### 1

#### Our interpretation is that the affirmative should have to defend the implementation of a topical plan text under the resolution: Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines.

#### Resolved means to enact a policy by law.

**Merriam Webster 18** [Merriam Webster; 2018 Edition; Online dictionary and legal resource; Merriam Webster, "resolve," <https://www.merriam-webster.com/dictionary/resolve;> RP]

: **a legal or official determination especially: a legislative** declaration

#### WTO member nations are all except 14 countries.

Amadeo 20 Kimberly Amadeo, 2020, “How Does a Country Become a WTO Member?,” The Balance, [Kimberly Amadeo is president of World Money Watch, where she shares her expertise on U.S. and world economies, as well as investing. The company produces publications about the global economy that are easy to understand, succinct, and full of practical information. Examples include "[The Ultimate Obamacare Handbook](https://www.amazon.com/Ultimate-Obamacare-Handbook-2015%C2%962016-Responsibilities/dp/1634505611/ref=sr_1_1?s=books&ie=UTF8&qid=1441059391&sr=1-1&keywords=the+ultimate+obamacare+handbook&pebp=1441059373218&perid=0DKBJYZ6ZR5WD40EFJF8)" published in 2015, and "[Beyond the Great Recession](https://www.amazon.com/Beyond-Great-Recession-Happened-Prosper/dp/0984532706/ref=sr_1_1?s=books&ie=UTF8&qid=1333307640&sr=1-1)" published in 2010. Prior to reaching a milestone of 20 years of experience in economic analysis and business strategy, Kimberly received her master's in business administration from MIT's Sloan School of Management. Kimberly has been featured as an expert on the PBS program "[To the Contrary](https://www.youtube.com/watch?v=6eS1y22i88o&feature=youtu.be)" discussing unemployment, as well as Varney & Co., a news talk show on the Fox Business Network, NBC News, and CCTV America. Other features where Kimberly can be heard discussing the state of the economy include U.S. News and World Report, The Dallas Morning News, Forbes, Industry Week, and the Washington Post.] <https://www.thebalance.com/how-does-a-country-become-a-wto-member-3306362>, //SLCAMRRK

Only 14 countries are not WTO members. These nations do not wish to become members. They are Aruba, Eritrea, Kiribati, Kosovo, Marshall Islands, Micronesia, Monaco, Nauru, North Korea, Palau, the Palestinian Territories, San Marino, Sint Maarten, and Tuvalu.

#### Reductions are down to smaller amounts.

Court of Appeals of Oregon 06. Robert A. FOLKERS, Jr., Petitioner-Cross-Respondent, v. LINCOLN COUNTY SCHOOL DISTRICT, Respondent-Cross-Petitioner. FDA-01-09; A123667. <https://caselaw.findlaw.com/or-court-of-appeals/1490635.html>

Petitioner seeks judicial review of the decision of the Fair Dismissal Appeals Board (the board) dismissing his appeal.   After respondent Lincoln County School District (the district) unilaterally amended his employment contract by increasing the number of days of work without increasing his pay, petitioner appealed to the board.   The board concluded that the district's action was not a “reduction in pay” and, hence, not an action over which the board had subject matter jurisdiction. We affirm.

The pertinent facts are undisputed.   Petitioner was a licensed school administrator.   From 1993 to 1998, he was principal of a kindergarten-through-12th-grade school in the district.   In 1998, the district reassigned him to be assistant principal at a high school.   In 2000, petitioner signed a three-year contract with the district that set his monthly salary for the contract year and required 220 work days for the year.   During the first year of that contract, however, the district adopted a new employee compensation plan covering the period from July 1, 2001 through June 30, 2006.   Pursuant to that plan, the district set petitioner's salary at essentially the same amount for the 2001-02 contract year as for the previous year 1 but increased the number of work days for the contract year from 220 to 230.   The district sent petitioner a document informing him of the contract action.   Petitioner signed the document but inserted a statement that he objected to the listed salary and reserved his right to appeal.

