### 1

#### Interpretation – the affirmative must defend the reduction of intellectual property protections for medicines

#### Violation – they don’t

#### Intellectual property rights guarantee protections for pharma companies

WTO

https://www.wto.org/english/tratop\_e/trips\_e/intel1\_e.htm AK

Intellectual property rights are the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time.

#### their aff doesn’t reduce IP protections but only purchases it, which still preserves the existence of IP protections

#### Vote neg – Limits – expanding the topic to any form of implementation allows the aff to dodge any neg link. Destroys core generics like innovation which are exclusive to structural reduction of IP protection. A big case list with no unifying generics destroys neg prep – disincentivizes in depth topic research and leaves the neg behind.

#### Precision o/w – anything else justifies the aff arbitrarily jettisoning words in the resolution at their whim which decks negative ground and preparation because the aff is no longer bounded by the resolution.

#### Drop the debater – the round is skewed, so you should vote neg

#### Competing interps – reasonability is vague and arbitrary

#### No rvis

#### Chilling effect – debaters won’t read theory if others read pre-empts

#### You shouldn’t win for being topical

### 2

#### When the subject enters into the Symbolic, the imperfections of the Symbolic prevent the subject from fully articulating their desires. This is the constitutive lack. The subject continues to desire for the lost object, which is the root cause for all violence.

#### Thus, the role of the ballot is to traverse the fantasy – that means exposing drives.

McGowan 13 Todd McGowan, 2013, “Enjoying What We Don’t Have: The Political Project of Psychoanalysis,” University of Nebraska Press/Lincoln and London, SJBE

The subject as such emerges through the experience of loss. It is the loss of a part of the subject — an initial act of sacrifice — that creates both subject and object, the object emerging through this act as what the subject has lost of itself. The subject takes an interest in the object world because it forms this world around its lost object. As Jacques Lacan notes, “Never, in our concrete experience of analytic theory, do we do without the notion of Obviously, no one literally creates objects through an initial act of sacrifice of an actual body part. This would be too much to ask. But the psychical act of sacrifice allows for a distinction to develop where none existed before and simultaneously directs the subject’s desire toward the object world. In his breakthrough essay “Negation,” Freud describes this process as follows: “The antithesis between subjective and objective does not exist from the first. It only comes into being from the fact that thinking possesses the capacity to bring before the mind once more something that has once been perceived, by reproducing it as a presentation without the external object having still to be there. The first and immediate aim, therefore, of reality-testing is, not to find an object in real perception which corresponds to the one presented, but to refind such an object, to convince oneself that it is still there.”6 Though Freud doesn’t use terms from linguistics, it is clear that he is making refer- ence to the subject’s alienation in language and that he sees this alienation as the key to the emergence of both the subject and the object. When the subject submits to the imperatives of language, it enters into an indirect relation with the object world. The speaking being does not relate to books, pencils, and paper but to “books,” “pencils,” and “paper.” The signifier intervenes between the subject and the object that the subject perceives. The subject’s alienation into language deprives it of immediate contact with the object world. And yet, in the above passage from “Negation,” Freud conceives of the subject’s entrance into language — its “capacity to bring before the mind once more something that has once been perceived, by reproducing it as a presentation without the external object having still to be there” — as the event that produces the very distinction between subject and object. This means that the indirectness or mediation introduced by language deprives the subject of a direct relation to the object world that it never had. Prior to its immersion in the mediation of language, the subject had no object at all — not a privileged relation to objects but a complete absence of relationality as such due to its autoeroticism. In this sense, the subject’s willingness to accede to its alienation in language is the first creative act, a sacrifice that produces the objects that the subject cannot directly access. Language is important not for its own sake but because it is the site of our founding sacrifice. We know that the subject has performed this act of sacrifice when we witness the subject functioning as a being of language, but the sacrifice is not an act that the subject takes up on its own. Others always impose the entry into language on the subject. Their exhortations and incentives to speak prompt the emergence of the speaking subject. But the subject’s openness to alienation in language, its willingness to sacrifice a part of itself in order to become a speaking subject, suggests a lack in being itself prior to the entry into language. That is, the act through which the subject cedes the privileged object and becomes a subject coin- cides with language but is irreducible to it. The subject engages in the act of sacrifice because it does not find its initial autoeroticism perfectly sat- isfying — the unity of the autoerotic being is not perfect — and this lack of complete satisfaction produces the opening through which language and society grab onto the subject through its alienating process. If the initial autoerotic state of the human animal were perfectly satisfying, no one would begin to speak, and subjectivity would never form. Speaking as such testifies to an initial wound in our animal being and in being itself. But subjectivity emerges only out of a self-wounding. Even though others encourage the infant to abandon its autoerotic state through a multitude of inducements, the initial loss that constitutes subjectivity is always and neces- sarily self-inflicted. Subjectivity has a fundamentally masochistic form, and it continually repeats the masochistic act that founds it. The act of sacrifice opens the door to the promise of a satisfaction that autoerotic isolation forecloses, which is why the incipient subject abandons the autoerotic state and accedes to the call of sociality. But the term “sacrifice” is misleading insofar as it suggests that the subject has given up a wholeness (with itself or with its parent) that exists prior to being lost. In the act of sacrifice, the incipient subject gives up something that it doesn’t have. The initial loss that founds subjectivity is not at all substan- tial; it is the ceding of nothing. Through this defining gesture, the subject sacrifices its lost object into being. But if the subject cedes nothing, this initial act of sacrifice seems profoundly unnecessary. Why can’t the subject emerge without it? Why is the experience of loss necessary for the subject to constitute itself qua subject? The answer lies in the difference between need and desire. While the needs of the human animal are not dependent on the experience of loss, the subject’s desires are. It is the initial act of sacrifice that gives birth to desire: the subject sacri- fices nothing in order to create a lost object around which it can organize its desire. As Richard Boothby puts it in his unequaled explanation of the psychoanalytic conception of the emergence of desire, “The destruction and loss of the object . . . opens up a symbolic dimension in which what was lost might be recovered in a new form.”7 He adds: “Sacrifice serves to constitute the very matrix of desire. The essential function of sacrifice is less do ut des, I give so that you might give, than do ut desidero: I give in order that I might desire.”8 The subject’s desire is oriented around this lost object, but the object is nothing as a positive entity and only exists insofar as it is lost. This is why one can never attain the lost object or the object that causes one to desire.9 The coming-into-being of this object originates the subject of desire, but, having no substance, the object can never become an empirical object of desire. We may see an object of desire as embodying the lost object, but whenever we obtain this object, we discover its emptiness. The lost object is constitutively rather than empirically lost. Eating Nothing In this light, we can see the anorexic as the model for all desiring subjectivity. Most cultural critics justifiably see anorexia as the product of oppressive definitions of femininity that abound in contemporary society and force women to starve themselves in order to fit the ideals of feminine beauty. According to Naomi Wolf ’s classic popular account in The Beauty Myth, the ideal of thinness became a way of controlling women — disciplining their bodies — after the idea of natural female inferiority began to evanesce.10 The anorexic embodies female victimization: she has internalized a patriarchal ideal and does violence to her own body in order to live up to this ideal. But the problem with this analysis is that the anorexic doesn’t just try to embody the ideal of feminine beauty.11 She goes too far in her pursuit of thinness and comes to inhabit a body far from the ideal. Even when everyone tells her that she no longer looks good, that she is too thin, the anorexic continues to lose weight. It is for this reason that many feminists have seen her as a subversive figure. As Elizabeth Grosz puts it, “Neither a ‘disorder’ of the ego nor, as popular opinion has it, a ‘dieting disease’ gone out of control, anorexia can, like the phantom limb, be a kind of mourning for a pre-Oedipal (i.e., pre-castrated) body and a corporeal connection to the mother that women in patriarchy are required to abandon. Anorexia is a form of protest at the social meaning of the female body.”12 Grosz accounts for the excessiveness of anorexia by aligning it with feminist resistance to patriarchy rather than obsequious submission to it. But she aligns the anorexic with wholeness and the maternal bond rather than with the lost object. In this sense, she misses the true radicality of the anorexic, a radical- ity that stems from the power of the anorexic’s desire. The anorexic doesn’t simply refuse to eat but eats nothing, the nothing that is the lost object. While all positive forms of food fail to address the subject’s lack, nothing does speak to the subject’s desire and allows that desire to sustain itself. The anorexic starves not because she can’t find, in the mode of Kafka’s hunger artist, any food that would satisfy her but because she has found a satisfying food, a food that nourishes the desiring subject rather than the living being. The logic of anorexia lays bare the hidden work- ings of desire that operate within every subject. Subjects believe that they pursue various objects of desire (a new car, a new house, a new romantic partner, and so on) and that these objects have an intrinsic attraction, but the real engine for their desire resides in the nothing that the subject has given up and that every object tries and fails to represent. Objects of desire are desirable only insofar as they attempt to represent the impossible lost object, which is what the anorexic reveals. Still, the anorexic is exceptional; most nonanorexic subjects imagine that their lost object can be found in something rather than nothing. Despite its resonances with the structure of desire, anorexia cannot be dissociated from the imposition of the ideal of thinness as a mode of control- ling female subjectivity. Though this ideal distorts the anorexic’s relationship to her own body, it also renders the nature of desire itself apparent. The impossible ideal of perfect thinness allows the anorexic subject to avow, albeit unconsciously, the structural impossibility of desire itself. Unlike male subjects (or other female subjects who manage to distance themselves from the ideal), the anorexic cannot avoid confronting the impossibility of her object. The oppressive ideal of perfect thinness allows the anorexic to bear witness with her body to the truth of desire.13 Understanding the impossible nature of the lost object — what the anorexic makes clear — allows us to rethink the nature of the political act. Rather than being the successful achievement of some object, the accomplishment of some social good, the political act involves insisting on one’s desire in the face of its impossibility, which is precisely what occurs in the death drive. The key to a politics of the death drive is grasping, in the fashion of the anorexic, the nothingness of the object and thereby finding satisfaction in the drive itself. But the subject’s relationship to its object inherently creates an illusion that makes this possibility almost impossible. Though the lost object that initiates subjectivity has no substance, its status for the subject belies its nothingness. For the subject, the originary lost object is the object that seems to hold the key to the subject’s very ability to enjoy. Subjects invest the lost object with the idea of their own completion: the loss of the object retroactively causes a prior state of comple- tion to arise — a state of completion that never actually existed — and the object itself bears the promise of inaugurating a return to this imaginary prior state.14 In short, it promises to fill in the subject’s lack and answer its desire. As a result of this investment on the part of the subject, the initial lost object becomes the engine for all the subject’s subsequent desiring. Without the initial act of sacrifice, the would-be subject neither desires nor enjoys but instead suffocates in a world of self-presence, a self-presence in which one has no freedom whatsoever. Through the loss of the privileged object, one frees oneself from the complete domination of (parental or social) authority by creating a lack that no authority can fill. Ceding the object is thus the founding act of subjectivity and the first free act. Every subsequent effort by authority to give the subject what it lacks will come up short — or, more correctly, will go too far, because only nothing can fill the gap within the subject. For this reason, dissatisfaction and disappointment are correlative with freedom: when we experience the authority’s failure to give us what we want, at that moment we also experience our distance from the authority and our radical freedom as subjects.

