly and inapparently, permeating all aspects of social life. Self-surveillance and discipline in these ways have become the primary source of social control in modern society. In relation to health we see this self-surveillance reflected and embedded in common expressions such as “taking care of yourself,” “keeping an eye on your weight,” “watching what you eat,” “watching the speed limit,” and “watching your fluid (or alcohol) intake” (Couch et al. 2016, 62). Foucault used an earlier pandemic, the outbreak of plague, to demonstrate how modern forms of governance and surveillance arose: … the plague gave rise to disciplinary projects … an organization in depth of surveillance and control, an intensification and a ramification of power…. those sick of the plague were caught up in a meticulous tactical partitioning in which individual differentiations were the constricting effects of a power that multiplied, articulated and subdivided itself… (Foucault 1979, 198) Foucault’s notion of panoptic surveillance has been practically applied to various public health issues and provides a useful framework for considering surveillance responses during the COVID-19 pandemic. Surveillance and COVID-19 Surveillance is a core function of all public health systems. In the course of the COVID-19 pandemic many standard surveillance techniques have been applied, including contact tracing (World Health Organization 2017), global seroprevalence studies (Vogel 2020), selective nasopharyngeal swabbing of cases, contacts, and the general population, and testing of blackwater for viral fragments (Mallapaty 2020). In addition to these traditional methods, COVID-19 has seen the development of a range of novel surveillance techniques. A multitude of smart phone apps have been devised to improve symptom tracking and contact tracing. Emergency powers have been widely enacted, and police, military, and government surveillance activities to ensure people are complying with COVID-19 restrictions have been greatly extended. The following is a partial list of additional forms of surveillance recently introduced: & United Kingdom and United States: COVID Symptom Study (this was initially called COVID Symptom Tracker), a symptom tracking app developed by King’s College London, Massachusetts General Hospital, and Zoe Global Ltd which collected data from 2,450,569 U.K. and 168,293 U.S. individuals between March 24 and April 21, 2020 (Menni et al. 2020). & Australia: BeatCOVID19Now, a symptom tracking app which collects anonymized data that can be shared with health authorities and researchers and can identify geographical clusters of COVID-19 spread (Slezak and Timms 2020; Swinburne University of Technology 2020). & Australasia: FluTracking, an existing website focused on tracking flu symptoms in Australia and New Zealand, incorporating new questions to track COVID-19 (University of Newcastle, Hunter New England Population Health, and Hunter Medical Research Institute 2020). & Singapore: TraceTogether, a contact tracing tool promoted as a means to “protect ourselves … our loved ones and … our community” (Government of Singapore 2020). & Australia: COVIDSafe, a contact tracing app promoted as providing government with the confidence to “find and contain outbreaks quickly” to allow Bioethical Inquiry easing of restrictions “while still keeping Australians safe” (Australian Government 2020). & Israel: measures approved to allow the Shin Bet internal security service to access mobile phone data to retrace movements of infected individuals (ABC News 2020b). & Taiwan: use of mobile phone location-tracking data to geofence people, erecting an “electronic fence” to notify police if people breach quarantine requirements (Lee 2020). & Hong Kong: wrist bands linked with a smart phone app to ensure compliance with self-quarantine measures, notifying authorities if an individual leaves their dwelling without authorization (Saiidi 2020). & Australia and the United States: ankle bracelets to be used when people fail to comply with quarantine or self-isolation requirements (Kallingal 2020; Hendry 2020). & China: co-opted and repurposed industrial mapping and surveying by drones to undertake crowd management and disease detection, incorporating loudspeakers, high-definition zoom lenses, flood lights, thermal sensors, and chemical spray jets for largearea disinfectant dispersal (Liu 2020). The drones have reportedly been used to break up mah-jong games and accost people in the street, with one elderly woman advised: “Yes auntie, this drone is speaking to you. You shouldn’t walk about without wearing a mask. You’d better go home, and don’t forget to wash your hands” (D’Amore 2020). & Western Australia: drones deployed by police in public places to ensure people practise distancing in adherence with government rules (Rimrod and McNeill 2020). & Italy: drones reportedly used by police to take people’s temperature without their consent (The Star 2020). & Globally: in response to privacy concerns, Google and Apple released an app which decentralizes the data collected by locating contact-matching on devices themselves rather than via a centrally controlled computer server (Kelion 2020). In addition to these responses, researchers and private sector companies have used COVID-19 to promote both existing surveillance technologies and new ones under development, such as an automated fever scanning system that operates via CCTV cameras to assess the temperatures of individuals in crowds (Daly 2020). New pandemic drones are being developed which go even further, employing a “specialised sensor and computer vision system that can monitor temperature, heart and respiratory rates, as well as detect people sneezing and coughing in crowds, offices, airports, cruise ships … and other places where groups of people may … congregate” (Gibson 2020, ¶1). Global technology companies have presented their aggregated location data as a service to help address COVID-19 issues—Google has its Community Mobility Reports (Google 2020) and Facebook has its Data for Good which publishes daily maps about population movements (Jin and McGorman 2020). Extending the Panopticon? The COVID-19 health emergency has produced unprecedented levels of surveillance. Acceptance of this new, enhanced disciplinary regime has been gained on the basis of appeals about the importance of health and healthcare and fears of infection and death affecting individuals and their families. The preponderance of these appeals and fears may have reduced scrutiny and questioning about both the need for an advanced, allpervasive panopticon and its long-term implications. The construction of the system has been stimulated by governments and supported by public health experts, and it has complemented other methods of data collection and surveillance developed in the private sector, in some cases originally for other purposes. Collectively, vast troves of data can now be accessed. While the specific details may vary across countries and cultures, we have seen extensive and remarkably uniform changes. Consistent with Foucault’s (1979) description of how the plague allowed increased