Petitioner then filed an appeal with the board contesting the district's action, alleging that it amounted to an unauthorized “reduction in pay.”   In his notice of appeal, petitioner asserted that the district's action constituted a “reduction in pay” within the meaning of ORS 342.845(5)(a), which authorizes administrators to appeal such reductions to the board, and that the reduction was unauthorized because the district had neither “established nor otherwise attempted to establish any grounds for the action.”   The district moved to dismiss the appeal, contending that the appeal was untimely  and that, because the district's action was not a “reduction in pay,” the board lacked subject matter jurisdiction.

The board rejected the district's timeliness argument but agreed that it lacked subject matter jurisdiction.   The board determined that, under ORS 342.845(5),2 administrators may appeal only two types of actions:  reductions in pay and dismissals.   It rejected petitioner's contention that the district reduced his pay by holding his salary constant but increasing his work year by 10 days.   The board reasoned:

“The statute addresses reductions in pay.   We do not have jurisdiction to consider appeals of changes in other working conditions, whether they be changes in length of day, number of days, duties, location of work, or size of school.   If the legislature wanted us to solve such a complex equation, it would have set forth additional factors for our consideration in the statute.   It did not.   The statute directs us to consider only reductions in pay.   As we said in [McNair v. Springfield School District, FDA 01-06 (2003)], ‘A reduction in pay, using the natural and ordinary meaning of the terms “reduce” and “reduction,” means pay that has been brought down to a smaller amount.’  \* \* \* As in [McNair, petitioner] here did not receive a reduction in pay.   He received the same compensation he had received the prior year.”

#### Intellectual property includes four things

Brewer 19 [(Trevor, advises clients on business structuring and sale transactions, regulatory compliance, third-party contracts, liability protection and general matters facing small business owners. His focus extends beyond legal advice and includes business strategy and wealth preservation.) “WHAT ARE THE FOUR BASIC TYPES OF INTELLECTUAL PROPERTY RIGHTS?” Brewer Long, 5/16/19. <https://brewerlong.com/information/business-law/four-types-of-intellectual-property/>] RR

There are four types of intellectual property rights and protections (although multiple types of intellectual property itself). Securing the correct protection for your property is important, which is why consulting with a lawyer is a must. The four categories of intellectual property protections include:

TRADE SECRETS

Trade secrets refer to specific, private information that is important to a business because it gives the business a competitive advantage in its marketplace. If a trade secret is acquired by another company, it could harm the original holder.

Examples of trade secrets include recipes for certain foods and beverages (like Mrs. Fields’ cookies or Sprite), new inventions, software, processes, and even different marketing strategies.

When a person or business holds a trade secret protection, others cannot copy or steal the idea. In order to establish information as a “trade secret,” and to incur the legal protections associated with trade secrets, businesses must actively behave in a manner that demonstrates their desire to protect the information.

Trade secrets are protected without official registration; however, an owner of a trade secret whose rights are breached–i.e. someone steals their trade secret–may ask a court to ask against that individual and prevent them from using the trade secret.

PATENTS

As defined by the U.S. Patent and Trademark Office (USPTO), a patent is a type of limited-duration protection that can be used to protect inventions (or discoveries) that are new, non-obvious, and useful, such a new process, machine, article of manufacture, or composition of matter.

When a property owner holds a patent, others are prevented, under law, from offering for sale, making, or using the product.

COPYRIGHTS

Copyrights and patents are not the same things, although they are often confused. A copyright is a type of intellectual property protection that protects original works of authorship, which might include literary works, music, art, and more. Today, copyrights also protect computer software and architecture.

Copyright protections are automatic; once you create something, it is yours. However, if your rights under copyright protections are infringed and you wish to file a lawsuit, then registration of your copyright will be necessary.

TRADEMARKS

Finally, the fourth type of intellectual property protection is a trademark protection. Remember, patents are used to protect inventions and discoveries and copyrights are used to protect expressions of ideas and creations, like art and writing.

Trademarks, then, refer to phrases, words, or symbols that distinguish the source of a product or services of one party from another. For example, the Nike symbol–which nearly all could easily recognize and identify–is a type of trademark.

While patents and copyrights can expire, trademark rights come from the use of the trademark, and therefore can be held indefinitely. Like a copyright, registration of a trademark is not required, but registering can offer additional advantages.