#### Their deployment of debate is an agential fantasy – the affirmative is an investment into subjectivity as a teleological entity dependent on external recognition to satisfy its goals, which is addicting and causes passivity

Lundberg 12 Dr. Christian Lundberg, 2012, “Lacan in Public: Psychoanalysis and the Science of Rhetoric,” The University of Alabama Press, Dr. Lundberg is an associate professor and co-director of the University Program in Cultural Studies at UNC, he has a B.A. from the University of Redlands, a Master of Divinity from Emory University, and a Ph.D. in Communication Studies from Northwestern University, sjbe

“Ego,” then,names the economy of compensatory subjectivization driven by the repetition and refusal of demands. The nascent subject presents wants and needs in the form of the demand, but the role of the demand is not the simple fulfillment of these wants and needs. The demand and its refusal are the fulcrum on which the identity and insularity of the subject are produced: an unformed amalgam of needs and articulated demands is transformed into a subject that negotiates the vicissitudes of life with others. Put in the meta- phor of developmental psychology, an infant lodges the instinctual demands of the id on others but these demands cannot be, and for the sake of develop- ment, must not be fulfilled. Thus, pop psychology observations that the in- cessant demands of children for impermissible objects (“may i have a fourth helping of dessert”) or meanings that culminate in ungroundable authori- tative pronouncements (the game of asking never ending “whys”) are less about satisfaction of a request than the identity-producing effects of the pa- rental “no.” in “The Question of Lay Analysis,” freud argues that “if . . . demands meet with no satisfaction, intolerable conditions arise . . . [and] . . . the ego begins to function. . . . [T]he driving force that sets the vehicle in mo- tion is derived from the id, the ego . . . undertakes the steering. . . . The task of the ego [is] . . . to mediate between the claims of the id and the objections of the external world.”31 Later, in Group Psychology and the Analysis of the Ego, and Civilization and Its Discontents, freud relocates the site of the ego’s genesis beyond the parent/child relationship and in the broader social relationships that animate it. Life with others inevitably produces blockages in the indi- vidual’s attempts to fulfill certain desires, since some demands for the fulfill- ment of desires must be frustrated. This blockage produces feelings of guilt, which in turn are sublimated as a general social morality. The frustration of demand is both productive in that it authorizes social moral codes and, by ex- tension, civilization writ large, although it does so at the cost of imposing a contested relationship between desire and social mores.32 Confronted by student calls to join the movement of 1968 Lacan famously quipped: “as hysterics you demand a new master: you will get it!” under- standing the meaning of his response requires a treatment of Lacan’s theory of the demand and its relationship to hysteria as an enabling and constraining political subject position. Lacan’s theory of the demand picks up at freud’s movement outward from the paradigmatic relationships between the parent/ child and individual/civilization toward a more general account of the sub- ject, sociality, and signification. The infrastructure supporting this theoreti- cal movement transposes freud’s comparatively natural and genetic account of development to a set of metaphors for dealing with the subject’s entry into signification. As already noted, the Lacanian aphorism that “the signifier represents a subject for another signifier inverts the conventional wisdom that a pre-given subject uses language as an instrument to communicate its subjective inten- tions.”33 The paradoxical implication of this reversal is that the subject is si- multaneously produced and disfigured by its unavoidable insertion into the space of the Symbolic. An Es assumes an identity as a subject as a way of ac- commodating to the Symbolic’s demands and as a node for producing de- mands on its others or of being recognized as a subject.34 As i have already argued, the demand demonstrates that the enjoyment of one’s own subjec- tivity is useless surplus produced in the gap between the Es (or it) and the ideal i. As a result, there is excess jouissance that remains even after its reduc- tion to hegemony. This remainder may even be logically prior to hegemony, in that it is a useless but ritually repeated retroactive act of naming the self that produces the subject and therefore conditions possibility for investment in an identitarian configuration. The site of this excess, where the subject negotiates the terms of a non- relationship with the Symbolic, is also the primary site differentiating need, demand, and desire. need approximates the position of the freudian id, in that it is a precursor to demand. Demand is the filtering of the need through signification, but as Sheridan notes, “there is no adequation between need and demand.”35 The same type of split that inheres in the freudian demand inheres in the Lacanian demand, although in Lacan’s case it is crucial to no- tice that the split does not derive from the empirical impossibility of ful- filling demands as much as it stems from the impossibility of articulating needs to or receiving a satisfactory response from the other. Thus, the speci- ficity of the demand becomes less relevant than the structural fact that de- mand presupposes the ability of the addressee to fulfill the demand.This im- possibility points to the paradoxical nature of demand: the demand is less a way of addressing need to the other than a call for love and recognition by it. “in this way,” writes Lacan, “demand annuls the particularity of everything that can be granted by transmuting it into a proof of love, and the very sat- isfactions that it obtains for need are reduced to the level of being no more than the crushing of the demand for love.”36 The other cannot, by definition, ever give this gift: the starting presupposition of the mirror stage is the con- stitutive impossibility of comfortably inhabiting the Symbolic. The struc- tural impossibility of fulfilling demands resonates with the freudian de- mand in that the frustration of demand produces the articulation of desire. Thus, Lacan argues that “desire is neither the appetite for satisfaction, nor the demand for love, but the difference that results from the subtraction of the first from the second.”37 This sentiment animates the crucial Lacanian claim for the impossibility of the other giving a gift that it does not have, namely the gift of love: “all demand implies . . . a request for love. . . . Desire begins to take shape in the margin in which demand becomes separated from need: this margin being that which is opened up by demand, the appeal of which can be unconditional only in regards to the other . . . having no universal satisfaction. . . . it is this whim that introduces the phantom of omnipotence, not of the subject, but of the other in which his demand is installed.”38 This framing of demand reverses the classically liberal presupposition regarding demand and agency. Contemporary and classical liberal democratic theories presume that the demand is a way of exerting agency and, further, that the more firmly the demand is lodged, the greater the production of an agential effect. The Lacanian framing of the demand sees the relationship as exactly the opposite: the more firmly one lodges a demand, the more desperately one clings to the legitimate ability of an institution to fulfill it. Hypothetically, demands ought reach a kind of breaking point where the inability of an in- stitution or order to proffer a response should produce a reevaluation of the economy of demand and desire. in analytic terms, this is the moment of sub- traction, where the manifest content of the demand is stripped away and the desire that underwrites it is laid bare. The result of this “subtraction” is that the subject is in a position to relate to its desire, not as a set of deferrals, avoid- ances, or transposition but rather as an owned political disposition. As Lacan frames it, demanding subjects are either learning to reassert the centrality of their demand or coming to terms with the impotence of the other as a satisfier of demands: “But it is in the dialectic of the demand for love and the test of desire that development is ordered. . . . [T]his test of the desire of the other is decisive not in the sense that the subject learns by it whether or not he has a phallus, but in the sense that he learns that the mother does not have it.”39 The point of this disposition is to bring the subject to a point where they might “recognize and name” their own desire and, as a re- sult, become a political subject in the sense of being able to truly argue for something without being dependent on the other as a support for or orga- nizing principle for political identity. Thus, desire has both a general status and a specific status for each subject. it is not just the mirror that produces the subject and its investments but the desire and sets of proxy objects that cover over this original gap. As Easthope puts it: “Lacan is sure that everyone’s de- sire is somehow different and their own—lack is nevertheless my lack. How can this be if each of us is just lost in language . . . passing through demand into desire, something from the Real, from the individual’s being before lan- guage, is retained as a trace enough to determine that i desire here and there, not anywhere and everywhere. Lacan terms this objet petit a . . . petit a is dif- ferent for everyone; and it can never be in substitutes for it in which i try to refind it.”40 Though individuated, this naming is not about discovering a latently held but hidden interiority, rather it is about naming a practice of thinking the uniqueness of individual subjects as a product of discourses that produce them. Thus, this is an account of political subjectivization that is not solely oriented toward or determined by the locus of the demand but that is also determined by the contingent sets of coping strategies that orient a sub- ject toward others and a political order and serve as the condition of possi- bility for demands.As Lacan argues,this is the point where a subject becomes a kind of new presence or a new political possibility:“That the subject should come to recognize and to name his desire; that is the efficacious action of analysis. But it isn’t a question of recognizing something which would be en- tirely given. . . . in naming it, the subject creates, brings forth, a new presence in the world.”41 Alternatively, subjects can stay fixated on the demand, but in doing so they forfeit their desire, or as fink argues, “an analysis . . . that . . . does not go far enough in constituting the subject as desire leaves him or her stranded at the level of demand . . . unable to truly desire.”42 A politics defined by and exhausted in demands is by definition a hysterical politics. The hysteric is defined by incessant demands on the other at the ex- pense of ever articulating a desire that is theirs. in the Ethics of Psychoanaly- sis, Lacan argues that the hysteric’s demand that the other produce an object is the support of an aversion toward one’s desire: “the behavior of the hys- teric, for example, has as its aim to recreate a state centered on the object, in- sofar as this object . . . is . . . the support of an aversion.”43 This economy of aversion explains the ambivalent relationship between hysterics and their de- mands. on one hand, the hysteric asserts their agency, even authority, over the other.yet, what appears as unfettered agency from the perspective of a discourse of authority is also simultaneously a surrender of desire by enjoy- ing the act of figuring the other as the one with the exclusive capability to satisfy the demand. Thus, “as hysterics you demand a new master: you will get it!” At the register of manifest content, demands are claims for action and seemingly powerful, but at the level of the rhetorical form of the demand or in the reg- ister of enjoyment, demand is a kind of surrender. As a relation of address the hysterical demand is more a demand for recognition and love from an os- tensibly repressive order than a claim for change. The limitation of the stu- dents’ call on Lacan does not lie in the end they sought but in the fact that the hysterical address never quite breaks free from its framing of the master. The fundamental problem of democracy is not articulating resistance over and against hegemony but rather the practices of enjoyment that sustain an addiction to mastery and a deferral of desire. Hysteria is a politically effective subject position in some ways, but it is politically constraining from the perspective of organized political dissent. if not a unidirectional practice of resistance, hysteria is at best a politics of interruption. imagine a world where the state was the perfect and complete embodiment of a hegemonic order, without interruption or remainder, and the discursive system was hermetically closed. Politics would be an impos- sibility: with no site for contest or reappropriation, politics would simply be the automatic extension of structure. Hysteria is a site of interruption, in that hysteria represents a challenge to our hypothetical system, refusing straight- forward incorporation by its symbolic logic. But, stepping outside this hy- pothetical non-polity, on balance, hysteria is politically constraining because the form of the demand, as a way of organizing the field of political enjoy- ment, requires that the system continue to act in certain ways to sustain its logic. Though on the surface it is an act of symbolic dissent, hysteria rep- resents an affirmation of a hegemonic order and is therefore a particularly fraught form of political subjectivization.

