## 1

#### Interpretation: The negative need not rejoin affs that defend something outside the desirability of topical action. AND affs may only garner offense off the hypothetical implementation of the resolution.

#### Nations are defined territories with governments

**Merriam Webster** [Merriam Webster, 8-22-2021, accessed on 9-6-2021, Merriam-webster, "Definition of NATION", <https://www.merriam-webster.com/dictionary/nation>] Adam

Definition of nation (Entry 1 of 2) 1a(1): [NATIONALITY sense 5a](https://www.merriam-webster.com/dictionary/nationality)three Slav peoples … forged into a Yugoslavia without really fusing into a Yugoslav nation— Hans Kohn (2): a politically organized [nationality](https://www.merriam-webster.com/dictionary/nationality) (3)in the Bible : a non-Jewish nationalitywhy do the nations conspire— Psalms 2:1 (Revised Standard Version) b: a community of people composed of one or more [nationalities](https://www.merriam-webster.com/dictionary/nationalities) and possessing a more or less defined territory and government Canada is a nation with a written constitution— B. K. Sandwell c: a territorial division containing a body of people of one or more nationalities and usually characterized by relatively large size and independent statusa nation of vast size with a small population— Mary K. Hammond 2archaic : [GROUP](https://www.merriam-webster.com/dictionary/group), [AGGREGATION](https://www.merriam-webster.com/dictionary/aggregation) 3: a tribe or federation of tribes (as of American Indians)the Seminole Nation in Oklahoma

#### Medicines refer to physical substances.

American Heritage Dictionary of Medicine 18 The American Heritage Dictionary of Medicine 2018 by Houghton Mifflin Harcourt Publishing Company <https://www.yourdictionary.com/medicine> //Elmer

"A **substance**, **especially a drug**, **used to treat** the signs and symptoms of a **disease**, condition, or injury."

#### There are 4 types of IP the aff could reduce.

**Brewer 19** [Trevor Brewer, 5-16-2019, accessed on 8-11-2021, BrewerLong, "What Are The 4 Types of Intellectual Property Rights? BrewerLong", <https://brewerlong.com/information/business-law/four-types-of-intellectual-property/>] Adam

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](https://www.wipo.int/sme/en/ip_business/trade_secrets/protection.htm); 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](https://www.uspto.gov/help/patent-help#patents) (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.

#### Violation: They don’t meet my definitions

Prefer spirit over text all the standards verify the abuse, at best they are extratopical which still violates the shell

Two terminal impacts

#### Limits - absent topical constraints negatives have to prepare for thousands of k affs which are incentivized to read advocacys with no neg ground. They also force small school debaters out of the activity because they don’t have files to prepare for affirmatives like yours.

#### depth of argumentation - their model forces negatives into hyper generics, these positions are terrible for depth and clash since they are applied to every aff. Their model is one in which debaters constantly recycle old backfiles rather than engaging in nuanced discussions.

#### TVA solves – read an aff about how intellectual property dipsorporteinately hurts low income countries and black women, use the state as a heuristic and take negative state action disads are just neg ground.

#### Switch side debate solves - otherwise the AC becomes a one sided monologue. Viewing the world from the perspective of the oppressor allows us to create better strategies to defeat them by understanding their point of view.

Education is a voter it’s the only thing we get out of debate

Fairness is a voter a) it’s an intrinsic good – debate is fundamentally a game proven by wins, losses and speaker points which proves its inescapable b) probability – debate can’t alter subjectivity, but it can rectify skews which means the only impact to a ballot is fairness and deciding who wins, c] it link turns the aff – your role of the ballot is to promote discussion but unfairness means the debate turns into a one sided monologue. D] if they don’t care about fairness vote against them since they don’t care if their arguments are evaluated fairly

Procedural fairness outweighs structural A) it makes debate more fair for everybody so its most accessible overall B) it’s the only thing we have control over because we cant control out of round factors.

#### Drop the debater – you skewed my ability to win substance so I need an out on T

#### Use Competing interps – it creates a race to the top where we set the best norms

No impact turns or 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. C] logic – you don’t win for being topical D] baiting – justifies infinite abuse since you will just prep out T for 4 years and win off the RVI.