social control, during COVID-19 we have been witnessing a similar systematic, underlying process. The novel regimes of surveillance can be considered to exemplify a form of “biosurveillance” that integrates aspects of public health surveillance with techniques employing the use of big data formerly reserved for the maintenance of state and national security (Lee 2019). Prior to the advent of COVID-19, concerns had been raised around the lack of transparency regarding how big data algorithms were developed and applied and how biases built into these algorithms can exacerbate racial and socioeconomic inequalities and vulnerabilities (Hacker and Petkova 2017; Gianfrancesco et al. Bioethical Inquiry 2018). The nature and extent of the power exercised through big data analytics, the identity of those on whose behalf such power was exercised, and to whom—if anyone—they were accountable has been the subject of scrutiny (Couldry and Powell 2014); these concerns are even more relevant now with the introduction of multiple new forms of surveillance. One of the key issues raised about surveillance using smart phone apps has been potential breaches of “privacy,” in response to which assurances about data protection and anonymity have been provided. Previous scholars have noted that the very rich data derived from location-focused surveillance can be employed to draw inferences of a deeply intrusive nature (Clarke and Wigan 2011; Michael and Clarke 2013). The potential use of such data against already vulnerable people, such as domestic violence survivors, whose abusers may access and use contact tracing app location data via physical or spyware access to their phone (WESNET 2020) may also be of great consequence, as is the danger of misuse by others, such as cybercriminals who commonly target health-related data for black market activities (Ablon et al. 2014). However, we contend that, while privacy is an important issue and concern for many, compared with the other concerns raised by these technologies, breach of privacy is a relatively minor issue. We are interested in the broader cultural questions that are at stake—of the way in which the COVID-19 epidemic is being used to introduce what may emerge as a system of social control unprecedented in scope and power. Foucault referred to the inconspicuous and invisible “guards at the gates, at the town hall and in every quarter” that “ensure the prompt obedience of the people” (Foucault 1979, 196). We have learnt to live with “guards” in the form of the microregimes of power associated with everyday customs and ideologies and the deployment of reason, knowledge, sexuality, and many other social practices. Added to these we now have drones, wrist bands and ankle bracelets, smart phones, microchips, thermal sensors, and many other technologies to surveil our biometrics, our behaviours, and our movements. Originally installed for beneficent purposes by governments acting in plain sight, these new techniques of surveillance have been accepted actively and enthusiastically by many, although there are instances where there are concerns with uptake rates and apps have been made mandatory (Al Jazeera News 2020; ABC News 2020a) or there are government efforts through strategies and recommendations to make app use pseudo-voluntary and hence compulsory in effect (Greenleaf 2020). There is nothing secret about the all-pervasive system of surveillance now in force. Indeed, its very conspicuousness and its dependence on the active participation of the individuals subject to it guarantees what Foucault referred to as their “own subjection” (Foucault 1979), enforced through internalized self-surveillance and selfdisciplinary practices. The knowledge gleaned from the masses of data and the power flowing seamlessly from it generates conformity to prescribed norms (Pylypa 1998) and rapidly emerging habitual practices. What had once seemed alien quickly becomes incorporated into the mundane greyness of the everyday. Handwashing, the maintenance of physical distance, new ways of inperson greeting, a sense of revulsion or danger associated with personal contact, the wearing of face masks, and the protocols and good manners associated with Zoom meetings, virtual parties, and on-line professional conferences, integrated with the already wellestablished dependence on mobile phones and social media, are only the superficial marks of a deeper, more insidious, and thoroughgoing process of organization and control. It will only be with time that the more detailed, micro-effects on our personal affective lives, on our casual and intimate social interactions, on our senses of the self, will become more clearly apparent. The new highly refined and perfected forms of power are stabilized, magnified, and extended through news and social media, movies, music, and other forms of popular culture, where people watch others’ experiences of COVID-19 and then participate in furthering the messages by demonstrating their own compliance and encouraging others also to comply (Couch et al. 2015). The promotion of the use of contact tracing apps and the mass dissemination of—and complicity with—social media hashtags like #lockitdown, #stayathome, #covidiot, and so on through Twitter and other forms of information dissemination encourage well-governed citizens. “Inspection functions ceaselessly” with these ubiquitous, multifarious modes of surveillance and public participation in and support of it. “The gaze is alert everywhere” (Foucault 1979, 195). The gaze is the government; it is the private sector; it is social media; it is apps in our phones and drones in the sky; it is the stories in the news; it is our friends online. In this way, the loci of power are inexorably diffused and enabled across society. Bioethical Inquiry Beyond the “State of Exception” The massive surveillance response during the COVID19 pandemic has occurred within a “state of exception.” There has been an unusual extension of power of governments, and people’s rights have been diminished or rejected in the process of claiming this extension of power (Agamben 2005). The true power, and its likely enduring effects, relate not to the obvious “states of emergency” enacted through valid and openly declared legal mechanisms. Rather, it is the deeper, more insidious transformations of our personal habits, affective responses, and day-to-day interactions that carry its true force. As with all states of exception, a risk, or indeed a likelihood, exists that the newly established structures will persist—not the laws and regulations but the social and cultural ways of living, the behaviours, and the embedded emotional and psychic responses. The COVID-19 pandemic has strengthened and justified a shift to more intense and penetrating forms of surveillance culture. It is likely that this process will have long-reaching cultural, political, and economic impacts and will fundamentally reshape the structures of the societies which emerge and our personal affective lives. The normalization of the extended surveillance poses risks and raises questions which should become the subject of ongoing, critical dialogue.