#### The aff’s call for political progress is an attempt to understand the future and fulfill a lack. Rather than desiring to know, the subject must desire not to know, and that is the only way to move forward.

**McGowan ‘13** (Todd, Assoc. Prof. of Film and Television Studies @ U. of Vermont, Enjoying What We Don’t Have: The Political Project of Psychoanalysis

And yet some idea of progress seems essential to politics. Without progress as a possibility, it seems obvious that one would have no reason to involve oneself in political contestation. All political activity would become futile, which is why few dispense with it altogether. Even a thinker such as Jacques Derrida who struggles incessantly against the ideology of progress nonethe- less implicitly retains some notion of authentic progress within his thought. Without it, he would have no position from which to criticize the idea while still endorsing political activity. The problem with progress as an idea, according to someone like Derrida, lies in the way that it places a teleology on the movement of history and thereby prescribes a certain future that will serve to constrain our political activity. Rather than helping to increase our freedom, the idea of progress diminishes it by closing down the opening that the future represents. Despite his deconstruction of progress, Derrida aligns deconstruction with hope for a better future — with what he calls an “emancipatory promise.” In Specters of Marx he elaborates: “Well, what remains irreducible to any deconstruction, what remains as undeconstructible as the possibility itself of deconstruction is, perhaps, a certain experience of the emancipatory promise; it is perhaps even the formality of a structural messianism, a messianism without religion, even a messianic without messianism.”24 Though deconstruction leaves its emancipatory promise always to be fulfilled and refuses to actualize it, Derrida tacitly conceives the movement toward it as progressive. The political dimension of deconstruction is founded on the belief that a better world is possible: by deconstructing hierarchies, by insisting on a justice to come, and by struggling against illusions of presence, we can lessen human suffering and help to forge a more egalitarian world. There is a good, even if fully realizing this good would transform it into its opposite (which is Derrida’s contention). One must ensure that the good society always remains to come, or arrivant, as Derrida puts it, but far from minimizing the status of the good or denigrating the good, giving it a futural status in fact elevates it and ensconces justice to come as the one idea that we cannot deconstruct — the ultimate or sovereign good.25 Even in deconstruction, some idea of progress as a possibility must exist in order for the theorist to make any normative appeal whatsoever.26 But the inescapability of the idea of progress goes still further. It is not just the normative appeal that implies this idea; any system of thought, even one that confines itself to pure descriptions, inevitably points toward the possibility of progress. The act of articulating a system of thought implies the belief that a better world is possible and that the knowledge the system provides will assist in realizing this better world. If I didn’t believe in the possibility of improvement, I would never bother to articulate any system at all. The very act of enunciating even the most pessimistic system attests to a fundamental optimism and hope for progress beyond the status quo. This is true for an extreme pessimist like Arthur Schopenhauer as much as it is for an avowed utopian like Charles Fourier. The position from which one enunciates the pessimistic system is the position invested in the idea of progress, even when the enunciated content of the system completely denounces the idea. Though the good may be impossible to realize, it is also impossible to abandon entirely. The production of knowledge itself points, often despite itself, toward a better future. This link between knowledge and progress is the controlling idea of the Enlightenment. In his essay “What Is Enlightenment?” Kant emphasizes that Enlightenment requires a situation where one is free to gain knowledge, where one has “freedom to make public use of one’s reason in all matters.”27 In the act of gaining knowledge through reasoning, subjects facilitate progress as they put this knowledge into use by restructuring society. Knowledge, for Kant and for all Enlightenment thinkers, has an inherently progressive leaning. It frees us from the tyranny of the past and from the drudgery of repetition. Progress is only possible because we have the ability to know the past and to learn from it.28 The Enlightenment’s belief in progress derives from its conception of the human subject as a subject of knowledge, a subject who fundamentally wants to know. For psychoanalysis, the link between knowledge and progress dooms the possibility of progress. Rather than desiring to know, the subject desires not to know and organizes its existence around the avoidance of knowledge. In “Le séminaire XXI” Lacan states this straightforwardly: “There has been no desire for knowledge but . . . a horror of knowing.”29 The knowledge that we avoid is knowledge of the unconscious because this knowledge confronts us with the power of the death drive and the inescapability of repetition. What we don’t know — our particular form of stupidity — allows us to move forward, to view the future with hopefulness. Without this fundamental refusal to know, the subject simply could not continue.30 Freud’s great revolution in the history of thought stems from his concep- tion of the subject as a subject of desire rather than as a subject of knowledge. Where thinkers from Plato to Kant consider an inherent striving to know as essential to subjectivity, not only does Freud envision a different essential drive, he contends that the subject wants not to know in order to continue to desire. The subject acts not on the basis of what it knows but on the basis of how it desires. We might imagine linking these two ideas of the subject if we could link the act of knowing and the act of desiring. But knowledge and desire are at odds: the subject doesn’t want to know what it desires or how it enjoys. Its knowledge remains necessarily incomplete, and the gap within knowledge is the trigger for the subject’s desire and the point at which it enjoys. The unconscious emerges out of the subject’s inca- pacity for knowing its own enjoyment. Conscious knowledge is not simply unable to arrive at the knowledge of enjoyment and its traumatic origin; it actively functions as a barrier to this knowledge. Conscious knowledge thwarts access to the unconscious, and, as a result, the conscious effort to know continually defeats itself. Psychoanalysis attempts to fill this fundamental lacuna in the project of knowledge by demanding that the subject abandon the project in its tradi- tional manifestation. It constructs a space that brackets conscious knowledge in order that the subject might discover the unconscious. The fundamental rule of psychoanalysis — one must reveal not what one knows but the words that come to mind — aims at bringing to light what the subject doesn’t want to know. A gap exists between what the subject knows and what it says. In the act of speaking, the subject says more than it consciously knows, and this excess is the unconscious — a knowledge that the subject has without knowing it. The paradox of this knowledge is that one can access it only when not seeking it and that once one has it, one has lost it. Adherence to the fundamental rule of psychoanalysis insofar as it is possible allows subjects to recognize what they don’t know when it surprises them. But it doesn’t thereby permit subjects to make progress through the acquisition of knowledge. The recognitions that one makes in psycho- analysis do not have the status of knowledge in the traditional sense of the term; instead, they mark an irreducible gap in the field of knowledge. One recognizes oneself in an unconscious desire that remains foreign, and one takes responsibility for it despite its foreignness. By doing so, one does not change or progress as a subject but becomes what one already was. One sees the death drive as the truth of one’s subjectivity rather than as an obstacle that one might try to progress beyond in order to reach the good.