#### Medicines prevent, diagnose, or treat harms

**MRS 20** [(MAINE REVENUE SERVICE SALES, FUEL & SPECIAL TAX DIVISION) “A REFERENCE GUIDE TO THE SALES AND USE TAX LAW” <https://www.maine.gov/revenue/sites/maine.gov.revenue/files/inline-files/Reference%20Guide%202020.pdf> December 2020] SS

[Medicines](https://www.lawinsider.com/dictionary/medicines) means antibiotics, analgesics, antipyretics, stimulants, sedatives, antitoxins, anesthetics, antipruritics, hormones, antihistamines, certain “dermal fillers” (such as BoTox®), injectable contrast agents, vitamins, oxygen, vaccines and other substances that are used in the prevention, diagnosis or treatment of disease or injury and that either (1) require a prescription in order to be purchased or administered to the retail consumer or patient; or (2) are sold in packaging.

#### Prefer:

#### (1) Procedural fairness – everyone has the desire to win and preserving an equitable basis for competition is a prerequisite to the desire to learn, a topic unconstrained by the resolution lacks a stasis that provides a role for negative preparation. Competitive incentivizes mean strategic 1ars defend as little as possible to mutate and permute every critique, this turns the aff any benefit of the activity be it research, prep, or the process of debating is structured by the incentive to compete. Debate collapses under your interpretation – competition separates debate from other activities such as receiving a lecture or reading a book- this turns the case the reading of the 1ac proves they think debate can be good.

#### (2) Clash – The topic delineates aff and neg ground on an issue that allows in depth engagement while their model creates one-sided monologues. Their model forecloses the ability of intricate debate and advocacy refinement by forcing us into stale generics, since we can’t predictably research the 1AC.

#### (3) SSD – refusal to both negate and affirm the resolution moots exportable strategies only through stepping in the shoes of the enemy can we truly equip ourselves with the tools best able to challenge the enemies’ point of view.

#### Fairness is a voter and outweighs – (1) Constitutive: Every argument either debater makes relies on the judge evaluating them fairly. (2) Probability: Voting aff can’t solve any of their impacts but it can solve ours. All the ballot does is tell tab who won which can’t stop any violence but can resolve the fairness imbalance in this particular debate. (3) Internal link Turn: a limited debate promotes in research and engagement which is necessary to access all of their education.

#### Vote Neg on T: They’ve destroyed the round from the beginning and topicality’s key to set the correct model of debate which means it comes first—it has to be a voting issue because it disproves entire 1AC.

#### Competing interpretations—Topicality is question of models of debate which they should have to proactively justify and we’ll win reasonability links to our offense.

#### New 2nr answers to AC preempts because they are hidden, and implications are unknown until the 1ar.

#### No Impact Turns and RVIs – [A] Perfcon – if T’s bad and you vote for them on that arg, you’re voting on T. [B] Substance – if T’s bad then we should try debating on substance – impact turns force me to go for T since I need to defend my position.

### 2

#### Subjects are defined by a constitutive lack created by initiation into the discursive realm. Signifiers claiming to solve the lack lead to ressentiment and scapegoating.

Van Haute (Philippe, Against Adaptation: Lacan’s “Subversion” of the Subject Translated by Paul Crowe and Miranda Vankerk 2002) // UH-DD