**The alternative is to embrace the death drive. Utopian ideals seek to achieve that which is impossible—our striving to reach enjoyment replicates the very thing we are trying to eliminate. Only by founding our politics upon recognition that our limitations provide the perfect source for endless enjoyment can we prevent the endless repetition of suffering.**

**McGowan ‘13** “Enjoying What We Don’t Have: The Political Project of Psychoanalysis” (Todd, Assoc. Prof. of Film and Television Studies @ U. of Vermont) Accessed on 7/25/19 AHS// emi

In light of this barrier, the formulation of a psychoanalytically informed political project demands that we dissociate politics from progress as it is usually conceived. We cannot escape progress, and yet the traditional conception of progress always runs aground. Th is paradox must become the foundation of any authentic psychoanalytic politics. It demands that rather than trying to progress toward overcoming the barrier that separates us from the good society, we begin to view identification with the barrier as the paradoxical aim of progress. The barrier to the good society — the social symptom — is at once the obstacle over which we continually stumble and the source of our enjoyment.32 Th e typical politics of the good aims at a future not inhibited by a limit that constrains the present. Th is future can take the form of a truly representative democracy, a socialist utopia, a society with a fair distribution of power and wealth, or even a fascist order that would expel those who embody the limit. But the good remains out of reach despite the various eff orts to reach it. The limit separating us from the good society is the very thing that constitutes the good society as such. **Overcoming the limit shatters the idea of the good in the act of achieving it.** In place of this pursuit, a **psychoanalytic politics insists on identification with the limit rather than attempting to move beyond or eliminate it. If there is a conception of progress in this type of politics, it is progress toward the obstacle that bars us from the good rather than toward the good itself. Identification with the limit involves an embrace of the repetition of the drive because it is the obstacle or limit that is the point to which the drive returns. No one can be the perfect subject of the drive because the drive is what undermines all perfection.** But it is nonetheless possible to change one’s experience within it. The fundamental wager of psychoanalysis — a wager that renders the idea of a psychoanalytic political project thinkable — is that repetition undergoes a radical transformation when one adopts a different attitude toward it. We may be condemned to repeat, but we aren’t condemned to repeat the same position relative to our repetition. **By embracing repetition through identification with the obstacle to progress rather than trying to achieve the good by overcoming this obstacle, the subject or the social order changes its very nature.** Instead of being the burden that one seeks to escape, **repetition becomes the essence of one’s being and the mode through which one att ains satisfaction. Conceiving politics in terms of the embrace of repetition rather than the construction of a good society takes the movement that derails traditional political projects and reverses its valence.** Th is idea of politics lacks the hopefulness that Marxism, for instance, can provide for overcoming antagonism and loss. With it, we lose not just a utopian ideal but the idea of an alternative future altogether — the idea of a future no longer beset by intransigent limits — and this idea undoubtedly mobilizes much political energy.33 **What we gain, however, is a political form that addresses the way** 21 **that subjects structure their enjoyment. It is by abandoning the terrain of the good and adopting the death drive as its guiding principle that emancipatory politics can pose a genuine alternative to the dominance of** global capitalism rather than incidentally creating new avenues for its expansion and development. **The death drive is the revolutionary contribution that psychoanalysis makes to political thought.