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#### Empire has shifted from the administration of death to the production of life – the affs restructuring of global medical intervention is the new logic of biopolitical governance – no longer is imperialism a question of borders and military power, but rather the protection of bodies.

Ahuja ‘16

[Neel, English @ UNC Chapel Hill. 2016. “Bioinsecurities”] pat

One element common to this biopolitics of empire is an anxiety about the dependence of the human body on forces that appear inhuman, even inhumane: medical technologies to extend, optimize, or end life; markets and institutions that unequally distribute resources for sustaining life; environmental processes that support, deprive, or injure bodies. Such concerns were, of course, entirely common to twentieth-century modernist fears of alienation from nature, as well as to liberal, socialist, and fascist states that each proclaimed to defend the life of the people in the major imperial wars. Yet due to the ongoing expansion of government into life through technological, economic, and environmental interventions, a growing number of crises that advertise dreaded risks to life as we know it—climate change, nuclear toxicity, disease pandemics, biological weapons, and financial speculation, to name a few—have recently pressed critical studies of empire to think politics and agency at queer scales of relation, from the grand vantage of planetary geology and climate, through the lively migrations of commodities and animals, all the way down to the microbial, molecular, and quantum worlds of matter in which advanced sciences produce new technologies and knowledge. In an era in which excessive hope is invested in the idea that empire’s so-called free markets will inevitably deliver resources for improving life, discussions of risk and security increasingly provoke concern about how bodies are either threatened or safeguarded in links to other species, to ecology, and to technology. Public fears and hopes are thus invested in questions about how bodies interface beyond the skin of the organism. The living body is not only an ecology reproduced by constituent species (think of the life-sustaining work of gut bacteria or the ingested flesh of animals or plants). It is also an assemblage crosscut by technological, economic, and environmental forces (medical technologies, insurance markets, agricultural systems, toxic pollution) that render the body vulnerable as they reproduce its conditions of possibility.

Yet there remains a sense of tension concerning how social theorists frame the vulnerability of human life between biopolitics and these emerging posthumanist ideas. While biopolitical analysis foregrounds the contested figure of the human, emphasizing that the human body is an effect of power crafted through the social reproduction of nationality, race, sex, and/or class factors conjoined in inhuman fields of power, emerging posthumanist and newmaterialist fields including animal studies, environmental humanities, and object-oriented ontology more often emphasize the agency of the nonhuman and the surprising liveliness of physical matter. As such, despite the avowed critique of the human, they may take for granted the apparent universality of the human lifeworld from which they flee, foreclosing attention to the processes that anthropomorphize the human in order to characterize the human’s sovereign domination of the nonhuman. This move allows some posthumanist critics to project upon an outside, the nonhuman (in the form of environment, animal, machine, or other object), the possibility of resistance to anthropocentrism. Such thinking might be seen as a ruse of transcendence—an assumption that turning attention from the human to the nonhuman could bypass Marxist, feminist, critical race, and postcolonial critiques of imperial systems that proliferate inequality under the guise of universal human freedom.

Despite this liberal, idealist trend among posthumanists (which is more pronounced in the humanities than it is in the social sciences), studies of empire increasingly confront the fact that the apparent exteriority of the subject (the worlds of body, physical matter, and interspecies exchange) has more often formed the center of the politics of empire rather than its excluded outside. It is thus my hope that the collision of biopolitical and posthumanist thought may be salvaged in a practical if unexpected crossing: a more robust accounting of the ways in which politics, including the liberal and neoliberal politics of empire, is embedded in living bodies and planetary environments, which are themselves constituted as objects of knowledge and intervention for imperial science. Such an understanding goes beyond an assertion that life is controlled by human government, which would embrace the strong postEnlightenment division between government and life, human and nonhuman. I instead hope to explore the queer hypothesis that the adaptability, risk, and differentiation central to life increasingly constitute the very matter of politics. This book is about how disease outbreaks, medical technologies, and the relations between humans, animals, bacteria, and viruses galvanized racialized fears and hopes that determined the geopolitical form of US empire during the long twentieth century, following the continent-wide establishment of Euro-American settler networks. Before explaining that argument, however, this brief preface explores how—in addition to established methods of postcolonial study that define empire through histories of conquest, settlement, and the exploitation of labor and resources—the inequalities and violences of imperialism can productively be understood from the vantage of species, the field of life itself.

Research on colonial environmental history and disease control is long established in postcolonial studies, even as today there is growing attention to Global South environmental activism, advanced biotechnologies, and human-animal and human-plant interactions as significant concerns in the planetary routes of European and US empire. Yet my sense of an interspecies politics is still relatively unfamiliar from even the vantage of these studies. Extant studies have long highlighted questions of representation, agency, influence, and domination, explaining the unequal distribution of the privileges accorded for being anthropomorphized, for being made human through colonial ideological and social processes. While maintaining focus on such racialized inequalities fracturing the figure of the human in the worldwide routes of European and US imperialisms, it is the aim of this book to articulate an additional sense of the political as a lively zone of embodied connection and friction. “Interspecies relations form the often unmarked basis upon which scholarly inquiry organizes its objects, political interventions such as ‘human rights’ stake their claims, and capitalist endeavors maneuver resources and marshal profit.” A critique of the interspecies zone of the political—which at its broadest would expand beyond the human-animal and human-microbial relations discussed in this book to include the diversity of living species, matter, energies, and environmental systems that produce everyday life out of biosocial crossings—helps us understand the persistence of empire in a postcolonial age precisely because it conjoins power to forces that retreat into the seemingly natural and ahistorical domains of body and matter. From this vantage, empire appears not only as a process of territorial and economic accumulation across international divisions of labor and sovereignty, but also as a reproductive process managing bodies in unequal planetary conjunctions of life and death. Tracing this second phenomenon requires analysis of biosocial forms of exchange among microbes, plants, animals, and humans, as well as models of power and representation recognizing that bodies are not empty containers of human political subjects, but are lively, transitional assemblages of political matter.

There are risks in attempting to theorize a political process like empire via the material shape it takes in life and matter, anticipated in long-standing liberal and Marxist distinctions between human and natural history. Must such a move necessarily turn away from issues of interest, hegemony, violence, representation, and inequality that often define organized decolonial struggles? I would argue that this need not be so, and that vitalizing colonial discourse studies through an accounting of empire’s living textures may actually give a more grounded account of imperial power as well as the strategies of representation that have persistently masked its material articulations. To this end, I explore empire as a project in the government of species. Broadly, this idea refers to how interspecies relations and the public hopes and fears they generate shape the living form and affective lineaments of settler societies, in the process determining the possibilities and foreclosures of political life. In practice, the government of species has historically optimized and expanded some life forms (human or otherwise) due to biocapital investments in national, racial, class, and sex factors. Operating through interspecies assemblages known as bodies, such investments selectively modify and reproduce life forms and forms of life, extracting “the human” out of the planetary field of interspecies relation. Once securitized, this form is constantly under pressure from the unpredictable and inhuman risks of life in a world of ecological, economic, and political complexity. These forces in turn contribute to the ways publics experience and interpret their futures as more or less livable.