#### That destroys politics, ethics, and the value to life

Ruti ‘14 (mari, English, Toronto, Psychoanalysis, Culture & Society (2014) 19, 297–314) SJBE, recut from Harvard BoSu

On the other hand, Lacan – again like Marcuse – recognizes that the symbolic order is repressive beyond the demands of subject formation, that it includes forms of violence that exceed the ubiquitous violence of the signifier. Indeed, even the violence of the signifier is not equally distributed, so that some of us are much more vulnerable to its injurious effects than others (consider, for instance, hate speech). Lacan does not necessarily talk about the unequal distribution of resources in the manner Marcuse does, but there is no doubt that his analysis of symbolic law as the Law of the Father elucidates a historically specific, deeply heteropatriarchal and hierarchical organization of social life. In point of fact, one reason I have taken a detour through Marcuse is to illustrate the obvious ways in which Lacan’s portraiture of the symbolic mirrors that of Marcuse’s explicitly historical account: what Marcuse calls “the performance principle,” Lacan calls the “service of goods.” Both thinkers identify the underpinnings of a social order dominated by the ideal of productivity – an ideal that is, moreover, placed in direct opposition to the pleasure principle. Both emphasize that the dominant morality of this symbolic – what Lacan calls “the morality of the master” – measures the merit of lives based on largely pragmatic criteria. And both acknowledge that the model citizen of this symbolic is a subject who shows up at work reliably every morning, performs its duties with a degree of diligence, does not let its desires get the better of its productivity, and seeks satisfaction (“enjoys”) in moderate, socially sanctioned ways. “Part of the world has resolutely turned in the directions of the service of goods,” Lacan writes, “thereby rejecting everything that has to do with the relationship of man to desire” (318). This, he adds, “is what is known as the postrevolutionary perspective” (318). In other words, the service of goods reflects the mindset of the levelheaded utilitarian subject who has deemed revolutionary change to be unrealistic. Lacan is here referring to the kind of depoliticization that is arguably the hallmark of Western subjectivity under capitalism. Lacan’s point is by no means, as critics such as Butler have suggested, that a different kind of symbolic is intrinsically impossible but rather that the configuration of subjectivity that Western modernity has produced – a subjectivity that has been subjected to a particular form of surplus-repression (the performance principle, the service of goods) – makes it virtually impossible for us to entertain the idea that the symbolic could be organized differently, that it could be centered around a different version of the reality principle. As Marcuse remarks, one reason the performance principle is so powerful is that it has managed to convince us that all alternatives to it are either utopian or otherwise unpalatable. Yet, for Marcuse, the fact that this principle has been so successful also points to the possibility of transcending it. As he states, “The very progress of civilization under the performance principle has attained a level of productivity at which the social demands upon instinctual energy to be spent in alienated labor could be considerably reduced. Consequently, the continued repressive organization of the instincts seems to be necessitated less by the ‘struggle for existence’ than by the interest in prolonging this struggle – by the interest in domination” (pp. 129–130). This is to say that there is really nothing besides social power that keeps us invested in the notion that our welfare demands relentless toil. The performance principle has outlived its usefulness in the sense that our collective productivity these days surpasses what is necessary for the provision of food, clothing, housing, and other basic amenities. The fact that these amenities have not yet reached all corners of the world, or even all corners of our own society (the homeless, innercity dwellers, etc.), is a function of domination (the unequal distribution of resources) rather than of any deficiencies of productivity. As a result, in Marcuse’s view, all we would need to do to bring about a more “non-repressive civilization” (p. 134) would be to refuse the parameters of the current symbolic; even something as simple as reducing the length of the working day would immediately realign our priorities, perhaps even impacting the very organization of our psychic lives. Our standard of living might drop somewhat, but we might also learn to assess the value of our lives according to other, less performance-oriented, measurements. Psychoanalysis, particularly Lacanian analysis, does not have a normative goal; it does not seek to tell us how we should desire but merely to explore the idiosyncratic contours of our desire. But this does not change the fact that Lacan, at least as a theorist, was exasperated by people’s inability to make their way out of the maze of the master’s morality, including its performance principle; he was frustrated by individuals who were so out of touch with the truth of their desire that they were willing to sacrifice this desire for the sake of social conformity and that they were, furthermore, willing to do so to the point of self-betrayal. As he explains, “What I call ‘giving ground relative to one’s desire’ is always accompanied in the destiny of the subject by some betrayal – you will observe it in every case and should note its importance. Either the subject betrays his own way, betrays himself, and the result is significant for him, or, more simply, he tolerates the fact that someone with whom he has more or less vowed to do something betrays his hope and doesn’t do for him what their pact entailed” (p. 321). Such a betrayal invariably results in the reassertion of the status quo, sending the subject back to the service of goods, what Lacan in this context calls “the common path” (p. 321). And given that desire, for Lacan, is “the metonymy of our being” (p. 321), betraying it in this way leads to the kind of psychic death that extinguishes the subject’s sense of agency. To use Lacan’s wording, “Doing things in the name of the good, and even more in the name of the good of the other, is something that is far from protecting us not only from guilt but also from all kinds of inner catastrophes” (p. 319). It is precisely such inner catastrophes that Lacanian clinical practice was designed to counter, though it may be Julia Kristeva – rather than Lacan himself – who has most clearly developed this interpretation of analytic work. Kristeva depicts psychoanalysis as a means of restoring the subject’s psychic aliveness, as an explicit revolt against the numbing impact of what she calls “the society of the spectacle” (2002, p. 4). This society of the spectacle – of technology, image, and speed – shares many parallels with Adorno’s “culture industry”: a flattened surface of the life world, a constriction of psychic space, a death of critical thought, the worship of efficiency over intellectual curiosity, and the incapacity to revolt. Against this backdrop, psychoanalysis – along with art, writing, and some forms of religious experience – offers, for Kristeva, a gateway to revolt, a way of resurrecting “the life of the mind” (a phrase Kristeva borrows from Hannah Arendt) through ongoing questioning, interrogation, and psychic recreation. “Freud founded psychoanalysis as an invitation to anamnesis in the goal of a rebirth, that is, a psychical restructuring,” Kristeva writes: “Through a narrative of free association and in the regenerative revolt against the old law (familial taboos, superego, ideals, oedipal or narcissistic limits, etc.) comes the singular autonomy of each, as well as a renewed link with the other” (2002, p. 8). In the context of my overall argument in this essay, it is worth stressing that it is “the desire of the subject” that, in Kristeva’s view, reserves a place “for initiative, autonomy” (2002, p. 11). This is in part because the “Freudian journey into the night of desire was followed by attention to the capacity to think: never one without the other” (2010, p. 41). In other words, the exploration of desire, in psychoanalysis, is akin to the critical (or at least curious) movement of thought – the very movement that Arendt also saw as vital to the life of the mind. This is why psychoanalysis has, Kristeva asserts, “the (unique?) privilege today of accompanying the emergence of new capacities of thinking/representing/thinking, beyond the frequent and increasingly noticeable disasters of psychosomatic space – capacities that are so many new bodies and new lives” (2010, pp. 41–42). Kristeva therefore draws the same link between desire and autonomy (in this instance, the capacity for critical thought) as Lacan does. Furthermore, to translate Kristeva’s point into Marcuse’s terminology, one might say that psychoanalysis, at least the kind of analysis that refuses to uphold social adaptation as a therapeutic goal, presents the possibility of sidestepping, or at the very least diminishing, the effects of surplus-repression. This, in turn, creates space for the truth of the subject’s desire in the Lacanian sense. This does not mean that repression as such is defeated. Quite the contrary, as we will see shortly, the truth of the subject’s desire is inextricable from the primary (constitutive) repression that accompanies subject formation. But as I have already suggested, the lifting of surplus-repression renders the imprint of primary repression more clearly discernable, for when surplus-repression is removed, what remains are the always highly singular outlines of primary repression. And if Lacan – like Marcuse – sought to remove surplus-repression, it was because he understood that it was on the level of primary repression (fundamental fantasies) that one could find the most basic building blocks of the subject’s psychic destiny; primary repression was the layer of psychic life that expressed something essential about the distinctive ways in which the pleasure principle, in the subject’s life, had become bound up with the repetition compulsion. This is why Lacan states, “If analysis has a meaning, desire is nothing other than that which supports an unconscious theme, the very articulation of that which roots us in a particular destiny, and that destiny demands insistently that the debt be paid, and desire keeps coming back, keeps returning, and situates us once again in a given track, the track of something that is specifically our business” (p. 319).According to Lacan, analysis aims to enable us to understand something about the eccentric specificity (or truth) of our most fundamental desire as well as about the track of destiny that this desire carves out for us (and that is therefore “specifically our business”). If it is indeed the case, as I have conceded, that most of us tend to be alienated from our desire, Lacanian analysis strives to undo this alienation by familiarizing us with the truth of this desire. This process entails, among other things, recognizing that the destiny we owe to this desire can never be definitively overcome, that the debt of desire can never be fully redeemed (for how are we to compensate the signifier for having brought us into being as subjects of desire?). Our destiny – which might initially coincide quite seamlessly with our repetition compulsion – consists of recurring efforts to pay off this debt, which is why it keeps ushering us to the same track of desire, the same nexus of psychic conundrums, our unconscious hope being that if we wear out the track of our desire by incessant reiteration, one day we might be able to absolve ourselves of our debt. But since we cannot, the only thing to be done is to “own” our destiny even as we might seek to mitigate its more painful dimensions. That is, the only way to arrive at the kind of psychic rebirth Kristeva is talking about is to take full responsibility for our (unconsciously generated) destiny. In the ethical act, our impulse is to embrace this destiny wholesale regardless of consequences (this is one way to understand what it means to plunge into the jouissance of the real). In analysis, the exploration of our destiny is more gradual, more self-reflexive. But in both cases, the point is not to obliterate our foundational destiny (or fundamental fantasies) but merely to elaborate it in more satisfying directions, away from the incapacitating effects of the repetition compulsion and toward the rewards of subjective autonomy. And, if we are to achieve this goal, nothing is more important than staying faithful to the truth of desire that, on the most elementary level, determines our destiny.