“**The human being as a being of needs** (∆) **cannot express its needs other than through language.** For in order **to satisfy needs we require the help of the Other, who will** herself immediately **interpret the utterances of the child in terms of the order of signifiers. When a child cries, the** mother **[first Other] says, “She must be hungry,”** “She needs a fresh diaper,” or “She is unhappy.” In the elementary cell of the graph this concatenation of signifiers is represented by the vector . In this context, Lacan compares the pre-linguistic subject that inscribes itself in language to a fisherman, who casts a fishing-line (the vector ∆.) into the world of language () and, as it were, “catches” a signifier (“the fish it hooks”).18 **The articulation of the needs is not**, however, **a neutral operation.** Rather, **language introduces a clear and articulated structure into the** more or less **confused sensations and feelings by which the needs at first manifest themselves.** Anyone who has followed a wine-tasting course knows that a significant part of the course content consists in learning to give a name to the various flavors that one tastes when drinking wine.19 Once one has this skill in hand, one very soon notices that the names rebound upon how and what one tastes. The wine connoisseur tastes more and tastes otherwise than the normal untrained person. Of course, the latter nonetheless also notices differences between different sorts of wine. However, the capacity to also be able to clearly articulate these differences in language gives the tasting a quality it did not possess of itself, and that cannot be derived directly from the immediate experience.20 According to Lacan, the expression of needs in the order of language and culture leads to a diversification and multiplication that cannot be entirely explained by biology. Similarly, for example, humans are not only in search of a sufficient number of calories in order to survive, and perhaps not even primarily so. One look at the menu of any restaurant suffices to confirm that the demand for food is very diversified, and goes far beyond the level of biological functionality. “∆” indicates the human being as a being of needs that seeks satisfaction; it indicates the pure movement of life. **In the first moment, this being wants nothing more than to return to the state that existed before the needs manifested themselves** (“the intention that tries to bury it—the signifier—in the mass of the pre-text”). **It simply** **seeks satisfaction.**21 **However, the being of needs unavoidably encounters language** (the vector ) along its way (“its free movement”), **which subsumes its needs in a dynamic that cannot be reduced to biological necessity** and often takes no account of it. Consequently, **the relation between language and body is characterized by an essential exteriority**. More specifically, the relation between these two orders cannot be thought of as a relation of expression; **the symbolic is not the translation of a pre-given natural order.** On the contrary, for Lacan **language is like an alien body that grafts itself onto the order of the body and of nature.**22 We now understand, further, why the two vectors of the elementary cell of the graph have a different direction, and why they cross each other twice (“the retrograde direction in which its double intersection with the vector occurs”).23 Language is not simply the extension of the world of immediate experience (“the stream of experience”) and of needs. The symbolic follows a peculiar dynamic, which cannot be derived from biological reality or from the immediacy of experience. Accordingly, the two vectors do not follow the same direction—rather they intersect one another. **By inscribing itself in language in this way, the being of needs becomes a subject. This subject, however,** is essentially a split or crossed-out subject that **can never coincide with itself** (). **As soon as the subject is marked by the signifier, every determination of it leaves a remainder**; the subject as subject of the signifier—and strictly speaking there is no other—never simply coincides with itself.This implies that access to the immediacy of the “stream of experience” is denied to the subject once and for all. As subject of the signifier, all the subject can do is to strive after this lost immediacy from within the order of language, and all it achieves by this is to re-establish its own partition (Van Haute 1998). The exteriority of language with respect to the body takes on an extra dimension; not only is language not the extension of the body, but the entry into the order of language must always be understood as a loss. This loss can be made up for in very different ways on the level of phantasy,24 but inevitably these can only refer to the idea of a fullness and immediacy that is no longer affected by the differentiating and fragmenting force of the signifier. We will now illustrate this idea further by way of the relationship between the body and the unconscious in Lacan.”

#### 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.

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 [Recut by Lex CH]

“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 individual’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 subjectivity 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 reduction 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 specificity of the demand becomes less relevant than the structural fact that de- mand presupposes the ability of the addressee to fulfill the demand. This impossibility 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 constitutive 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 affirmative destroys the possibility for finding ethical truths, politics, and value to life that is the internal link to every other impact in the round – which turns the case as it causes an endless repetition reading of the 1AC which sustains these fantasies of social transformation that requires an affective attachment to the space.

Ruti 14 (Mari, English, Toronto, Psychoanalysis, Culture & Society (2014) 19, 297–314) 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.

#### The alternative is a “NO” to the affirmative. Only this intervention can crack open the symbolic coordinates that allow the aff to name and claim what it wants without calling on an inaccessible symbolic other.