** But since it is a concept relatively foreign to political thought, I will turn to various examples from history, literature, and fi lm in order to concretize what Freud means by the death drive and illustrate just what a politics of the death drive might look like. Th e chapters that follow trace the implications of the death drive for thinking about the subject as a political entity and for conceiving the political structure of society. Part 1 focuses on the individual subject, beginning with an explanation of how the death drive shapes this subjectivity. Th e various chapters in part 1 trace the implications of the death drive for understanding how the subject enjoys, how the drive relates to social class, how the drive impacts the subject as an ethical being, and how the subject becomes politicized. Th e discussion of the impact of the death drive on the individual subject serves as a foundation for articulating its impact on society, which part 2 of the book addresses, beginning with the impact of the death drive on the constitution of society. Part 2 then examines how the conception of the death drive helps in navigating a path through today’s major political problems: the ineffi cacity of consciousness raising, the seductive power of fantasy, the growing danger of biological reductionism and fundamentalism, the lure of religious belief, and the failure of att empts to lift repression. The two parts of the book do not att empt to sketch a political goal to be att ained for the subject or for society but instead to recognize the structures that already exist and silently inform both. Th e wager of what follows is that the revelation of the death drive and its reach into the subject and the social order can be the foundation for reconceiving freedom. The recognition of the death drive as foundational for subjectivity is what occurs with the psychoanalytic cure. Th rough this cure, the subject abandons the belief in the possibility of fi nding a solution to the problem of subjectivity. **The loss for which one seeks restitution becomes a constitutive loss — and becomes visible as the key to one’s enjoyment rather than a barrier to it.** A political project derived from psychoanalytic thought would work to broaden this cure by bringing it outside the clinic and enacting 22 on society itself. **Th e point is not, of course, that everyone would undergo psychoanalysis but that psychoanalytic theory would function as a political theory. Politically, the importance of psychoanalysis is theoretical rather than practical. Politically, it doesn’t matt er whether people undergo psychoanalytic therapy or not.** **This theory would inaugurate political change by insisting not on the possibility of healing and thereby att aining the ultimate pleasure but on the indissoluble link between our enjoyment and loss. We become free to enjoy only when we have recognized the intractable nature of loss.** Though psychoanalytic thought insists on our freedom to enjoy, it understands freedom in a counterintuitive way. **It is through the death drive that the subject attains its freedom. The loss that founds this drive frees the subject from its dependence on its social environment, and the repetition of the initial loss sustains this freedom.** By embracing the inescapability of traumatic loss, one embraces one’s freedom, and any political project genuinely concerned with freedom must orient itself around loss. **Rather than looking to the possibility of overcoming loss, our political projects must work to remain faithful to it and enhance our contact with it. Only in this way does politics have the opportunity to carve out a space for the freedom to enjoy rather than restricting it under the banner of the good.**

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**Interpretation: Affirmatives must reduce intellectual property protections for medicines unconditionally and permanently.**

**Reynolds 59**: Judge (In the Matter of Doris A. Montesani, Petitioner, v. Arthur Levitt, as Comptroller of the State of New York, et al., Respondents [NO NUMBER IN ORIGINAL] Supreme Court of New York, Appellate Division, Third Department 9 A.D.2d 51; 189 N.Y.S.2d 695; 1959 N.Y. App. Div. LEXIS 7391 August 13, 1959, lexis)

Section 83's counterpart with regard to nondisability pensioners, section 84, prescribes a reduction only if the pensioner should again take a public job. The disability pensioner is penalized if he takes any type of employment. The reason for the difference, of course, is that in one case the only reason pension benefits are available is because the pensioner is considered incapable of gainful employment, while in the other he has fully completed his "tour" and is considered as having earned his reward with almost no strings attached. It would be manifestly unfair to the ordinary retiree to accord the disability retiree the benefits of the System to which they both belong when the latter is otherwise capable of earning a living and had not fulfilled his service obligation. If it were to be held that withholdings under section 83 were payable whenever the pensioner died or stopped his other employment the whole purpose of the provision would be defeated, i.e., the System might just as well have continued payments during the other employment since it must later pay it anyway.  [\*\*\*13]  The section says "reduced", does not say that monthly payments shall be temporarily suspended; it says that the pension itself shall be reduced. The plain dictionary meaning of the word is to diminish, lower or degrade. The word "reduce" seems adequately to indicate permanency.