#### Vote negative to embrace the lack – this requires being open to the anxiety that occurs from an encounter with the real of the other and breaks down fantasy and drives.

McGowan 13 Todd McGowan, 2013, “Enjoying What We Don’t Have: The Political Project of Psychoanalysis,” University of Nebraska Press/Lincoln and London, SJBE

The alternative — the ethical path that psychoanalysis identifies — demands an embrace of the anxiety that stems from the encounter with the enjoying other. If there is a certain ethical dimension to anxiety, it lies in the rela- tionship that exists between anxiety and enjoyment. Contra Heidegger, the ethics of anxiety does not stem from anxiety’s relation to absence but from its relation to presence — to the overwhelming presence of the other’s enjoyment. In some sense, the encounter with absence or nothing is easier than the encounter with presence. Even though it traumatizes us, absence allows us to constitute ourselves as desiring subjects. Rather than producing anxiety, absence leads the subject out of anxiety into desire. Confronted with the lost object as a structuring absence, the subject is able to embark on the pursuit of the enjoyment embodied by this object, and this pursuit provides the subject with a clear sense of direction and even meaning. This is precisely what the subject lacks when it does not encounter a lack in the symbolic structure. When the subject encounters enjoyment at the point where it should encounter the absence of enjoyment, anxiety overwhelms the subject. In this situation, the subject cannot constitute itself along the path of desire. It lacks the lack — the absence — that would provide the space through which desire could develop. Consequently, this subject confronts the enjoying other and experiences anxiety. Unlike the subject of desire — or the subject of Heideggerean anxiety — the subject who suffers this sort of anxiety actually experiences the other in its real dimension.¶ The real other is the other caught up in its obscene enjoyment, caught up in this enjoyment in a way that intrudes on the subject. There is no safe distance from this enjoyment, and one cannot simply avoid it. There is nowhere in the contemporary world to hide from it. As a result, the contem- porary subject is necessarily a subject haunted by anxiety triggered by the omnipresent enjoyment of the other. And yet, this enjoyment offers us an ethical possibility. As Slavoj Žižek puts it, “It is this excessive and intrusive jouissance that we should learn to tolerate.”27 When we tolerate the other’s “excessive and intrusive jouissance” and when we endure the anxiety that it produces, we acknowledge and sustain the other in its real dimension.¶ Tolerance is the ethical watchword of our epoch. However, the problem with contemporary tolerance is its insistence on tolerating the other only insofar as the other cedes its enjoyment and accepts the prevailing symbolic structure. That is to say, we readily tolerate the other in its symbolic dimen- sion, the other that plays by the rules of our game. This type of tolerance allows the subject to feel good about itself and to sustain its symbolic identity. The problem is that, at the same time, it destroys what is in the other more than the other — the particular way that the other enjoys.¶ It is only the encounter with the other in its real dimension — the encounter that produces anxiety in the subject — that sustains that which defines the other as such. Authentic tolerance tolerates the real other, not simply the other as mediated through a symbolic structure. In this sense, it involves the experience of anxiety on the part of the subject. This is a difficult posi- tion to sustain, as it involves enduring the “whole opaque weight of alien enjoyment on your chest.”The obscene enjoyment of the other bombards the authentically tolerant subject, but this subject does not retreat from the anxiety that this enjoyment produces. If the embrace of the anxiety that accompanies the other’s proximate enjoyment represents the ethical position today, this does not necessarily provide us with an incentive for occupying it. Who wants to be ethical when it involves enduring anxiety rather than finding a way — a drug, a new authority, or something — to alleviate it? What good does it do to sustain oneself in anxiety? In fact, anxiety does the subject no good at all, which is why it offers the subject the possibility of enjoyment. When the subject encounters the other’s enjoyment, this is the form that its own enjoyment takes as well. To endure the anxiety caused by the other’s enjoyment is to experience one’s own simultaneously. As Lacan points out, when it comes to the enjoyment of the other and my own enjoyment, “nothing indicates they are distinct.” Thus, not only is anxiety an ethical position, it is also the key to embracing the experience of enjoyment. To reject the experience of anxiety is to flee one’s own enjoyment.¶ The notion that the other’s enjoyment is also our own enjoyment seems at first glance difficult to accept. Few people enjoy themselves when they hear someone else screaming profanities in the workplace or when they see a couple passionately kissing in public, to take just two examples. In these instances, we tend to recoil at the inappropriateness of the activity rather than enjoy it, and this reaction seems completely justified. The public display of enjoyment violates the social pact with its intrusiveness; it doesn’t let us alone but assaults our senses. It violates the implicit agreement of the public sphere constituted as an enjoyment-free zone. And yet, recoiling from the other’s enjoyment deprives us of our own.¶ How we comport ourselves in relation to the other’s enjoyment indi- cates our relationship to our own. What bothers us about the other — the disturbance that the other’s enjoyment creates in our existence — is our own mode of enjoying. If we did not derive enjoyment from the other’s enjoyment, witnessing it would not bother us psychically. We would sim- ply be indifferent to it and focused on our own concerns. Of course, we might ask an offending car radio listener to turn the radio down so that we wouldn’t have to hear the unwanted music, but we would not experience the mere exhibition of alien enjoyment through the playing of that music as an affront. The very fact that the other’s enjoyment captures our attention demonstrates our intimate — or extimate — relation to it. This relation becomes even clearer when we consider the epistemo- logical status of the enjoying other. Because the real or enjoying other is irreducible to any observable identity, we have no way of knowing whether or not the other really is enjoying. A stream of profanity may be the result of someone hurting a toe. The person playing the car radio too loud while sitting at the traffic light may have simply forgotten to turn down the radio after driving on the highway. Or the person may have difficulty hearing. The couple’s amorous behavior in public may reflect an absence of enjoyment in their relationship that they are trying to hide from both themselves and the public.¶ Considering the enjoyment of the other, we never know whether it is there or not. If we experience it, we do so through the lens of our own fantasy. We fantasize that the person blasting the radio is caught up in the enjoyment of the music to the exclusion of everything else; we fantasize that the public kisses of the couple suggest an enjoyment that has no concern for the outside world. Without the fantasy frame, the enjoying other would never appear within our experience.¶ The role of the fantasy frame for accessing the enjoying other becomes apparent within Fascist ideology. Fascism posits an internal enemy — the figure of the Jew or some analogue — that enjoys illicitly at the expense of the social body as a whole. By attempting to eliminate the enjoying other, Fascism hopes to create a pure social body bereft of any stain of enjoy- ment. This purity would allow for the ultimate enjoyment, but it would be completely licit. This hope for a future society free of any stain is not where Fascism’s true enjoyment lies, however. Fascists experience their own enjoyment through the enjoying other that they persecute. The enjoy- ment that the figure of the Jew embodies is the Fascists’ own enjoyment, though they cannot avow it as their own. More than any other social form, Fascism is founded on the disavowal of enjoyment — the attempt to enjoy while keeping enjoyment at arm’s length. But this effort is not confined to Fascism; it predominates everywhere, because no subjects anywhere can simply feel comfortable with their own mode of enjoying.¶ The very structure of enjoyment is such that we cannot experience it directly: when we experience enjoyment, we don’t have it; it has us. We experience our own enjoyment as an assault coming from the outside that dominates our conscious intentions. This is why we must fantasize our own enjoyment through the enjoying other. Compelled by our enjoyment, we can’t do otherwise; we act against our self-interest and against our own good. Enjoyment overwhelms the subject, even though the subject’s mode of enjoying marks what is most singular about the subject.¶ Even though the encounter with the enjoying other apprehends the real other through the apparatus of fantasy, this encounter is nonetheless genuine and has an ethical status. Unlike the experience of the nonexistent symbolic identity, which closes down the space in which the real other might appear, the fantasized encounter with the enjoying other leaves this space open. By allowing itself to be disturbed by the other on the level of fantasy, the subject acknowledges the singularity of the real other — its mode of enjoying — without confining this singularity to a prescribed identity.¶ The implications of privileging the encounter with the disturbing enjoy- ment of the real other over the assimilable symbolic identity are themselves disturbing. The tolerant attitude that never allows itself to be jarred by the enjoying other becomes, according to this way of seeing things, further from really encountering the real other than the attitude of hate and mis- trust. The liberal subject who welcomes illegal immigrants as fellow citizens completely shuts down the space for the other in the real. The immigrant as fellow citizen is not the real other. The xenophobic conservative, on the other hand, constructs a fantasy that envisions the illegal immigrant awash in a linguistic and cultural enjoyment that excludes natives. This fantasy, paradoxically, permits an encounter with the real other that liberal tolerance forecloses. Of course, xenophobes retreat from this encounter and from their own enjoyment, but they do have an experience of it that liberals do not. The tolerant liberal is open to the other but eliminates the otherness, while the xenophobic conservative is closed to the other but allows for the otherness. The ethical position thus involves sustaining the liberal’s toler- ance within the conservative’s encounter with the real other.