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

Don’t allow crossaps from case A) Fairness acts as an epistemic filter – I wasn’t given a fair shot to answer your arguments so we don’t know if they are true B) the shell indicts the aff so weighing it just proves the abuse

#### Fairness straight turns the aff and answers their ROTB arguments

Bjerg, 11—Department of Management, Politics and Philosophy, Copenhagen Business School (Ole, *Poker: the parody of capitalism* pg 190-198)

In order to understand the conceptual difference, it is important to note that when Baudrillard speaks of the law, he is not referring to law only in the strictly judicial meaning of the term. Baudrillard is rather drawing on a psychoanalytical tradition from Freud and Lacan in which the concept of law stands for any kind of social regularity, such as prohibitions, norms, values, morals, conventions, and so on, that structures the way we act and construct meaning in society. Law constitutes the social order of society. Viewed from the perspective of an individual immersed in the daily life of society, the difference between the law of society and the rule of the game is a difference between necessity and arbitrariness. The law consists not only of a series of prohibitions and norms. It carries also an account of the justification and rationality of the law. The law tells us not only what we should and should not do; it tells us also why we should or should not do this or that. The law claims to be valid and necessary regardless of the opinions held by the individual subject included in the law. The necessity of law is founded on transcendence. This may be the transcendence of a religious order, a principle of reason and rationality, or a system of tradition. In any case the law justifies itself with reference to some order beyond the immediate content of itself. Contrary to the law, the game and the rule are characterized by their arbitrariness. The rule claims no justification beyond its immediate appearance. It does not profess to represent a higher religious order or rational principle. In this way the rule is purely immanent to the game. Furthermore, the rule tells the subject engaged in the game what to do and not to do, but it does not give him [them] any reasons why he [they] should follow the rule. When asked, the rule provides no other justification for itself than the mere reference to the game itself: “Because these are the rules of the game!” Baudrillard sums up the difference between the rule and the law: “The Rule plays on an immanent sequence of arbitrary signs, while the Law is based on a transcendent sequence of necessary signs.”4 Think of the very simple game you can play when walking on the street in which you are not allowed to step on the lines between the flags of the pavement. The game is instituted by the invocation of the rule “Don’t step on the lines!” This rule is purely arbitrary. The game could be played just as well with the complete opposite rule: “You must step on a line for every single step you take!” Furthermore, the rule gives no reason that it should be followed. It has no “formal, moral or psychological structure or superstructure”5 to support its functioning. The functioning of the game is dependent on the voluntary submission to the rule by the players engaging in the game. Compare this to the traffic regulations prescribed by law: “Don’t walk in the street.” “Cross the street only at the green light.” These regulations apply unconditionally and must be obeyed by anyone regardless of whether he wants [they want] to or not. Traffic regulations come with a series of explicit and implicit reasons why they should be followed, for instance, that they secure the social order of the traffic situation for the safety of everyone. The transcendence of law makes the validity of law unconditional. It is not up to the individual subject of law to decide whether he wants to submit to the law or not. Conversely, the purely arbitrary character of the rule sets free the subject and leaves it up to the individual whether he [they] wants to participate in the game and become obliged by the rules of the game or not. In Homo Ludens Huizinga indeed proposes voluntariness and freedom as the first in his list of characteristics of play.6 “because it’s fun” Law as understood by Baudrillard not only constitutes society. In the psychoanalytic tradition that Baudrillard is drawing on, law also plays a crucial role in the very constitution of the subject. To be a subject is to be subject to law. Without law, there would be no subject. At first glance, law manifests itself as a prohibition banning our access to certain objects and acts. We may think of the law as an institution necessary in order to discipline our wild and otherwise uncontrolled desires for different forbidden things such as other people’s property (Thou shalt not steal) or transgressive sexual acts (Thou shalt not commit adultery). In this line of thinking, a society without law would be an anarchical allagainst-all with everybody satisfying her every desire at the expense of everybody else. However, working along similar lines as Baudrillard, Zizek argues that law has also the latent function of structuring our very being as subjects since the law is what institutes our desires in the first place. When the law tells us not to do this or that, it carries an underlying fantasmatic message promising that beyond the prohibition of the law lie the objects that may satisfy the desire of the subject. Inherent in the law is the fantasy of what might happen if the law was not there to prevent me from pursuing my immediate desires. As was the case with the concept of law, it is important to note that the concept of fantasy differs from its usual meaning. Here is how Zizek explains the term: Fantasy is usually c]onceived as a scenario that realizes the subject’s desire. This elementary definition is quite adequate, on condition that we take it literally, what the fantasy stages is not a scene in which our desire is fulfilled, fully satisfied, but on the contrary, a scene that realizes, stages, the desire as such. The fundamental point of psychoanalysis is that desire is not something given in advance, but something that has to be constructed—and it is precisely the role of fantasy to give the coordinates of the subject’s desire, to specify its object, to locate the position the subject assumes in it. It is only through fantasy that the subject is constituted as desiring: through fantasy, we learn how to desire.7 Based on this understanding, Zizek often uses the concept of fantasy in conjunction with the concept of ideology.8 Only on a very superficial level is fantasy opposed to law in the sense that we fantasize about the transgression or even the abolition of law. We might think here of consumerist fantasies of the kind where we imagine gaining access to products that we cannot afford to buy: “If only the law of property or the law of equivalences did not prevent me from having this sweater or that car I would . . .” On another level, fantasy and law work together in structuring the desire of the subject. By restraining the subject’s access to the objects of desire designated by fantasy, law prevents the subject from realizing that the qualities and possibilities for enjoyment imagined to belong to the object are in fact projections of the subject’s own fantasy. In this way, the different laws of the market restraining our access to consumer goods are the condition of possibility for the fantasmatic projections about the amount of happiness, enjoyment, and fulfillment we would attain if we had free and unlimited access to these goods.