An account of the government of species thus explains that empire can be understood as a project in the management of affective relations—embodied forms of communication and sensation that may occur independently of or in tandem with sentient forms of thought and discourse. These affective relations cross the divisions of life and death, human and animal, media and bodies, and immune and environmental systems. In the process of forming the human out of cacophonous biosocial relations, empire often persists—even after the formal conclusion of colonial occupation or settlement—in part because it invests public hope in the management of bodily vulnerability and orients reproductive futures against horizons of impending risk, a phenomenon I call dread life. In such processes by which bodily vulnerability is transmuted into political urgency, techniques proliferate for managing the relations of populations and the living structures of species (human, animal, viral). As such, empire involves the control of life through accumulation of territory and capital, which may be securitized by activating life’s relational potential. Lauren Berlant describes a “lateral agency” that moves across bodies and populations rather than in the top-down fashion of sovereign power; it may, then, be possible to understand empire’s force of securitization not only through conventional dramas of domination and resistance, but rather through embodied processes of coasting, differentiating, adapting, withering, transition, and movement. These are processes that subtly determine how bodies take form, and to what extent they are able to reproduce themselves in space-time relation. They also more radically stretch the body beyond the organic lifetime and into evolutionary, environmental, and informational domains where life/death distinctions blur.

However, the intimate connection between the governmental imperatives to make live and to make die, which Jasbir Puar names “the bio-necro collaboration,” has long been obscured in social and political theories. It thus remains commonplace for biopolitical analyses to view power as either repressive or productive in essence. In his classic work on the topic, French philosopher and social theorist Michel Foucault argued that by the eighteenth century, a political form had emerged in Europe targeting the human as biological species as the central object of power. Power was no longer simply about the repressive force of the state and its controlling interests wielding the right to kill. Power was increasingly vested in the productive reshaping of the biological life of human organisms by institutions such as clinics, prisons, and asylums and their related forms of scientific knowledge; power meant letting live, albeit in constrained form. Foucault recognized the embedding of biopower across species, calling for a social history that incorporated “the evolution of relations between humanity, the bacillary or viral field, and the interventions of hygiene, medicine, and the different therapeutic techniques.” In the notes to his late lectures, he even speculated that neoliberalism involved a governmentality that can “act on the environment and systematically modify its variables.”

Foucault’s description of the rise of biopower is the inspiration for a number of studies in sociology and anthropology that assess new biopolitical shifts involving advanced biomedical technologies. Given that these biopolitical studies focus largely on the United States, western Europe, China, and India— states that have built biotechnology sectors as engines of unequal neoliberal growth—it is perhaps not surprising that a concomitant line of critique has emerged acknowledging vast and growing world sectors of biological and economic precarity. Building on a number of key postcolonial/feminist studies of the 1990s exploring Foucault’s theory beyond European borders, these necropolitical critiques announce that politics today often emerges as the specter of death. The world’s poor, as well as a growing “precariat” carved from shrinking national bourgeoisies, appear less often as the objects of technological uplift than as the human surplus of the political order of things, populations at risk for displacement, dispossession, captivity, and premature death. The precaritization of sweated labor, the subjection of agrarian populations to the twin scourges of neoliberal structural adjustment and environmental devastation, the proliferation of deterritorialized war and ethnic cleansing, and the growth of predatory industries and rents to recycle capital from surplus populations all reveal that those humans targeted for biopolitical optimization constitute a shrinking population who reproduce through the cannibalistic appropriation of life elsewhere. But necropower is not simply about the distribution of death; it is also about the accumulation of social or economic capital through death and precarity. For example, when suicide passes on social force through the deathly body, or when life insurance capitalizes death, death itself thus gives form to life.

#### The 1AC’s universal basis for ethics cedes the human to the racialized figure of Man – that naturalizes the sociogenic processes of colonial violence as beyond the reach of the human while policing Man’s limit at the color line.

Weheliye ‘14

[Alexander, Northwestern University. 2014. “Habeus Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human”.] pat – dm/email me for PDF

Wynter’s large-scale intellectual project, which she has been pursuing in one form or another for the last thirty years, disentangles Man from the human in order to use the space of subjects placed beyond the grasp of this domain as a vital point from which to invent hitherto unavailable genres of the human. According to this scheme in western modernity the religious conception of the self gave way to two modes of secularized being: first, the Cartesian “Rational Man,” or homo politicus, and then beginning at the end of the eighteenth century, “Man as a selected being and natural organism . . . as the universal human, ‘man as man.’” The move from a supernatural conception of world and the self ’s place within this cosmos, however, does not signal the supersession of a primitive axiomatic with an enlightened and rarefied type of the human. Rather, one genre of the human (Judeo-Christian, religious) yields to another, just as provincial, version of the human, and, although both claim universality, neither genre fully represents the multiplicity of human life forms. In the context of the secular human, black subjects, along with indigenous populations, the colonized, the insane, the poor, the disabled, and so on serve as limit cases by which Man can demarcate himself as the universal human. Thus, race, rather than representing accessory, comes to define the very essence of the modern human as “the code through which one not simply knows what human being is, but experiences being.” Accordingly, race makes its mark in the dominion of the ideological and physiological, or rather race scripts the elision of the former with the latter in the flesh.

In her latest writings, Wynter identifies homo politicus’s successor in the long road from “theodicy” to “biodicy” as the liberal “bio-economic man.” The idea of “bio-economic man” marks the assumed naturalness that positions economic inequities, white supremacy, genocide, economic exploitation, gendered subjugation, colonialism, “natural selection,” and concepts such as the free market not in the realm of divine design, as in previous religious orders of things, but beyond the reach of human intervention all the same. In both cases, this ensures that a particular humanly devised model of humanity remains isomorphic with the Homo sapiens species. Wynter’s approach differs markedly from arguments that seek to include the oppressed within the already existing strictures of liberal humanism or, conversely, abolish humanism because of its racio-colonial baggage; instead Wynter views black studies and minority discourse as liminal spaces, simultaneously ensconced in and outside the world of Man, from which to construct new objects of knowledge and launch the reinvention of the human at the juncture of the culture and biology feedback loop.