### 3

#### Capitalism’s sustainable—it adjusts and accommodates contradictions

Rose ’12 Gideon Rose, Editor of Foreign Affairs, “Making Modernity Work,” Foreign Affairs, January/February 2012, http://www.foreignaffairs.com/articles/136776/gideon-rose/making-modernity-work

The central question of modernity has been how to reconcile capitalism and mass democracy, and since the postwar order came up with a good answer, it has managed to weather all subsequent challenges. The upheavals of the late 1960s seemed poised to disrupt it. But despite what activists at the time thought, they had little to offer in terms of politics or economics, and so their lasting impact was on social life instead. This had the ironic effect of stabilizing the system rather than overturning it, helping it live up to its full potential by bringing previously subordinated or disenfranchised groups inside the castle walls. The neoliberal revolutionaries of the 1980s also had little luck, never managing to turn the clock back all that far. All potential alternatives in the developing world, meanwhile, have proved to be either dead ends or temporary detours from the beaten path. The much-ballyhooed "rise of the rest" has involved not the discrediting of the postwar order of Western political economy but its reinforcement: the countries that have risen have done so by embracing global capitalism while keeping some of its destabilizing attributes in check, and have liberalized their polities and societies along the way (and will founder unless they continue to do so). Although the structure still stands, however, it has seen better days. Poor management of public spending and fiscal policy has resulted in unsustainable levels of debt across the advanced industrial world, even as mature economies have found it difficult to generate dynamic growth and full employment in an ever more globalized environment. Lax regulation and oversight allowed reckless and predatory financial practices to drive leading economies to the brink of collapse. Economic inequality has increased as social mobility has declined. And a loss of broad-based social solidarity on both sides of the Atlantic has eroded public support for the active remedies needed to address these and other problems. Renovating the structure will be a slow and difficult project, the cost and duration of which remain unclear, as do the contractors involved. Still, at root, this is not an ideological issue. The question is not what to do but how to do it--how, under twenty-first-century conditions, to rise to the challenge Laski described, making the modern political economy provide enough solid benefit to the mass of men that they see its continuation as a matter of urgency to themselves. The old and new articles that follow trace this story from the totalitarian challenge of the interwar years, through the crisis of liberalism and the emergence of the postwar order, to that order's present difficulties and future prospects. Some of our authors are distinctly gloomy, and one need only glance at a newspaper to see why. But remembering the far greater obstacles that have been overcome in the past, optimism would seem the better long-term bet.

#### Free market capitalism is vital to preventing extinction and ensuring equality, value to life including individual rights– also solves disease and poverty

Rockwell 02

(Llewellyn H., President of the Mises Institute, The Free Market, “Why They Attack Capitalism”, Volume 20, Number 10, October, http://www.mises.org/freemarket\_detail.asp?control=418&sortorder-articledate)

If you think about it, this hysteria is astonishing, even terrifying. The market economy has created unfathomable prosperity and, decade by decade, for centuries and centuries, miraculous feats of innovation, production, distribution, and social coordination. To the free market, we owe all material prosperity, all our leisure time, our health and longevity, our huge and growing population, nearly everything we call life itself. Capitalism and capitalism alone has rescued the human race from degrading poverty, rampant sickness, and early death. In the absence of the capitalist economy, and all its underlying institutions, the world’s population would, over time, shrink to a fraction of its current size, in a holocaust of unimaginable scale, and whatever remained of the human race would be systematically reduced to subsistence, eating only what can be hunted or gathered. And this is only to mention its economic benefits. Capitalism is also an expression of freedom. It is not so much a social system but the de facto result in a society where individual rights are respected, where businesses, families, and every form of association are permitted to flourish in the absence of coercion, theft, war, and aggression. Capitalism protects the weak against the strong, granting choice and opportunity to the masses who once had no choice but to live in a state of dependency on the politically connected and their enforcers. The high value placed on women, children, the disabled, and the aged— unknown in the ancient world—owes so much to capitalism’s productivity and distribution of power. Must we compare the record of capitalism with that of the state, which, looking at the sweep of this past century alone, has killed hundreds of millions of people in wars, famines, camps, and deliberate starvation campaigns? And the record of central planning of the type now being urged on American enterprise is perfectly abysmal.

#### Neoliberalism improves human welfare – best studies

Gerring and Thacker 08 – (Professors of Political Science and IR @ Boston University John Gerring, Boston University Department of Political Science and Strom C. Thacker, Boston University Department of International Relations. “Do Neoliberal Economic Policies Kill or Save Lives?”. Bussiness and Politics Volume 10, Issue 3 2008. http://people.bu.edu/jgerring/documents/IMRpolicy.pdf)

While far from exhaustive, the robustness tests undertaken in this study suggest that the main findings are not likely to be an artifact of arbitrary model specifications or estimation techniques. On balance, there appears to be a strong relationship between neoliberal economic policies and improved human welfare, as measured by infant mortality rates. It is important to note that this relationship persists even while controlling for level of economic development. This is an interesting finding, since we tend to think of neoliberal economic policies operating upon human development primarily in an indirect manner. According to proponents, market-friendly policies should enhance growth, which should, in turn, improve human wellbeing. The fact that, independent of their effect of economic development, these neoliberal economic policies are still significantly associated with improved human welfare suggests that an even stronger overall causal relationship may be at work. If, that is, neoliberal policies have a tendency to promote long-term growth, then we may presume that their net effect on IMR is even stronger than measured by coefficients on key “neoliberal” variables in Tables 1 and 2, given that economic development is, itself, a major factor in the reduction of infant mortality. We do not attempt to model the precise nature of this indirect causal relationship because this would require strong assumptions about neoliberalism’s causal effect on growth performance, a contentions topic that lies beyond the scope of this study.