#### Violation: The waiver is temporary.

Gupta & Namboodiri 21: Gupta, Vineeta [a maternal and child health physician, human rights advocate, and a passionate activist for health equity. As director, she leads the ACTION Global Health Advocacy Partnership as well as a volunteer-based policy advocacy organization that unites the Indian diaspora to mount a prompt, global response to the COVID-19 crisis in India. Dr. Gupta has more than 20 years of tri-sector experience in leading and supporting projects in more than 25 countries. In addition to conducting organization development, diversity, inclusion, equity, and global health equity workshops, Gupta has designed and facilitated partnership projects to achieve agreements and results on complex issues. She has been invited to speak in more than 60 universities in the US and Europe.] Namboodiri, Sreenath [LLM, LLB, is assistant professor at the School of Ethics, Governance, Culture and Social Systems at Chinmaya Vishwavidyapeeth and a post-graduate on law of intellectual property rights (IPR) from Inter University Centre for IPR Studies, CUSAT, Kochi. His areas of interest are in intellectual property rights vis-à-vis health systems, sustainable development and innovation, pharmaceutical patents, knowledge governance, and technology and law. He is an honorary fellow of the Centre for Economy, Development, and Law since 2013. Namboodiri is part of the editorial team of *Elenchus Law Review*, a biannual peer-reviewed journal from the Centre (CED&L). He has also worked as a guest lecturer in Inter University Centre for IPR Studies, CUSAT, Kochi, where he provided courses on access to medicine and IP, and patents and biotechnology] “America And The TRIPS Waiver: You Can Talk The Talk, But Will You Walk The Walk?,” July 13, 2021 AA

In October 2020, the governments of India and South Africa, with the support of 62 WTO member states, proposed **a**[**TRIPS Agreement waiver proposal**](https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/IP/C/W669.pdf&Open=True)**that would temporarily waive intellectual property rights protections for technologies needed to prevent, contain, or treat COVID-19**, including vaccines and vaccine-related technologies. More than 100 low-income countries support this proposal, but it is receiving much opposition from many high-income countries, including some European Union (EU) member states, the UK, Japan, Canada, and Australia. On May 5, 2021, the Biden administration announced support for negotiating this waiver, intensifying debate in the US and the EU—but so far the US has not gone further than its announcement of support.

**No plan text in a vacuum – the offense defines what the plan looks like. Worst case scenario, you vote neg on presumption because all their solvency evidence is about a waiver.**

**Prefer my interpretation:**

**1] Limits: they open the door to an infinite number of affs – from any condition to any time restriction. Each one becomes its own new aff.**

**2] Ground: condition and delay counterplans are all ground we are entitled to because they disprove the idea of passing the plan right now.**

**3] Topic lit: authors aren’t writing about a reduction that happens a few years or now or under a specific condition.**

## Shell

**Interpretation: debaters must put the link of where the sources came from.**

**Violation: Every article they read had no link to it**

**[1] Evidence ethics- not providing links encourages debaters to misparaphrase articles and change the meaning of articles as they know it is impossible for us to actually check what the article says since we don’t have the article. Drop them – my interp indicts every argument they make since they could have lied about it so there’s no drop the arg – also uniquely key to deterrence since it discourages them from ever not putting links.**

## Case

### OV

**1] IP laws are key to prevent the development and spread of counterfeit drugs –**

Mercurio 21**:** Mercurio, Bryan [the Simon F.S. Li Professor of Law at the Chinese University of Hong Kong (CUHK), having served as Associate Dean (Research) from 2010-14 and again from 2017-19. Professor Mercurio specialises in international economic law (IEL), with particular expertise in the intersection between trade law and intellectual property rights, free trade agreements, trade in services, dispute settlement and increasingly international investment law] “WTO Waiver from Intellectual Property Protection for COVID-19 Vaccines and Treatments: A Critical Review”, *Virginia Journal of International Law Online (Forthcoming 2021),* Feb 12, 2021