Lundberg 12 (Christian, Associate Prof. of Rhetoric @ UNC Chapel Hill, “On Being Bound to Equivalental Chains,” *Cultural Studies*, Volume 26, Issue 2-3, 2012)

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 result to 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 organizing principle for political identity. This naming is not about discovering a latently held but hidden interiority, rather it is about naming a practice of political subjectivization that is not solely oriented towards or determined by the locus of the demand, determined by the contingent sets of coping strategies that orient a subject towards others and a political order**.** As Lacan argues, this is the point where a subject becomes a kind of new presence, or in the register of this essay, 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 entirely given . . .. In naming it, the subject creates, brings forth, a new presence in the world’ (Lacan 1988, pp. 228 229). Alternatively, subjects can stay fixated on the demand, but in doing so they forfeit the possibility of desire, or as Fink argues: ‘later, however, Lacan comes to see that 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’ (Fink 1996, p. 90). What does this have to do with hysteria? A politics defined by and exhausted in demands is definitionally a hysterical politics. The hysteric is defined by incessant demands on the other at the expense of ever articulating a desire which is theirs. In the Seminar on the Ethics of Psychoanalysis, for example, Lacan argues that the hysteric’s demand that the Other produce an object is the support of an aversion towards one’s desire: ‘the behavior of the hysteric, for example, has as its aim to recreate a state centred on the object, in so far as this object, das Ding, is, as Freud wrote somewhere, the support of an aversion’ (Lacan 1997, p. 53). This economy of aversion explains the ambivalent relationship between hysterics and their demands. 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 enjoying the act of figuring the other as the one with the exclusive capability to satisfy the demand. Thus the logic of ‘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 register of enjoyment, demand is a kind of surrender. As a relation of address hysterical demand is more a demand for recognition and love from an ostensibly repressive order than a claim for change. The limitation of the students’ 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. Here the fundamental problem of democracy is not in articulating resistance over and against hegemony, but rather the practices of enjoyment that sustain an addiction to mastery and a deferral of desire.

## Case

### Overview

#### Vote negative on presumption – two warrants

#### [1] Academia turn – the 1ac is a regurgitation of knowledge that already exists within academia which proves they aren’t a departure from the status quo and voting aff is not intrinsic to affirming

#### [2] Alliances DA - debate is not the forum for social change nor is it one for revolutionary movements – the competitive nature of debate swallows the movements created by the affirmative – it causes teams to ally themselves with people who vote for them and read their arguments – but alienate the people who are forced to debate you – this proves their model forwards exclusion and their [insert aff] movements fail due to creating allies based on competition rather than those who genuinely support your project

### Framing

#### 1] Their form of ethics ends up reifying inside-outside binaries and reproducing violence – only rigorous explanatory critique can undermine the basis for moralism – consequentialism is key.

#### 2] Cruel optimism.

Berlant 11 [Lauren, George M. Pullman Professor, Department of English, University of Chicago, *Cruel Optimism*, Routledge: Duke University Press, 2011, p. 33-6] [Recut by Lex CH]