Even though the genre of the human we currently inhabit in the west is intimately tied to the somatic order of things, for Wynter, the human cannot be understood in purely biological terms, whether this applies to the history of an individual organism (ontogenesis) or the development at the level of a species (phylogeny). This is where Fanon’s important concept of sociogeny comes into play, offering Wynter an approach of thinking of the human — the “science in the social text,” to echo Spillers’s phrase — where culture and biology are not only not opposed to each other but in which their chemistry discharges mutually beneficial insights. In this scenario, a symbolic register, consisting of discourse, language, culture, and so on (sociogeny) always already accompanies the genetic dimension of human action (ontogeny), and it is only in the imbrication of these two registers that we can understand the full scope of our being-in-the-world. Fanon’s concept of sociogeny, arising from the inadequacy of traditional psychoanalytic models in the analysis of racialized colonialism, builds on Freud’s appropriation of recapitulation theory. Thus, according to Fanon, Freud breaks with the strict codes of Darwinism and social Darwinism (phylogenetic theory) in order to analyze the psyche of the modern individualized subject from an ontogenetic vantage point. While the ontogenetic technique yields, depending on your general sympathy for the now very antiquated protocols of Freudian psychoanalysis, abundant results when evaluating white subjects ensconced in the liberal nuclear family, it encounters a roadblock when transplanted to the colonial settlement, which is why “the alienation of the black man is not an individual question. Alongside phylogeny and ontogeny, there is also sociogeny. . . . Society, unlike biochemical processes, does not escape human influence. Man is what brings society into being.” Why does the colonial situation specifically necessitate a reformulation of Freud’s and Darwinism’s procedural frame of reference?

Since colonial policies and discourse are frequently grounded in racial distinctions, the colonized subject cannot experience her or his nonbeing outside the particular ideology of western Man as synonymous with human, or, as Fanon writes, “not only must the black man be black; he must be black in relation to the white man.” The colonial encounter determines not just the black colonial subject’s familial structure or social and physical mobility and such, but colors his or her [their] very being as he-or-she-which-is-not-quite-human, as always already tardy in the rigged match of the survival of the fittest. Conversely, in this ontological face-off, the white colonial subject encounters herself or himself as the “fullness and genericity of being human.” However, he or she only does so in relation to the deficiency of the black subject and indigenous (Wynter, 40). To be precise, Fanon and Wynter locate racializing assemblages in the domain of being rather than the realm of epiphenomena, showing how humans create race for the benefit of some and the detriment of other humans. Yet because race is thought to rest in biology, it necessitates different analytic protocols than bare life and biopolitics, namely ones that draw on both ontogeny and sociogeny.

Whereas Fanon’s mobilization of ontogeny remains rooted in the Freudian paradigm as pertaining to the individual subject, Wynter summons the explanatory apparatus of neurobiology to elucidate how racialization, despite its origins in sociogeny, is converted to the stuff of ontogenesis; this is what Wynter refers to as “sociogenetic.” Although human life has a biochemical core defined by a species-specific adaptive reward and punishment mechanism (poison = bad and food = good) that “determines the way in which each organism will perceive, classify, and categorize the world,” it is “only through the mediation of the organism’s experience of what feels good to the organism and what feels bad to it, and thereby of what it feels like to be that organism” that a repertoire of behaviors, which ensure the continued existence of the species, develops (Wynter, 50). For the human species, because it is defined by both organic and symbolic registers, this is complicated by the way culturally specific sociogenic principles such as what is good or bad work to trigger neurochemical reward and punishment processes, in the process “institut[ing] the human subject as a culture-specific and thereby verbally defined, if physiologically implemented, mode of being and sense of self. One, therefore, whose phenomenology . . . is as objectively, constructed as its physiology” (Wynter, 54). Phenomenological perception must consequently don the extravagant drag of physiology in order to “turn theory into flesh, . . . [into] codings in the nervous system,” so as to signal the extrahuman instantiation of humanity.

Wynter’s description of the autopoiesis of the human stretches Fanon’s concept of sociogeny by grounding it in an, albeit false or artificial, physiological reality. In other words, Wynter summons neurobiology not in order to take refuge in a prelapsarian field anterior to the registers of culture and ideology, but to provide a transdisciplinary global approach to the study of human life that explains how sociogenic phenomena, particularly race, become anchored in the ontogenic flesh. Also, in contrast to treatments of racialization more squarely articulated from the disciplinary perspective of sociobiology, Wynter does not focus on the origins and adaptive evolution of race itself but rather on how sociogenic principles are anchored in the human neurochemical system, thus counteracting sociobiological explanations of race, which retrospectively project racial categories onto an evolutionary screen. That is to say, Wynter interrogates the ontogenic functioning of race — the ways it serves as a physiologically resonant nominal and conceptual pseudonym for the specific genre of the human: Man — and not its role in human phylogeny.

Consequently, racialization figures as a master code within the genre of the human represented by western Man, because its law-like operations are yoked to species-sustaining physiological mechanisms in the form of a global color line — instituted by cultural laws so as to register in human neural networks — that clearly distinguishes the good/life/fully-human from the bad/death/not-quite-human. This, in turn, authorizes the conflation of racialization with mere biological life, which, on the one hand, enables white subjects to “see” themselves as transcending racialization due to their full embodiment of this particular genre of the human while responding antipathetically to nonwhite subjects as bearers of ontological cum biological lack, and, on the other hand, in those subjects on the other side of the color line, it creates sociogenically instituted physiological reactions against their own existence and reality. Since the being of nonwhite subjects has been coded by the cultural laws in the world of Man as pure negativity, their subjectivity impresses punishment on the neurochemical reward system of all humans, or in the words of Frantz Fanon: “My body was returned to me spread-eagled, disjointed, redone, draped in mourning on this white winter’s day. The Negro is an animal, the Negro is bad, the Negro is wicked, the Negro is ugly.” Political violence plays a crucial part in the baroque techniques of modern humanity, since it simultaneously serves to create not-quite-humans in specific acts of violence and supplies the symbolic source material for racialization.

#### The aff’s positioning of competition as intrinsic good acts to maintain the stability of capital accumulation.

Christophers 16 [Brett Christophers, Professor in the Department of Social and Economic Geography at Uppsala University, “The Great Leveler: Capitalism and Competition in the Court of Law,” 2016, Harvard University Press, pp. 8-15, EA]

The aforementioned argument that capitalism has historically migrated from a state of competitiveness to a state of monopoly or oligopoly is deficient in four primary respects, both empirical and conceptual in nature.