The protection of IP not only provides incentives to innovators to create, but also plays a crucial role in ensuring the safety of vaccines and helping to prevent the importation of fraudulent and dangerous goods. Unlike the typical pharmaceutical industry, the vaccine market is not a free and open market.69 Vaccines contain biological products made from living organisms and the risk of failure in vaccine development and production is high. 70 Moreover, the manufacturing process for vaccines is much more complex as it requires the use of facilities and equipment with a high degree of specialization.71 The complexity of vaccine products implies that more time and regulatory requirements are needed in order to make or “copy” the vaccine production process. Therefore, the innovator should be expected to make conscious and meticulous decisions as to when and to whom to issue licenses, as this is the most responsible way to bring their technologies to the world and safeguard global health. In addition, as the COVID-19 pandemic continues there has been a noticeable increase in the circulation of fake medicines around the world. According to the International Criminal Police Organization (Interpol), **organized crime groups have been producing fake drugs and medical products and selling them for lucrative profits in developing countries.72 With the development of COVID-19 vaccines on the market, a rapid rise in the illegal sale of fake items is expected**, according to the United Nations Office on Drugs and Crime (UNODC).73 Counterfeits of the legitimate products provide false promises of protection and could lead to disastrous consequences, including worsened illness and death for the individual and the retardation of herd immunity for the population at large. Effective and proactive IP procurement is essential and useful in mitigating the risks of counterfeit and substandard medicines. IP enforcement measures play a significant role in preventing these fake and illicit medicines from circulating in the market. While important during normal times, IP enforcement can take on an enhanced role of safeguarding the public during this critical period of time. Waiving all COVID-19 related IPRs raises the risk of unsafe or fake vaccines circulating in supply channels and being sold to unsuspecting governments, putting millions of human lives at risk and reducing trust in vaccines.

#### 2] Lack of key supplies

Tepper 21 James Tepper, 4/10 [James Tepper, (James M. Tepper is an American neuroscientist currently a Board of Governors Professor of Molecular and Behavioral Neuroscience and Distinguished Professor at Rutgers University and an Elected Fellow of the American Association for the Advancement of Science.)]. "Global Covid vaccine rollout threatened by shortage of vital components." Guardian, 4-1-2021, Accessed 8-8-2021. https://www.theguardian.com/world/2021/apr/10/global-covid-vaccine-rollout-threatened-by-shortage-of-vital-components // duongie

Vaccine-makers around the world face shortages of vital components including large plastic growbags, according to the head of the firm that is manufacturing a quarter of the UK’s jab supply. Stan Erck, the chief executive of Novavax – which makes the second vaccine to be grown and bottled entirely in Britain – told the Observer that the shortage of 2,000-litre bags in which the vaccine cells were grown was a significant hurdle for global supply. His warning came as bag manufacturers revealed that some pharmaceutical firms were waiting up to 12 months for the sterile single-use disposable plastic containers, which are used to make medicines of all kinds, including the Pfizer, Moderna and Novavax Covid-19 vaccines. But Erck and his British partners said they were confident they had enough suppliers to avoid disruption to the supply of Novavax. The vaccine is waiting for approval from the Medicines and Healthcare products Regulatory Agency (MHRA) but the first of 60 million doses ordered by the government are already in production in Teesside. The Fujifilm Diosynth Biotechnologies factory began growing the first cells for the Novavax vaccine in Billingham, County Durham this month and in a few weeks they will fill the bioreactor bag, ready to be transported to GlaxoSmithKline’s plant at Barnard Castle to be put into vials for distribution. “The first hurdle is showing it works and we don’t have that hurdle any more,” Erck said. But he added there were others still to overcome. “There’s the media that the cells have to grow in,” Erck said. “You grow them in these 2,000-litre bags, which are in short supply. Then you pour it out and you have to filter it, and the filters are in short supply. The little things count.” Novavax almost ran out of bags at one of its 20 factories earlier this year, but there had been no delays for the UK operation, according to Martin Meeson, global chief executive of Fujifilm Diosynth. “We started working on our part of the supply chain in summer last year,” he said. “We had to accelerate some of the investment here, but the commitment we made last summer to start manufacturing in February has been fulfilled.” Production of coronavirus vaccines is being ramped up. Production of coronavirus vaccines is being ramped up. Photograph: Christophe Archambault/AP Both Meeson and Erck said the UK’s vaccine taskforce had been helpful in sorting out supply issues so far, but other countries and other medical supplies might be affected. ABEC makes bioreactor bags at two plants in the US and two in Fermoy and Kells in Ireland, and delivered six 4,000-litre bags to the Serum Institute in India last year for its Covid vaccines. Brady Cole, vice-president of equipment solutions at ABEC, said: “We are hearing from our customer base of lead times that are pushing out to nine, 10, even 12 months to get bioreactor bags. We typically run out at 16 weeks to get a custom bioreactor bag out to a customer.” He said ABEC was still managing to fulfil orders at roughly that rate. “The bag manufacturing capacity can’t meet demand right now,” he added. “And on the component side, the tubes and the instruments and so forth that also go into the bag assembly – those lead times are also starting to get stretched as well. But the biggest problem we see is it really is just the ability to get bags in a reasonable amount of time.” ABEC expanded its factories last year and has now started making 6,000-litre bags, which are roughly the size of a minibus. Other firms including MilliporeSigma, part of German company Merck, have also been expanding their manufacturing facilities. American firm Thermo Fisher Scientific expects it will finish doubling its capacity this year. The US government has also blocked exports of bags, filters and other components so it can supply more Pfizer vaccines for Americans. Adar Poonawalla, the chief executive of the Serum Institute of India, said the restrictions were likely to cause serious bottlenecks. Novavax is hoping to avoid delays and “vaccine nationalism” by operating on four continents, with 20 facilities in nine countries. “One year ago, we had exactly zero manufacturing capacity,” Erck said. “We’re self-sufficient. The two main things we need to do are done in the UK. And in the EU we have plants in Spain and the Czech Republic and fill-and-finish in Germany and the Netherlands.” There was no need for vaccines to cross borders to fulfil contracts, he said. The Oxford/AstraZeneca vaccine was hit by a delay to a delivery of 5 million doses from India and a problem with a batch made in Britain, and the company has been dragged into a lengthy row between the UK and the EU over vaccine exports.