#### None of their impact evidence is unique – they need to prove that a better system will replace cap to access their impacts. Cap is better than any other system – it prevents war and reduces poverty.

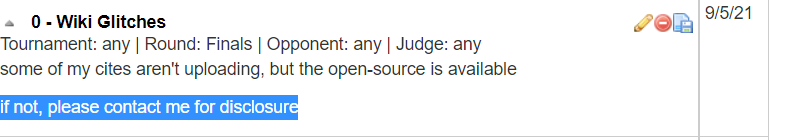
Weede 2008 [Erich, professor at the Institute for Political Science and Sociology, “Globalization and Inequality” Comparative Sociology 7, p. 415-433]

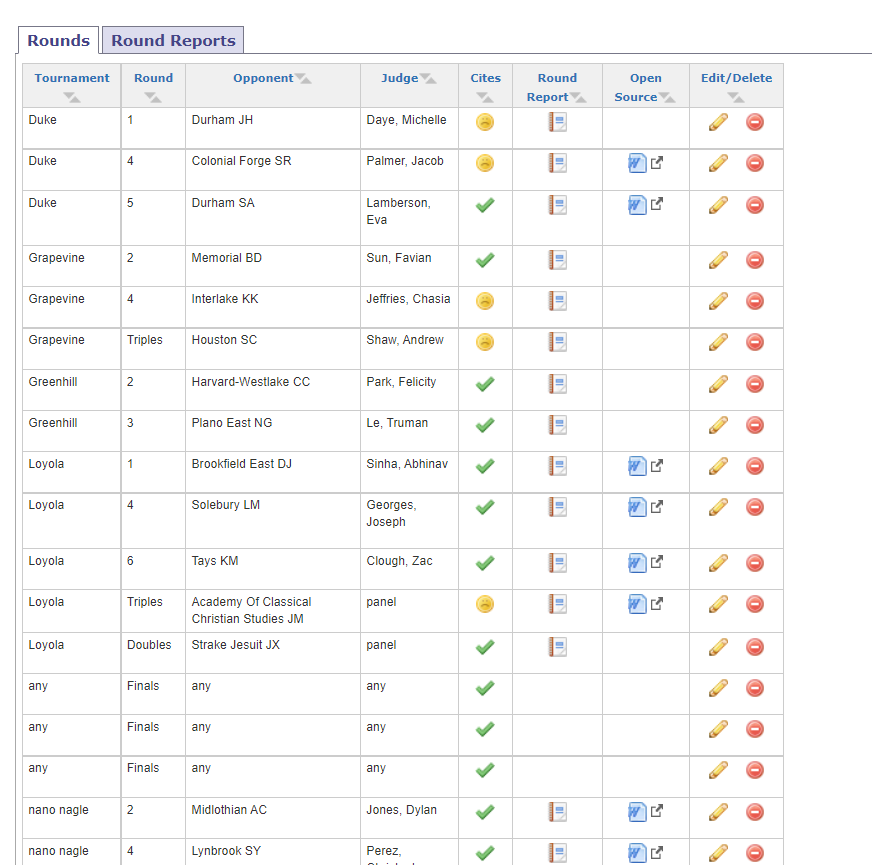
Globalization refers to an increasing international division of labor and more trade between economies, to cross-border investment and rapid transfers of technology between nations, to global capital ﬂows and, to a lesser degree, to increasing labor mobility. Th ere is as yet no global labor market. Globalization also implies better opportunities to learn from foreigners or strangers. Th e more similar you are to others, the less likely it is that you can learn from them.1 Unfortunately, many people prefer to rely on established routines and resent the challenge of having to learn from others. Globalization is another word for a worldwide expansion of capitalism. It results in international tax competition (Edwards and de Rugy 2002; Mitchell 2005). Globalization is based on some technological and political prerequisites. These include ever cheaper and faster means of communication and transportation as well as an adequate political environment. The global expansion of capitalism requires political fragmentation: markets should be larger than political units.2 This provides an exit option from oppressive government for capital and, to a lesser degree, for qualiﬁed labor. Such an exit option protects economic freedom from ever-increasing state interference and tax burdens. If one state should be much more powerful than all others, as the US currently is, then globalization requires a deeper commitment to capitalism and economic freedom by the hegemon than by other states. Th ese political requirements of globalization are fulﬁlled. Globalization maximizes the size of the market. Since Adam Smith (1776/1976) we know that the size of the market determines the degree of division of labor which promotes productivity. Thus, globalization is beneﬁcial because it increases productivity. This is not only a theoretical claim, but also an empirical statement. For instance, based on data from the US Bureau of Labor Statistics, yearly economic gains from globalization have been estimated to be somewhere between $1,650 and $3,300 per capita for Americans (Scheve and Slaughter 2007:36–37). Real compensation per hour (including beneﬁts and wages) has also gone up in the past decade, by 22 percent (Griswold 2007:1).3 Since Deng Xiaoping opened China in the late 1970s by introducing reforms which imply creeping capitalism, Chinese agricultural production grew rapidly. Later, China attracted a lot of foreign direct investment. Today China is a major base for manufacturing. By 2005 it was already the third largest exporter, still behind Germany and the US but already ahead of Japan (Th e Economist 2005). By 2008 China is likely to become the biggest exporter in the world. In the early 1980s (but no longer thereafter) even the disparity between urban and rural incomes in China decreased (Lin, Cai, and Li 2003:145). Hundreds of millions of Chinese were taken out of abject poverty. In the ﬁrst two decades of reform, per capita incomes grew fourfold (Bhalla 2002:218). Later, less radical reforms in India led to nearly doubling per capita incomes in a similar period of time and pulled about two hundred million Indians out of abject poverty (Das 2002:360). Since China and India together account for nearly forty percent of mankind and about half of the population living in less developed countries, economic growth in China and India and other Asian countries contributes to the equalization of the global distributions of income between individuals and households. If we are interested in individuals rather than states, then the empirical indicators are clear. Globalization or the global expansion of capitalism has contributed to, or at least been compatible with, an equalization of the size distribution of income between human beings. Since cross-national differences between average incomes are still a more important component of inequality between human beings than intra-national differences in income, it is possible – and currently true – to have the following two trajectories at the same time: growing inequality within many or even most countries amidst some movement towards equality among individuals worldwide (Bhalla 2002; Firebaugh 1999; Goesling 2001; Sala-i-Martin 2007; World Bank 2005). Admittedly, many economies, including the US and China, suffered some deterioration in their domestic income distributions. This is why the legitimacy of capitalism and globalization comes under attack, even in the American citadel of capitalism. This is also why calls for protectionism become louder and louder (Scheve and Slaughter 2007). But critics of globalization tend to forget a basic truth about free trade (Griswold 2007:3): “If workers, capital, and resources can shift within the domestic economy, jobs eliminated by import competition will quickly be replaced by jobs created elsewhere.”4 One should not blame the consequences of institutional sclerosis, or of an unwillingness to adjust, on globalization. Globalization has led to a significant reduction in mass poverty. Although the Chinese distribution of income has become much less equal since the reform process began in the late 1970s, the strong growth performance of China has pulled hundreds of millions out of abject poverty. In India growth has been less spectacular than in China such that the distribution of income has changed less, and yet again hundreds of millions have been pulled out of abject poverty. Although Latin America and Africa have benefitted much less from globalization than Asia has, these continents also cannot match the demographic weight of Asia. Therefore, their comparative lack of success cannot neutralize Asian progress in global perspective. Moreover, one has to keep in mind that winning in the process of globalization presupposes participating in it, not abstaining from it. One may illustrate global change with data provided by Indian economist Surjit Bhalla (2002:187). He deﬁnes people with a daily income between $10–$40 USD as members of the global middle class. In 1960 this class consisted largely of whites; only six percent were Asians. By 2000, however, 52 percent was Asian. Th e era of globalization is one in which Asia is now recovering, after falling for about two centuries further behind the West. Except for Africa abject poverty worldwide is likely to become signiﬁcantly reduced within one or two decades. Th e African share of abject poverty in the world is expected to rise until 2015 from 36 percent to about 90 percent (Bhalla 2002:S. 172).5 Why did so many people in Asia beneﬁt from globalization, whereas Africans did not? A plausible explanation has been oﬀered by Collier (2007:79).6 He points out that about three quarters of the bottom billion7 live in countries which have suﬀered from civil war or long periods of bad governance and poor economic policies. According to Collier (2007:27), “civil war is development in reverse. It damages both the country itself and its neighbors.” Bad governance and poor economic policies distort incentives and misallocate the meager resources of poor countries. Africa has suﬀered from these development traps to a greater degree than other continents. Moreover, one may argue that a focus on income and income distributions is biased towards understating the beneﬁts of globalization. As Goklany (2007:chaps. 2–3) has pointed out, the same income per capita today (in terms of purchasing power) implies higher life expectancies, lower infant mortalities, less malnutrition, healthier lives, and less child labor than it did decades or centuries earlier. Less developed, still poor countries do benefit from the technological progress achieved by developed and rich countries. Thus, even if one disputes the widely held and well-supported view regarding some equalization of individual or house-hold incomes worldwide in recent decades, one should still accept Goklany’s contention (2007:72): “In the aspects of human well-being that are truly critical – life expectancy, infant mortality, hunger, literacy, and child labor – the world is far more equal today than it was a century ago, in large part because of globalization.”8 Another advantage of globalization is that it contributes to preventing war (Russett and Oneal 2001; Weede 2005). Quantitative research demonstrates that the risk of war between nations is reduced if they trade a lot with each other. There is something like a commercial peace or peace by trade. Moreover, economic freedom reduces involvement in military conﬂict and ﬁnancial market openness also reduces the risk of war (Gartzke 2005, 2007). In particular, I want to underline that economic cooperation paciﬁes the geopolitical relationship between rising China and the West.9 Moreover, there is also something like a democratic peace. The risk of war between democracies is extremely small. In my view, one should conceptualize this as a component of a capitalist peace because democracies prosper best in wealthy countries10 and because capitalism or economic freedom and thereby globalization contribute to prosperity (Weede 2005, 2006). Since rising powers tend to challenge the political status quo, it is fortunate that the two demographic giants of this world seem to prosper under global capitalism.