First, there is something deeply misleading about the either/or nature of this historical narrative. One of the most important—although rarely acknowledged—of Marx’s insights was that capitalism always, everywhere, requires both. It needs competition, assuredly, not least to drive technological innovation and the reinvestment of profits, and thus growth. But it also needs monopoly—not merely to enhance visibility within and control over otherwise potentially chaotic business environments, but also to underwrite capitalist, market-based trade per se. Not for nothing does David Harvey argue, after Marx, that the “monopoly power of private property” is “both the beginning point and the end point of all capitalist activity.”20 For the legal institution of private property does confer monopoly: the exclusive power to dispose of said property as the owner alone sees fit.

Capital’s seemingly paradoxical need for both competition and monopoly is explored in Chapter 1, which extracts from Marx a conceptualization of capitalism that critically informs the remainder of the book: that of capitalism always, necessarily, teetering on a knife edge, balanced precariously between the contradictory forces of competition and monopoly, and perennially in danger of lapsing too far to one side or the other. “The problem,” Harvey shrewdly observes, “is to keep economic relations competitive enough while sustaining the individual and class monopoly privileges of private property that are the foundation of capitalism as a political-economic system.”21

And it is here that our economic laws crucially enter the picture. In metaphorical terms, the law acts as a powerful leveler: a pincer of sorts on the critical, combustible nexus of monopoly and competition, applicable from one side of the knife edge, the other, or both. Antitrust (competition) law, meaningfully enforced, serves to constrain monopoly power where it coheres too readily, thus boosting competition; IP law acts from the other side, allowing a degree of monopoly power where none “naturally” coheres, and limiting competition in the process. This conceptualization of economic law is sketched out in Chapter 3. Together, such laws help to ensure that over the long term, market-based capitalism is not too competitive (driving down prices and profits) but, in Harvey’s terms, remains competitive enough (avoiding stagnation and rent-seeking). In the process, the laws in question historically have contributed substantially to keeping capitalist accumulation regimes broadly in balance.

At the pivot of this overall mechanism sits the phenomenon of profit. Following the lead of scholars such as Robert Brenner, this book places front and center the relationship between profitability and the interrelated dynamics of competition and monopoly.22 As, indeed, did the classicals: Profit rates were, as Chapter 1 will show, fundamental to their theorization of competition. But it is vital to recognize, as writers such as Keith Cowling have done, that this relationship does not assume a simplistic less-competition-means-more-profit form, isolated as it were from other contributory factors.23 Indeed, the book shows that excesses neither of competitive intensity nor of monopoly power support long-term stability of profit-making and accumulation.

Instead, it leans more toward the type of argument proffered by Gérard Duménil and Dominique Lévy, which is that the dynamics of profitability strongly influence the state’s attempts to regularize regimes of accumulation, and that stabilizing capitalism is thus in no small part a question, ultimately, of stabilizing profitability.24 Or, as David Gordon and coauthors have written, the reproduction of capitalism is “fundamentally conditioned by the level and stability of capitalist profitability. As profits go, in short, so goes the economy.”25 The book’s particular slant on such conceptions is to consider corporate profits more in relative than absolute terms—and relative to, especially, labor and wages. While a comparable focus has recently been adopted by Thomas Piketty in his much discussed Capital in the Twenty-First Century, the inspiration underlying the approach taken here lies much further back in time, in the work in particular of Michal Kalecki.26 For as Kalecki showed both historically and conceptually, the relation of capital with labor, and profit with wages, is centrally implicated in the monopoly-competition relation and the balance that capitalism requires of it. Kalecki, it is fair to say, would have had some very interesting things to say about the Apple wage-suppression antitrust lawsuit.

A second and related problem with the linear historical narrative of from-competition-to-monopoly is its positing of monopoly and competition not only as mutually exclusive alternatives, but as separable ones. Once more, we can turn to Marx for an effective disabusal of this figuring. Monopoly and competition, he argued, are much more closely related, and much more closely connected, than is typically recognized. “Monopoly produces competition, competition produces monopoly,” he maintained, somewhat aphoristically, in a letter he wrote to Pavel Annenkov in 1846.27 Capital not only requires both but is in fact the expression, inter alia, of their synthesis—a synthesis that Marx, in trademark dialectical fashion, described not as a “formula” but as a “movement,” specifically “the movement whereby a true balance is maintained between competition and monopoly.”28 Such movement comprises opposing but connected economic dynamics of centralization and decentralization. When one or the other dynamic becomes disproportionately powerful, Marx argues, the “counteracting tendency” kicks in to return capital to a balanced configuration of monopoly and competition.

This balanced organization of productive forces—always inherently unstable and always prone to knife-edge slippages—is very close to what Edward Chamberlin would later call “monopolistic competition.”29 Such monopolistic competition internalizes monopoly and competition in dialectical relation with one another and is the capitalist norm—and always has been. “The notion of a bygone ‘competitive’ stage of capitalism where firms were price-takers is,” as Duménil and Lévy insist, “a fiction derived from the neoclassical analytical apparatus.”30 Equally fictional, albeit a fiction usually emanating from a very different analytical source, is the notion of a contemporary “monopoly” stage of capitalism absent meaningful competition.31

The historical, U.S.- and U.K.-based narrative related in this book therefore turns on precisely this dialectical, restless synthesis of monopoly and competition, and its ever-evolving, historically and geographically specific forms. In recent years, it is Harvey who has provided the most provocative reading of this dialectic and of its centrality to capitalism. It is, Harvey argues, one of numerous “moving” contradictions that plague the capital form, and with which capital constantly wrestles as it enters into and out of crisis.32 Harvey repeats Marx’s observation that capital requires a balance of competitive and monopolistic forces. He then derives from this postulate the propositions that crisis occurs when such forces become imbalanced—although this is not the only cause of crisis—and that such crisis can only be “fixed” once balance is restored. The result is that capital historically “oscillates” between relative excesses of monopoly and competition, always finding balance hard to achieve, let alone sustain.33 Understanding capital and its historical development in this particular regard, Harvey insists, requires us to recognize “how successful capital has generally been in managing the contradictions between monopoly and competition” and that “it uses crises to do so.”34

Such success, and the role played by crises or by threats thereof, are two of this book’s central, recurring themes. However, Harvey’s framing raises two vital questions that he fails, in his admittedly brief account of monopoly and competition, to answer.