#### 3] Hurts Innovation

**Value Ingenuity 20** [Value Ingenuity, (The Value Ingenuity project is telling the story of innovation, its roots, its impact, its social and moral imperatives, and the public policy prescriptions that will assure a continued upward trajectory for the generations to follow. Our objective is to advance globally a shared purpose of mutual investment in sustainable innovation.)]. "WTO IP Waiver Would Undermine Covid Innovation." 10-2-2020, Accessed 8-5-2021. https://www.valueingenuity.com/2021/05/18/wto-ip-waiver-would-undermine-covid-innovation/ // duongie

A TRIPS waiver for vaccines would do nothing to help — and could in fact hurt — the effort to produce billions of vaccine doses and get them in arms. Supply of these high-tech products is ramping up quickly, with about 10 billion doses projected to be produced by the end of 2021 — we shouldn’t distract attention away from that all-important goal. IP is not a barrier to vaccine access. It already enabled the creation of three vaccines, in record-breaking time, that have received FDA authorization. IP is also safely facilitating international partnerships (275+ to date) to share technology and information more easily with trusted partners across borders. An IP waiver could lead to untested and unregulated copycats. Some nations are looking to manufacture sophisticated vaccines without permission, exacerbating the shortage of the critical materials (raw materials, tubing, vials etc.) and increasing vaccine hesitancy due to the development of unsafe products and medicines. The proposal jeopardizes U.S. manufacturing & jobs. Allowing other countries to take and commercialize American-made technologies conflicts with President Biden’s goal to build up American infrastructure and create manufacturing jobs. In the U.S. alone, biopharmaceutical companies support 4 million jobs across all 50 states, with many more across innovation ecosystems in labs, finance, and SMEs. Waiving IP undermines America’s leadership in the life sciences. We should not be forfeiting IP to countries looking to undermine America’s global leadership in biomedical technology and innovation. IP protections enabled decades of R&D by biopharmaceutical research companies, allowing them to move quickly and effectively against COVID-19. Business welcomes the Biden Administration’s support for the global vaccine program, COVAX. This type of program can have a significant positive, practical impact on global rollout of vaccines and therapies without disrupting the incredible IP-enabled progress that has been made to date to defeat the pandemic. Its effects will be even more effective as trade barriers are removed and all countries allow vaccines to be exported internationally. GOOD TO KNOW: Today 57% of all new medicines globally come from the United States with its world-class IP ecosystem, and private companies in the life sciences community make up more than 80% of the investment in the research and development of those new drugs. The U.S. biopharmaceutical industry directly and indirectly supports over 4 million American jobs. SCIENTISTS, ACADEMICS, ADVOCATES AND POLITICAL LEADERS SKEPTICAL OF WAIVING IP RIGHTS “The goal is noble, but the demand [for an IP waiver] is more slogan than solution … patents on vaccines are not the central bottleneck, and even if turned over to other nations, would not quickly result in more shots. This is because vaccine manufacturing is exacting and time-consuming. Look at the production difficulties encountered by Emergent BioSolutions, a vaccine manufacturer in Baltimore, where 15 million doses were contaminated. That was caught before the shots were distributed, but one can imagine the horrific consequences of a failure to maintain quality control elsewhere in the world.” WASHINGTON POST EDITORIAL BOARD, May 4, 2021 “The goal is noble, but the demand [for an IP waiver] is more slogan than solution … patents on vaccines are not the central bottleneck, and even if turned over to other nations, would not quickly result in more shots. This is because vaccine manufacturing is exacting and time-consuming. Look at the production difficulties encountered by Emergent BioSolutions, a vaccine manufacturer in Baltimore, where 15 million doses were