When we talk about an object of desire, we are really talking about a cluster of promises we want someone or something to make to us and make possible for us.This cluster of promises could be embedded in a person, a thing, an institution, a text, a norm, a bunch of cells, smells, a good idea - whatever. To phrase 'the object of desire' as a cluster of promises is to allow us to encounter what's incoherent or enigmatic in our attachments, not as confirmation of our irrationality but as an explanation for our sense of our endurance in the object, insofar as **proximity to the object means proximity to the cluster of things that the object promises**, some of which may be clear to us while others not so much. In other words, all attachments are optimistic**. That does not mean that they** all **feel optimistic**: one might dread, for example, returning to a scene of hunger or longing or the slapstick reiteration of a lover or parent's typical misrecognition. **But the surrender to the return to the scene where the object hovers in its potentialities is the operation of optimism as an affective form**. In optimism, the subject leans toward promises contained within the present moment of the encounter with their object.' **'Cruel optimism' names a relation of attachment to compromised conditions of possibility** whose realisation is discovered either to be impossible, sheer fantasy, or too possible, and toxic. What's cruel about these attachments, and not merely inconvenient or tragic, **is that the subjects who have x in their lives might not well endure the loss of their object or scene of desire, even though** its presence threatens their well-being**, because whatever the content of the** attachment **is, the continuity of the form of it provides something of the continuity of the subject's sense of** what it means to keep on living on and to look forward to being in the world. This phrase points to a condition different than that of melancholia, which is enacted in the subject's desire to temporise an experience of the loss of an object/scene with which she has identified her ego continuity. Cruel optimism is the condition of maintaining an attachment to a problematic object. One more thing: **the cruelty of an optimistic attachment is**, I think, usually **something an analyst observes about someone's** or some group's **attachment** to x, **since usually** that attachment exists without being an event, or even better, seems to lighten the load for someone/some group.^ But if the cruelty of an attachment is experienced by someone/some group, even in disavowed fashion, the fear is that the loss of the object/scene of promising itself will defeat the capacity to have any hope about anything. Often this fear of loss of a scene of optimism as such is unstated and only experienced in a sudden incapacity to manage startling situations, as we will see below. One might point out that all objects/scenes of desire are problematic, in that investments in them and projections onto them are less about them than about what cluster of desires and affects we can manage to keep magnetised to them. I have indeed wondered whether all optimism is cruel, because the experience of loss of the conditions of its reproduction can be so breathtakingly bad, just as the threat of the loss of x in the scope of one's attachment drives can feel like a threat to living on itself. But some scenes of optimism are clearly crueller than others:where cruel optimism operates, the very vitalising or animating potency of an object/ scene of desire contributes to the attrition of the very thriving that is supposed to be made possible in the work of attachment in the first place. This might point to something as banal as a scouring love, but it also opens out to obsessive appetites, working for a living, patriotism, all kinds of things. One makes affective bargains about the costliness of one's attachments, usually unconscious ones, most of which keep one in proximity to the scene of desire/attrition. This means that a poetics of attachment always involves some splitting off of the story I can tell about wanting to be near x (as though x has autonomous qualities) from the activity of the emotional habitus I have constructed by having x in my life in order to be able to project out my endurance as proximity to the complex of what x seems to offer and proffer. To understand cruel optimism, therefore, one must embark on an analysis of rhetorical indirection, as a way of thinking about the strange temporalities of projection into an enabling object that is also disabling. I learned how to do this from reading Barbara Johnson's work on apostrophe and free indirect discourse. In her poetics of indirection, each of these rhetorical modes is shaped by the ways a writing subjectivity conjures other ones so that, in a performance of fantasmatic intersubjectivity, the writer gains superhuman observational authority, enabling a performance of being made possible by the proximity of the object. Because this object is something like what I am describing in the optimism of attachment, I'll describe a bit the shape of my transference with her thought. In 'Apostrophe, Animation, and Abortion,' which will be my key referent bere, Johnson tracks the political consequences of apostrophe for what has become foetal personhood: a silent, affectively present but physically displaced interlocutor (a lover, a foetus) is animated in speech as distant enough for a conversation but close enough to be imaginable by the speaker in whose head the entire scene is happening.' But the condition of projected possibility, of a hearing that cannot take place in the terms of its enunciation ('you' are not here, 'you' are eternally belated to the conversation with you that I am imagining) creates a fake present moment of intersubjectivity in which, nonetheless, a performance of address can take place.The present moment is made possible by the fantasy of you, laden with the x qualities I can project onto you, given your convenient absence. Apostrophe therefore appears to be a reaching out to a you, a direct movement from place x to y, but it is actually a turning back, an animating of a receiver on behalf of the desire to make something happen now that realises something in the speaker, makes the speaker more or differently possible, because she has admitted, in a sense, the importance of speaking for, as, and to, two: but only under the condition, and illusion, that the two is really (in) one. Apostrophe is thus an indirect, unstable, physically impossible but phenomenologically vitalising movement of rhetorical animation that permits subjects to suspend themselves in the optimism of a potential occupation of the same psychic space of others, the objects of desire who make you possible (by having some promising qualities, but also by not being there).'' Later work, such as on 'Muteness Envy,' elaborates Johnson's description of the gendered rhetorical politics of this projection of voluble intersubjectivity.'