First, how has this success been achieved? “Capital,” Harvey writes, “has organically arrived at a way to balance and rebalance the tendencies towards a monopolistic centralisation and decentralised competition through the crises that arise out of its imbalances.”35 Again, there is no objection here, except to press: “organically,” how? This book fashions an answer. This answer rests on the role of the law. When capital has become sufficiently overcentralized and monopolistic to threaten its own successful, profitable reproduction, antitrust law has been called upon to help restore the necessary degree of balance. This balance will never be perfect and at rest; in a dialectical relation, such as that between monopoly and competition, it never can be. When the dangerous excess has been of competition, by contrast, IP law has come to the rescue. Such laws, needless to say, have not effected this work of rebalancing by themselves, and this book documents their interaction with other pertinent dynamics; but their role has been paramount.

The other problematic question raised by Harvey’s framing brings us directly to our third point of divergence with the Baran and Sweezy or Foster and McChesney reading of capitalist development. Consider here the agency behind the successful, crisis-based management and rebalancing of monopolistic and competitive forces envisioned by Harvey: “capital has been successful . . .”; “capital has arrived at . . .” But what, or who, is this capital, and has its form remained constant? For Harvey, clearly, capital is the capitalist class: those that own the means of production. Yet this singularization of responsibility for regulating and reregulating the core dynamics of the capitalist economy raises all manner of questions that Harvey fails to address. Is this capitalist class homogeneous? Does it share consistent objectives in terms of economic development and management? And even if it does (and of course, it does not), what is its relation with the state and with the different tools of economic regulation, the law among them, that the state uses to govern and shape economic conduct?

If Harvey’s stimulating propositions call for circumspection on account of their simplifying structural abstractions, the connection to the “monopoly capital” thesis is that it too tends to rely upon just such totalizing, even reified, concepts. “Monopoly capital” is itself one such. One of the consistent themes of the tradition renewed by The Endless Crisis—one extending back through Baran and Sweezy’s Monopoly Capital to Rudolf Hilferding’s Finance Capital (1910) and even Lenin’s Imperialism (1917)—is its tendency not only to associate potent monopoly powers with a new stage or phase of capitalism but to depict the latter in terms of a consciously regulated and (centrally) planned system in which market-based competition largely disappears from view.36 For Lenin, this system fused the interests of capital and state (state monopoly capitalism); for Hilferding the fusion was tripartite, with finance capital also integral. But Marx, for all the stereotypes to the contrary, never saw capitalism as such. It was a totality, to be sure, but one that needs to be continually reproduced and reconstituted. This process occurs in and through the disparate actions of government, workers, consumers, businesses, and so on; when such reconstitution occurs in ways that imperil accumulation, crisis looms.

The point of saying all this is not simply to oppugn a totalizing view of “monopoly capital,” but to contrast with it the approach taken in this book, particularly to the law and its mobilization. There is not, and has not been, a single hand on the tiller, for all the obvious importance of the state as the law’s formal originator; there is no single, homogeneous entity pulling the levers, so to speak, of political-economic regulation— no consistent regime of conscious, systematic control. As with other modalities of economic regulation or governance, the law, in practice, does not “work” like that.

For one thing, there is an important difference between the written law and its interpretation. Two courts can interpret and apply the same law or laws in markedly different ways and with very different consequences. Perhaps the clearest example of this, at least in this book (Chapter 6), concerns U.S. antitrust law in the second half of the twentieth century: The nature and degree of enforcement of this law underwent a dramatic transformation in the late 1970s and early 1980s, but the law itself did not materially change. Intellectual training, social and political context, even judicial personality: These variables, and more, all matter to the law’s practical materialization. As such, we must remain constantly alive to the simple fact that, as Peter Carstensen has put it, “court doctrine is not the whole of the law in practice.”37 Relatedly, much of the enforcement of IP rights occurs at a significant remove from courts—specifically in, as argued by William T. Gallagher, the everyday practices of IP owners and their lawyers, whose “negotiations” with alleged infringers take place largely in the “shadow” of IP law.38

For another thing, just as the state never enacts new economic laws in total isolation from the influence and interests of capital, so both capital(s) and state—and indeed other economic agents—use the law to their own ends, and these ends are far from necessarily commensurate. Think, once again, about our two Apple cases. Who, in each case, instigated the legal action? Who put the law to work in their own interests? In the IP case it was Apple itself. In the class-action suit it was labor. But the latter suit was in fact itself based upon a prior government investigation launched by the Department of Justice’s Antitrust Division in 2010.39 Three legal cases, then, all driven by different actors with different motivations, but all revolving around the same political-economic locus: the knotty complex of profit generation and accumulation constituted by Apple Inc. And if the law, together with its agents, is so palpably nonsingular at the scale of the political economy of just one company, on what reasonable grounds could we ever envision it thus—as a vehicle of conscious, unified control—in relation to the political economy of capitalism more widely? The “great leveler” indicated in the book’s title, in short, is not some omnipotent regulator in charge of the law; it is the law per se.

How, then, might we more accurately characterize the human and institutional agency analyzed in the following pages in relation to the law, its mobilization, and its political-economic effects? At a general level, the conclusion reached by Paul David in his examination of the history of IP law fits particularly well: “The complex body of law, judicial interpretation, and administrative practice that one has to grapple with in this field was not created by some rational, consistent, social welfare-maximizing public agency. What one is faced with, instead, is a mixture of the intended and unintended consequences of an undirected historical process on which the varied interests of many parties, acting at different points (some widely separated in time and space), have left an enduring mark.”40 More specifically, however, we will see that although IP and competition laws have indeed performed their work under the influence of varied individuals and groups, the vast majority of the latter are ultimately committed to, and institutionally invested in, the reproduction, in as smooth a fashion as possible, of capitalism in more or less its existing form. And even more specifically, the “smoothness” here alluded to means the reproduction of capitalism especially without the kinds of problems—identified in Chapter 3—that tend to emerge when the necessary balance between monopoly and competition is substantially disrupted.

On all the above grounds, therefore, this book’s argument diverges from that which we find in the all-too-common narrative of competitive capitalism historically segueing into monopoly capitalism. Of course, none of this is to suggest that nothing has changed historically in the capitalist constellation of monopoly-competition structures and dynamics. Far from it. But the book’s fourth and final quarrel with the conventional narrative is that what has substantively, perhaps irrevocably, changed is not the relative levels of competitive intensity and monopoly power—as in, that era had more competition, this one has more monopoly—so much as the source of monopoly powers and the degree of defensibility thereof.