contaminated. That was caught before the shots were distributed, but one can imagine the horrific consequences of a failure to maintain quality control elsewhere in the world.” WALL STREET JOURNAL EDITORIAL BOARD, May 6, 2021 “The U.S. decision to support a temporary waiver of intellectual-property protections for Covid-19 vaccines won’t end debate on the issue, much less end the pandemic. Reaching a formal agreement could take months and even then may not accelerate vaccine production; opposition from countries such as Germany could yet doom any compromise.” BLOOMBERG EDITORIAL BOARD, May 12, 2021 “The collaboration that’s happened in the midst of this pandemic I think points to the ways in which IP has actually not been a barrier, but a facilitator of critical, cutting-edge innovation […] I don’t think that waiving IP rights will suddenly enable other countries to ramp up the manufacturing of complex vaccines.” SEN. CHRIS COONS (D-DE), CSIS: April 22, 2021 “There are only so many vaccine manufacturers in the world […] people are very careful about the safety of vaccines […] The thing that is holding us back is not IP. There is no idle factory with regulatory approval that makes magically safe vaccines […] we have all the rights from the vaccine companies and the work is going at full speed” BILL GATES, Sky News: April 25, 2021 “There are enough manufacturers, it just takes time to scale up. And by the way, I have been blown away by the cooperation between the public and private sectors in the last year, in developing these vaccines.” ADAR POONAWALLA, CEO SERUM INSTITUTE OF INDIA, February 14, 2021 “These [vaccines] are complex to make so just waiving IP and patents isn’t going to help […] you can only get trade secrets and knowhow with the cooperation of the originator companies, and they don’t have the bandwidth to do this in every part of the world … the only immediate solution is for rich countries to donate or sell their surplus vaccine to COVAX or other countries.” JAYASHREE WATAL, GEORGETOWN LAW PROFESSOR & FORMER WTO IP COUNSELOR, April 22, 2021 “It is also unclear whether a waiver of IP rights will make a difference […] Furthermore, as others have pointed out, IP rights are only a piece of what is needed to produce vaccines. There is currently a global shortage of raw materials and proper manufacturing facilities.” SAPAN KUMAR, LAW FOUNDATION PROFESSOR OF LAW AT THE UNIVERSITY OF HOUSTON LAW CENTER, May 9, 2021 “This is technology that’s every bit as critical as munitions and encryption codes […] It’s a platform technology that can be used to make all manner of treatments going forward, including vaccines.” DAVID KAPPOS, FORMER U.S. PATENT AND TRADEMARK OFFICE FOR PRESIDENT OBAMA, April 22, 2021 “The notion that we would then turn around and go to the World Trade Organization and basically endorse a policy of DARPA-funded technology transfer to China is just inconceivable. You’re basically aiding and abetting China’s ‘Made in China 2025’ plans for technological dominance.” CLETE WILLEMS, FORMER SPECIAL ASSISTANT TO THE PRESIDENT FOR INTERNATIONAL TRADE, INVESTMENT, AND DEVELOPMENT, April 22, 2021.

**4] Skill Disparities and Trade Secrets – Moderna proves IP isn’t the root cause.**

**Silverman 3-15** Rachel Silverman 3-15-2021 "Waiving vaccine patents won’t help inoculate poorer nations" <https://www.washingtonpost.com/outlook/2021/03/15/vaccine-coronavirus-patents-waive-global-equity/> (Rachel Silverman is a policy fellow at the Center for Global Development)//Duong

Reality is more complicated, however. Because of the technical complexity of manufacturing coronavirus vaccines, waiving intellectual-property rights, by itself, would have **little effect**. It could even backfire, with companies using the move as an excuse to disengage from global access efforts. There are more effective ways to entice — and to pressure — companies to license and share their intellectual property and the associated know-how, without broadly nullifying patents. The Moderna vaccine illustrates the limits of freeing up intellectual property. Moderna announced in October that it would **not enforce IP rights** on its coronavirus vaccine — and yet it has **taken no steps to share information** about the vaccine’s design or manufacture,