#### Empirics outweigh – none of their evidence outlines a realistic alternative to capitalism

#### Also puts them in a doublebind, either they stop capitalism, which worsens structural violence, or they don’t, in which they can’t solve their impacts since the root cause of the aff is capitalism

### Case





#### Companies will keep complex production steps secret if forced to forgo patents – that shuts down cooperation.

Silverman 3/21 Rachel Silverman -- a policy fellow at the Center for Global Development, “Waiving vaccine patents won’t help inoculate poorer nations”, 15 March 2021, <https://www.washingtonpost.com/outlook/2021/03/15/vaccine-coronavirus-patents-waive-global-equity/> | MU

According to some activists, the solution to this inequity is relatively simple: By suspending protections on covid-19 vaccine patents, the international community “could help break Big Pharma monopolies and increase supplies so there are enough doses for everyone, everywhere,” [claims](https://peoplesvaccine.org/take-action/)the People’s Vaccine Alliance. Indeed, 58 low- and middle-income countries have mobilized in support of a proposed World Trade Organization [waiver](https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/IP/C/W669.pdf&Open=True) that would temporarily exempt [coronavirus](https://www.washingtonpost.com/coronavirus/?itid=lk_inline_manual_4)-related intellectual property from normal international rules and protections. And while the effort to waive IP protections has been a global health hot topic for months, it gained a high-profile endorsement in the United States recently from Sen. Bernie Sanders (I-Vt.). In a March 10 video statement, Sanders [called upon President Biden](https://twitter.com/GlobalJusticeUK/status/1369734275818549252?s=20) to support the IP suspension while slamming “huge, multibillion-dollar pharmaceutical companies [that] continue to prioritize profits by protecting their monopolies.”

The logic of the argument seems clear and intuitive — at first. Without patents, which serve narrow commercial interests, companies all over the world could freely produce the vaccine. Sure, Big Pharma would lose money — but this is a pandemic, and human life comes before private profit, especially when vaccines receive substantial public financing to support research and development. As with HIV drugs in years past, widespread generic production would dramatically increase supply and drive down prices to levels affordable even in the developing world.

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](https://investors.modernatx.com/news-releases/news-release-details/statement-moderna-intellectual-property-matters-during-covid-19) 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, citing commercial interests in the underlying technology. Five months later, production of the Moderna vaccine remains entirely under the company’s direct control within its owned and contracted facilities. Notably, Moderna is also the only manufacturer of a U.S.- or British-approved vaccine [not yet participating in Covax](https://www.washingtonpost.com/world/coronavirus-vaccine-access-poor-countries-moderna/2021/02/12/0586e532-6712-11eb-bf81-c618c88ed605_story.html?itid=lk_inline_manual_9), a global-aid-funded effort (including a [pledged $4 billion from the United States](https://www.npr.org/2021/02/18/969145224/biden-to-announce-4-billion-for-global-covid-19-vaccine-effort)) to purchase vaccines for use in low- and middle-income countries.

It is true, however, that activist pressure — including threats to infringe upon IP rights — can encourage originators to enter into voluntary licensing arrangements. So the global movement to liberate the vaccine patents may be useful, even if some advocates make exaggerated claims about the effects of waivers on their own.

[We focused on covid. Now our other patients are suffering.](https://www.washingtonpost.com/outlook/2021/03/08/covid-hospital-addiction-cancer/?itid=lk_interstitial_manual_11)

One reason patent waivers are unlikely to help much in this case is that vaccines are harder to make than ordinary drugs. Because most drugs are simple chemical compounds, and because the composition of the compounds is easily analyzable, competent chemists can usually reverse-engineer a production process with relative ease. When a drug patent expires, therefore — or is waived — generic companies can readily enter the market and produce competitive products, [lowering prices dramatically](https://www.fda.gov/about-fda/center-drug-evaluation-and-research-cder/generic-competition-and-drug-prices).

Vaccines, in contrast, are complex [biological](https://www.fda.gov/about-fda/center-biologics-evaluation-and-research-cber/what-are-biologics-questions-and-answers#:~:text=What%20is%20a%20biological%20product,tissues%2C%20and%20recombinant%20therapeutic%20proteins.) products. Observing their contents is insufficient to allow for imitation. Instead, to produce the vaccine, manufacturers need access to the developer’s “soft” IP — the proprietary recipe, cell lines, manufacturing processes and so forth. While some of this information is confidentially submitted to regulators and might theoretically be released in an extraordinary situation (though not without legal challenge), manufacturers are at an enormous disadvantage without the originator’s cooperation to help them set up their process and kick-start production. Even with the nonconsensual release of the soft IP held by the regulator, the process of trial and error would cause long delays in a best-case scenario. Most likely, the effort would end in expensive failure. Manufacturers also need certain raw ingredients and other materials, like glass vials and filtration equipment; overwhelming demand, paired with disruptive export restrictions, has constricted the global availability of some of these items.

#### **Trips causes fake mrna vaccine replicas**

**Crouch 21**’Dennis Crouch Associate Professor, University of Missouri School of Law [SSRN Articles](http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=847655) Jason Rantanen Professor, University of Iowa College of Law //RD Debatedrills

*Ed. Note: Prof. Sapna Kumar has been working on international intellectual property law issues for decades. In fact, I believe we were students in the same international IP course at the University of Chicago way back when, along with Prof. Rantanen. I asked Prof. Kumar to provide some of her thoughts on how our international IP system is responding to the COVID-19 Pandemic. A draft of her recent on-point article is available online:*[*Compulsory Licensing of Patents During the Pandemic*](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3636456)*.*

That these proposals fail to take into account is the nature of the Pfizer and Moderna vaccines. The efficacy of both of these proposals turns on a country’s internal technological capabilities to recreate and administer the vaccine. The Pfizer and Moderna vaccines, however, are not typical vaccines. Whereas traditional vaccines functioned by introducing parts of a virus — or a weakened form of a virus — Pfizer’s and Moderna’s vaccines use messenger RNA to cause host cells to produce the protein themselves. These are the [first vaccines to utilize this type of technology](https://www.abc27.com/news/health/coronavirus/vaccination-frustration/digital-original-how-do-covid-19-vaccines-compare-to-other-vaccinations/).

The novelty of these vaccines potentially degrades the utility of a compulsory license or IP waiver. For instance, remdesivir received a great deal of focus early in the pandemic. Bangladesh managed to recreate the drug without Gilead Science’s approval because it is exempt from Article 31 of TRIPS, and Bangladesh [was able to produce a sufficient supply for the country by the summer of 2020](https://patentlyo.com/patent/2021/01/shortages-compulsory-licensing.html) because information about the drug was available. Given the fact that Pfizer’s and Moderna’s vaccines represent a new form of vaccine, lacking technical information on how to make this new form of vaccine could lead the countries to create entirely ineffective vaccine replicas.

These issues may be compounded by the fact that many vaccine manufactures [rely on trade secret protection more heavily](https://www.jdsupra.com/legalnews/trade-secret-protection-the-covid-19-37383/) following the [*Ass’n for Molecular Pathology v. Myriad Genetics, Inc*](https://www.leagle.com/decision/insco20130613e08)*.* decision. These trade secrets can withhold critical scientific know-how that might be necessary for replicating a vaccine.

Thus, the new technology behind these messenger RNA vaccines and the lack of accessibility to the related know-how might deter countries from attempting to manufacture them.