Capitalism, this argument runs, is always characterized by competitive undercurrents; were it not, it would not be capitalism. Meanwhile, and arising partly out of these competitive dynamics (the Marxian argument), there is an endemic drive to fashion monopoly powers. Yet the means of assembly of such powers do not remain constant, and neither does the ability of monopolistic capitalists to defend the powers thus amassed. Capitalists—and indeed the states committed to stabilizing capitalism, with the law one obvious apparatus at their disposal—must constantly find new ways of putting monopoly in place and keeping it there. “As monopoly privileges from one source diminish,” Harvey observes, “so we witness a variety of attempts to preserve and assemble them by other means.”41 Mindful, thus, of Marx’s dictum that the monopoly-versus-competition dualism is a red herring that confuses a dialectical relation for an oppositional one, this book focuses instead on the ways in which the unstable balance between the two forces is maintained—and it posits the law as the primary, necessarily mutable, instrument of such maintenance.

#### This culminates in a form of dread life which organizes and deploys disaster biopolitics to justify constant interventionism, health apartheid, and antagonistic subject formation that turns and outweighs the aff.

Debrix ‘18  
(François Debrix, Professor and director of ASPECT, College of Liberal Arts and Human Sciences, Virginia Tech. “End piece: Dealing with disastrous life” in Biopolitical Disaster. Ed. Jennifer L. Lawrence and Sarah Marie Wiebe. 2018 Routledge forthcoming. cVs) rc/pat

Disastrous biopolitics makes possible dread life. I borrow the term “dread life” from Neel Ahuja’s recent study of the racialized dimensions of the governance and management of anxiety, particularly with regards to the fear of infectious diseases (Ahuja 2016). Dread life is a life that has grown accustomed to and has placed its trust in governance discourses that promise that life can be cared for or preserved through a series of social, political, economic, cultural, or technological interventions at the level of collective and individual bodies. Dread life is a life that has become reliant on discourses and representations of crises, looming dangers, impending catastrophes, and ongoing disasters (whether they are visible or not). As Ahuja puts it, dread life emerges as a result of discourses and representations “that (1) posit the environment as an unruly site of perpetual risk, and (2) shore up an imperial optimism in the force of the state that tends to far outstrip its actual ability to control [the crisis]” (Ahuja 2016: 9). Discourses that produce dread life abound because they keep the crisis or the disaster alive, productive, and always active. Through these discourses, the presence of dread life is a constant reminder of the fact that humanity remains under the spell cast by a bad or evil star, that, as fate has it, disasters will always be around. But, just as crucially, dread life also enables the production of an array of configurations, objects, and objectives, and subjectivities that help to make disastrous biopolitics into a set of tangible, material, and generable operations on a day-to-day basis. Thus, dread life breaks down into a series of subsets of disastrous life and living conditions. Depending on how, where, or when the crisis or disaster is mobilized (as many of this volume’s chapters have detailed), dread life can morph into resilient life, or into triaged life, or perhaps into deracinated life, or possibly into toxic life, or sometimes into emergency life, or maybe into a life suspended between disease and death. Any instance whereby dread life is placed in front of “an unruly site of perpetual risk” (as Ahuja puts it) is potentially productive of one of these (and other) subsets of disastrous life/living. Moreover, for any subset of dread life one finds a corresponding modality of governance/governmentality best suited (or so we are told) to manage the crisis or the disaster and, as such, most apt at keeping alive as dread. Thus, for example, resilient life calls for, justifies, and makes effective operations, technologies, and strategies of resilience. Secure life instantiates and authorizes security practices, policies, and politics. Toxic life requires responses in the form of environmentally conscious purifying or cleansing remedies that typically mobilize various layers of scientific expertise. Triaged life often calls for and normalizes clinical and administrative gazes that can sort bodies in order to repurpose them for upcoming disaster challenges (wars, future diseases, weather emergencies, etc.) Dread life is also productive of a range of subjects and subjectivities in charge of determining which types of interventions at the level of populations and bodies are more likely to cope with the disaster of deciding how the governing strategy that has been adopted (resilience, sustainable development, security, etc.) is to be deployed. This is precisely the point where what Ahuja calls “the optimism in the force of the state” (2016:9) is maximized. The state or, better yet, all sorts of agents/agencies in charge of the governance of dread life both depend on and become a function of the production of multiple instances of dread life so that they can serve as the ultimate guarantors of the safety, security, resilience, or sustainability of life itself (even if, more often than not, such a maintenance of dread life implies the culling of other bodies whose lives are not even worthy of being subjected to dread). Thus, as most of this volume’s chapters have revealed, one cannot think life under conditions of disaster without accounting for a series of governing or managing agents/agencies (the state, in some cases, but also various neoliberal assemblages such as corporations, environmental organizations, militaries and other security and enforcement agents, laws, policies and policy statements, extractive technologies, regimes of health, communities of experts, scientific pronouncements, etc.) that come together to make sure that dread life will be maintained as dread life and that disasters will be kept as productive discursive modalities for more dread life (and disasters) to come. This is not necessarily to say that these agents or agencies of governance of dread life are the instigators of dread life or of disastrous biopolitics. Rather, it is to say that these agents/agencies of biopolitical governance are active assemblages that are produced by discourses of disaster maintenance and by the need created in these discourses for life to remain tethered to disaster. Yet, these active assemblages of productive governance of dread life through disaster management display an actancy (through their active/creative performances) that enables discourses of disastrous biopolitics to be reproduced, re-imagined, or redeployed.

#### The alternative is autoaesthetics – liberal biopolitics is a form of resilient living that subverts human potential into endless dangers to be secured – voting negative reintroduces death to the question of life – ask yourself, what would it mean to have a death well lived?

Evans and Reid ‘14

[Brad Evans, International Relations at the University of Bristol, and Julian Reid, International Relations at University of London. 2014. “Resilient Life”] pat – DM me for the PDF

Even through a brief social detour on fire, however, we can see how the continual framing of life in terms of its biological vulnerability has a more contested history. Indeed, even though the compulsion to view life biologically developed to be one of the defining features of modernity, throughout this period there was nevertheless some belief that the subject was able to secure itself from the problems of the world. This was backed up by the proliferation of various myths about belonging that were central to the creation of political communities. Liberalism, in contrast, operates as if it is ‘limitless’. Its reach, growth and development demand more, and more, and more. However, instead of relating this to a new-found metaphysical awakening that allows us to think that there is more to life than its biological endowment, contemporary liberal biopolitics turns infinite potentiality into a source of limitless endangerment such that all there is to think about is the sheer necessity and survivability of things. In this sense, it is more proper to describe liberal biopolitics as limitless. For rather than taking the open horizon as a space for the infinitely possible, everything is internalized such that it is haunted by whatever remains irreducible to its current sensibility. This inevitably brings us to the vexed question of a death well lived.