^ The paradox remains that **the conditions of the lush submerging of one consciousness into another require a double negation: of the speaker's boundaries**, so s/he can grow bigger in rhetorical proximity to the object of desire; **and of the spoken of, who is** more or less **a** powerful mute **placeholder providing an opportunity for the speaker's imagination** of her/his/their flourishing. Of course **psychoanalytically speaking** all intersubjectivity is impossible**. It is a** wish, a **desire**, and a demand for an enduring sense of being with and in x, and is related to that big knot **that marks the indeterminate relation between a feeling of recognition and misrecognition** - recognition is the misrecognition you can bear, **a transaction that affirms you** without, again, necessarily feeling good or accurate (it might idealise, **it might affirm your monstrosity**, it might mirror your desire to be nothing enough to live under the radar, it might feel just right, and so on).'' Johnson's work on projection shows that scenes of impossible identity, rhetorically rendered, open up meaning and knowledge by mining the negative - projective, boundary dissolving - spaces of attachment to the object of address who must be absent in order for the desiring subject of intersubjectivity to get some traction, to stabilise her proximity to the object/scene of promise. In free indirect discourse, a cognate kind of suspension, the circulation of this kind of merged and submerged observational subjectivity, has less pernicious outcomes, at least when Johnson reads Zora Neale Hurston's practice of it.' In a narrator's part-merging with a character's consciousness, say, free indirect discourse performs the impossibility of locating an observational intelligence in one or any body, and therefore forces the reader to transact a different, more open relation of unfolding to what she is reading, judging, being, and thinking she understands. In Jobnson's work such a transformative transaction through reading/speaking 'unfolds' the subject in a good way, despite whatever desires they may have not to become significantly different." In short, Johnson's work on projection is about the optimism of attachment, and is often itself optimistic about the negations and extensions of personhood that forms of suspended intersubjectivity demand from the reader. What follows is not so buoyant: this is an essay politicising Freud's observation that 'people never willingly abandon a libidinal position, not even, indeed, when a substitute is already beckoning to them'.^ It comes from a longer project about the politics, aesthetics, and projections of political depression. Political depression **persists in affective judgments of the world's intractability** - evidenced in affectlessness, apathy, coolness, cynicism, and so on - **modes of what might be called detachment that are really not detached at all but** constitute ongoing relations of sociality**.'"** The politically depressed position is manifested in the problem of the difficulty of detaching from life-building modalities that can no longer be said to be doing their work, andwhich indeed make obstacles to the desires that animate them; my archive tracks practices of self-interruption, self-suspension, and self-abeyance that indicate people's struggles to change, but not traumatically, the terms of value in which their life-making activity has been cast." **Cruel optimism is**, then, like all phases, a deictic, a phrase that points to a proximate location: as **an analytic lever** it is an incitement to inhabit and **to track the** affective **attachment to what we call 'the good life,'** which is for so many a bad life that wears out the subjects who nonetheless, and at the same time, find their conditions of possibility within it**.** My assumption is that **the conditions of ordinary life** in the contemporary world even of relative wealth, as in the US, **are conditions of the** attrition or the **wearing out of the subject**, and that the irony - that the labour of reproducing life in the contemporary world is also the activity of being worn out by it - has specific implications for thinking about the ordinariness of suffering, the violence of normativity, and the 'technologies of patience' or lag that enable a concept of the later to suspend questions of the cruelty of the now.'^ Cruel optimism is in this sense a concept pointing toward a mode of lived imminence, one that grows from a perception about the reasons people are not Bartlehy, do not prefer to interfere with varieties of immiseration, but choose to ride the wave of the system of attachment that they are used to, to syncopate with it, or to be held in a relation of reciprocity, reconciliation, or resignation that does not mean defeat by it. Or perhaps they move to normative form to get numb with the consensual promise, and to misrecognise that promise as an achievement. This essay traverses three episodes of suspension - from John Ashhery, Charles Johnson, and Ceoff Ryman - of the reproduction of habituated or normative life. These suspensions open up revelations about the promises that had clustered as people's objects of desire, stage moments of exuberance in the impasse near the normal, and provide tools for suggesting why these exuberant attachments keep ticking not like the time bomb they might be but like a white noise machine that provides assurance that what seems like static really is, after all, a rhythm people can enter into while they're dithering, tottering, bargaining, testing, or otherwise being worn out by the promises that they have attached to in this world.