We don’t need grand theorizing to make the point that mediations on death have a profound impact upon the way we live. Anybody who has known a person with a terminal illness and becomes anxiously consumed with the prospect of dying will appreciate how the thought and presence of death effectively stops them living. They cannot live because the very uncertainties (physical and intellectual) presented by the mere thought of death are a burden that proves too difficult to carry. Hence, working in an opposite direction to Heidegger’s much debated claim that the ‘absolute impossibility’ of thinking about death constitutes the very possibility of being, the possibility of its occurrence is sufficient to instill what in fact is less a fear of death but more a fear of living. But we cannot simply stop there. As we have suggested, what makes the art of living so dangerously fascinating today is that it requires us to live through the source of our endangerment. Trauma and anxiety as such become our weapons, as vulnerability is amplified and played back to us with increasing frequency to their point of normalization. The political significance of this should not be underestimated.

Our argument is that the political debasement of the subject through strategies of resilience more than puts the very question of death into question by removing it from our critical gaze. In doing so, it represents nothing short of a profound assault on our ability to think metaphysically. This in turn represents a direct attack upon our abilities to transform the world beyond the catastrophic condition in which we are now immersed. After all, how can we even conceive of different worlds if we cannot come to terms with the death and extinction of this one? Resilience as such is what we may term a ‘lethal ecology of reasoning’, for in taking hold and seeking to intervene in all the elements upon which life is said to depend, it puts the living on a permanent life support system that is hard, soft and virtually wired into the most insecure of social fabrics to the evacuation of all possible alternative outcomes. To open, then, a much debated but still yet to be resolved conflict in the history of political and philosophical thought, we maintain that if the biopoliticization of life represents the triumph of techne over poiesis, and if this very biopoliticization today thrives on the technical production of vulnerable subjects which learn to accept that fate, there is a need to resurrect with confidence the idea that what remains irreducible to life can be the starting point for thinking about a more poetic alternative art for living. As Peter Sloterdijk writes on the all too gradual demise of metaphysics:

Ever since the end of the eighteenth century, this has become a twilight zone where it was also possible to see the growth of nihilism, and it was precisely because there that art began to assume an enormous importance, and precisely because art makes it clear that it has a non-nihilistic way of coming to terms with the fact that we ourselves are responsible for the creation of what we think of as the essential. Art defends the truth of life against flat empiricism and deadly positivism, which are no longer capable of an awareness of anything more than the facts and which are therefore incapable of culling the energy to create new inter-relationships of vital or living forces.

Life as a Work of Art

So where does this leave us in our attempts to move beyond the resilient subject? How may we revitalize the very meaning of the political out of the torment of its catastrophic condition? What is further required so that post-biopolitical forms of living may be entertained? How, in other words, may we resurrect with affirmative vigour Nietzsche’s delightful and no less poignant provocation that life itself may become a work of art? We are yet to truly grasp the magnificence of Nietzsche’s work as it may play out in the field of politics. While the stylistic artistry of his particular interventions largely remained tied to the literary field, as witnessed most notably in the figure of Zarathustra, he nevertheless demanded with affirmative vigour rejoicing in the fullness of an experience that embraces the poetic and the aesthetic. Not only does this stake a claim to the creative power of transformation, it also gives over to life the political possibility that its aesthetical qualities may have both an affirmative and resistive potential to challenge dogmatic images of thought. Never has this calling seemed more pressing.

What is at stake here is not simply the ‘aesthetics of existence’ wherein life conforms to some glorious representational standard of beautification. Such constructed imaginaries always grey the magnificent colours of the earth. What is demanded is the formulation of alternative modes of existence that are not afraid to have reasons to believe in this world. As Deleuze succinctly put it, ‘In every modernity and every novelty, you find conformity and creativity; an insipid conformity, but also “a little new music”; something in conformity with the time, but also something untimely – separating the one from the other is the task of those who know how to love, the real destroyers and creators of our day’. Deleuze invariably provides a purposeful nod here to the Nietzchean idea of a poetic subject:

that he himself is really the poet who keeps creating this life... as a poet, he certainly has vis contemplative and the ability to look back upon his work, but at the same time also and above all vis creative, which the active human being lacks... We who think and feel at the same time are those who really continually fashion something that had not been there before: the whole eternally growing world of valuations, colours, accents, perspectives, scales, affirmations, and negations’.

What Nietzsche acknowledges in this passage is that ‘aestheticizing of life entails its artful, stylish disappropriation, a free fall into metaphor and un-self-ness. Autoaesthetics, the artful and chimerical fabrication of the (un)self, means development of strategies of self-mastery, power over one’s art and production, a convergence with self at the locus of the creation (and interpretation) of art’. This was not lost on Foucault, who was also of the opinion that ‘from the idea that the self is not given to us, I think that there is only one practical consequence: we have to create ourselves as a work of art... We should not have to refer the creative activity of somebody to the kind of relation he has to himself, but should relate the kind of relation one has to oneself to a creative activity’.

We may argue that conceiving of life as a work of art stands in direct contrast to the nihilism, indifference and alienation of the catastrophic subject. It resurrects Nietzsche’s claim about the death of God in a way that seeks to find new forms of meaning to life that are necessarily revelatory in nature. And it challenges head on the positivist conceit that a meaningful life can only be progressively reasoned on account of its biopolitical existence. This demands an account of the subject that is more than a historical unfolding of survivability. As Simon Critchley puts it, by drawing upon one of his arch provocateurs, Oscar Wilde, ‘When I think of religion at all, I feel as if I would like to found an order for those who cannot believe: the Confraternity of the Faithless, one might call it, where on an altar, on which no taper burned, a priest, in whose heart peace had no dwelling, might celebrate with unblessed bread and a chalice of empty wine. Everything to be true must become a religion. And agnosticism should have its ritual no less than faith’. This acceptance that there is something to existence that is less explicable to the prevailing logics of secularity, as Todd May explains, requires a more nuanced understanding of philosophical enquiry that moves away from ‘thinking metaphysics’ and all its ways of stupefying and rendering incapable the subject, towards questioning how we might live differently:

We don’t want to reduce it simply to a morally good life, as though a meaningful life were simply an unalienated moral life. Meaningful lives are not so limited and are sometimes more vexed. So we must ask what lends objective worthiness to a life outside the moral realm. Here is where the narrative character of a life comes into play... There are narrative values expressed by human lives that are not reducible to moral values. Nor are they reducible to happiness; they are not simply matters of subjective feeling. Narrative values are not felt, they are lived. And they constitute their own arena of value, one that has not been generally recognized by philosophers who reflect on life’s meaningfulness.

There are a number of qualifications that need to be made here. We cannot be content to see artistic production as something which fosters a negative response to the realities of the world. Creativity must precede any account of the dialectic. Nor must we confuse the art of living with the conforming arts that merely perform a well-rehearsed dance. Life as a work of art is necessarily affirmative in a sense that it appeals to the yet to be revealed. It has no taste for the simulacrum. Neither is it content to accept the need to live dangerously such that we are forced to live with déjà vu all over again. The self is to be actively produced as a non-stable subject that does not seek to emulate some normative standard, but instead forcefully challenges the vulnerable ground which it is said to occupy. So believing in the irreducibility of existence? Certainly. Hostile to all reactive and enslaving forces? Undeniably. Unapologetic in willing the event of its ongoing emergent existence? Steadfast. Openly committed to the affirmative potential of the autonomous subject? Categorically. A believer in a more affective notion of history that is forever in the making? Unreservedly. A student of the eschatological? Earnestly. Appreciative of the transformative political power of fabulation? Truly. A lover of the poetic over the mathematical? Wholeheartedly. Welcoming our coming into the world? Without reservation.

#### The Role of the Judge is to give up hope.

#### Hopeful affirmation warps within the biomedical sphere to structure policy toward the governance of difference – voting neg refuses to play into the affirmation of life for the sake of it

Ehlers and Krupar ‘14

[Nadine Ehlers, Women's and Gender Studies at Georgetown University, and Shiloh Krupar, Geographer and Provost's Distinguished Associate Professor at Georgetown University. Fall 2014. “Hope Logics: Biomedicine, Affective Conventions of Cancer, and the Governing of Biocitizenry,” <https://ro.uow.edu.au/lhapapers/1849/>] pat

Hope carries utopian promise; it offers possibilities of a “not yet,” a “to come,” and an imagining of life otherwise. In contemporary critique, hope has often been deployed as the means to effect radical social transformation and the reinvention of contemporary reality. It is seen as a way of reaching beyond the stymied conditions of today by orienting toward the horizon of an alternative tomorrow. Hope is invoked as an incantation, under conditions of uncertainty; it is an insistent affirmation of the ability to effect change. This change can be imagined politically and economically, psychologically and corporeally. Indeed, hope is ubiquitous in contemporary culture, from US President Barack Obama’s political memoir—The Audacity of Hope—to international food drives—the “Convoy of Hope”4—to biomedical understandings of illness and health. As in the above quotation from “Banners of Hope” (an online outreach for children with life-threatening diseases), hope is the panacea for chronic or terminal illness. Hope might be seen to operate as a logic within the biomedical arena, one that structures subjectivities, social realities, and corporeal states. It incites particular behaviors; it induces certain forms of community and belonging; it seduces us to believe in the possible transcendence of bodily limits and/or temporal constraints. As we explore in this essay, hope is the guiding principle of biomedicine’s telos toward the affirmation of life.

This essay argues that hope is conventionalized in particular ways that work in the service of biopolitical imperatives to govern life, and to secure, optimize, and speculate on that life. We orient the investigation toward the regulation of affect within the US biomedical arena to consider how affective conventions—that is, the perceptual, emotional, and corporeal modes of managing and responding to events—of hope perform a governing function. In relation to illness, for example, they condition responses to bodily vulnerability and uncertainty, manage the present for the future, and relentlessly affirm life. We ground these broad claims in an examination of the dominant affective conventions of hope at work in cancer activism and treatment. Documenting the ways in which hope is increasingly militarized, commodified, routinized, and delimited in the neoliberal era, the essay explores how such conventions of hope are actively made and maintained through aspects of cancer-related biomedical encounters—what we call infrastructures of care and bioethics of faith within oncology. The essay concludes by considering alternative hope tactics—“hoping for other things”—in relation to cancer.

## Case

### Uv

#### No 1ar theory

#### 1~ Responses to my counter interp will be new which means 1ar theory necessitates intervention—-outweighs because it makes the decision arbitrary

#### 2~ Deters the 1NC from checking abuse out of fear for 1AR meta-theory, which destroys me since it's also preclusive. Turns their infinite abuse args.

#### 3~ Resolvability double bind—either you automatically accept 2AR responses to 2NR counter-standards which means they always win since I can't answer those responses, or you have to intervene to determine the credence you give those 2AR responses, which makes it irresolvable and unfair.

### Framework

#### Permissibility and presumption negate

#### 1] Obligations- the resolution indicates the affirmative has to prove an obligation, and permissibility would deny the existence of an obligation

#### 2] Falsity- Statements are more often false than true because proving one part of the statement false disproves the entire statement. Presuming all statements are true creates contradictions which would be ethically bankrupt.

#### 3] Affirmation theory- Affirming requires unconditionally maintaining an obligation

Affirm [is to]: maintain as true.

That’s Dictionary.com- “affirm” <https://www.dictionary.com/browse/affirm>

#### Practical reason fails

#### You conflates reason as a normative justification for action as opposed to a regular motivation for action – even if we ask why it does not establish normative authority but why we are motivated to follow that action

#### Schmagency – agency is escapable since we can opt out of it – individuals can just choose to opt out of the game of agency

#### Disinterested participant – we can engage in the process of agency but apathetically i.e. I can play chess not bc of the constitutive aim of causing checkmate but because the pieces move in cool ways, which means that agency is not binding

#### No way to verify if everyone has PR

#### Internalism fails – motivation is external

#### There is a separation between moral judgments and motivation to follow those judgments – for instance, people steal out of necessity even though they may know that it is morally incorrect – thus only when reasons line up with external circumstances can they be motivating

#### Arbitrariness – the reasons for actions individuals choose vary i.e. I could choose to eat peanut butter out of hunger or boredom, which means that not all reasons are equally motivating for all agents – we need an external source that acts as an objective motivator

#### Even if internalism is true individuals are only motivated by rational self interest – moral principles are chosen out of mutual agreement i.e. when we create a principle that killing is wrong we adopt it out of mutual restraint

#### Universality fails non contradiction assumes this

#### Kant triggers permissibility- there’s no brightline for what a “general” maxim so people can tailor their maxims to be more specific, ex. Lying is bad “non-universalizable” but lying to save someones life is universalizable

#### A priori reason is impossible – knowledge is experiential since we cannot gain a concept of a thing or an idea absent an experience of it i.e. no matter how much you describe to me the sun I cannot infer qualities abt it from your definition i.e. its warmth, its brightness, etc

#### I can universalize my respect for myself but don’t have to do it for others – I can universalize our respect from ourselves without having to universalize respect for everyone