## 2

#### The subject emerges through alienation by attempting to explain one’s desires through language, which always has a communicability gap from the real world. This leads to a constant and impossible desire to fufill the lost object which justifies infinite violence. Thus the role of the ballot is to Traverse the Fantasy which means exposing drives.

**McGowan 13,** McGowan, Todd. *Enjoying What We Don't Have: The Political Project of Psychoanalysis*. University of Nebraska Press, 2013. *JSTOR*, [www.jstor.org/stable/j.ctt1ddr7nv. Accessed 19 Sept. 2020](http://www.jstor.org/stable/j.ctt1ddr7nv.%20Accessed%2019%20Sept.%202020). AT

The subject as such emerges through the experience of loss. It is the loss of a part of the subject — an initial act of sacrifice — that creates both subject and object, the object emerging through this act as what the subject has lost of itself. The subject takes an interest in the object world because it forms this world around its lost object. As Jacques Lacan notes, “Never, in our concrete experience of analytic theory, do we do without the notion of the lack of the object as central. It is not a negative, but the very spring for the relation of the subject to the world.”5 Th e loss of the object generates a world around this loss to which the subject can relate. Obviously, no one literally creates objects through an initial act of sacrifi ce of an actual body part. This would be too much to ask. But the psychical act of sacrifice allows for a distinction to develop where none existed before and simultaneously directs the subject’s desire toward the object world. In his breakthrough essay “Negation,” Freud describes this process as follows: “The antithesis between subjective and objective does not exist from the fi rst. It only comes into being from the fact that thinking possesses the capacity to bring before the mind once more something that has once been perceived, by reproducing it as a presentation without the external object having still to be there. Th e fi rst and immediate aim, therefore, of reality-testing is, not to fi nd an object in real perception which corresponds to the one presented, but to refi nd such an object, to convince oneself that it is still there.”6 Th ough Freud doesn’t use terms from linguistics, it is clear that he is making reference to the subject’s alienation in language and that he sees this alienation as the key to the emergence of both the subject and the object. When the subject submits to the imperatives of language, it enters into an indirect relation with the object world. Th e speaking being does not relate to books, pencils, and paper but to “books,” “pencils,” and “paper.” The signifier intervenes between the subject and the object that the subject perceives. The subject’s alienation into language deprives it of immediate contact with the object world. And yet, in the above passage from “Negation,” Freud conceives of the subject’s entrance into language — its “capacity to bring before the mind once more something that has once been perceived, by reproducing it as a presentation without the external object having still to be there” — as the event that produces the very distinction between subject and object. This means that the indirectness or mediation introduced by language deprives the subject of a direct relation to the object world that it never had. Prior to its immersion in the mediation of language, the subject had no object at all — not a privileged relation to objects but a complete absence of relationality as such due to its autoeroticism. In this sense, the subject’s willingness to accede to its alienation in language is the first creative act, a sacrifice that produces the objects that the subject cannot directly access. Language is important not for its own sake but because it is the site of our founding sacrifi ce. We know that the subject has performed this act of sacrifi ce when we witness the subject functioning as a being of language, but the sacrifi ce is not an act that the subject takes up on its own. Others always impose the entry into language on the subject. Th eir exhortations and incentives to speak prompt the emergence of the speaking subject. But the subject’s openness to alienation in language, its willingness to sacrifi ce a part of itself in order to become a speaking subject, suggests a lack in being itself prior to the entry into language. Th at is, the act through which the subject cedes the privileged object and becomes a subject coincides with language but is irreducible to it. The subject engages in the act of sacrifice because it does not fi nd its initial autoeroticism perfectly satisfying — the unity of the autoerotic being is not perfect — and this lack of complete satisfaction produces the opening through which language and society grab onto the subject through its alienating process. If the initial autoerotic state of the human animal were perfectly satisfying, no one would begin to speak, and subjectivity would never form. Speaking as such testifi es to an initial wound in our animal being and in being itself. But subjectivity emerges only out of a self-wounding. Even though others encourage the infant to abandon its autoerotic state through a multitude of inducements, the initial loss that constitutes subjectivity is always and necessarily self-inflicted. Subjectivity has a fundamentally masochistic form, and it continually repeats the masochistic act that founds it. The act of sacrifice opens the door to the promise of a satisfaction that autoerotic isolation forecloses, which is why the incipient subject abandons the autoerotic state and accedes to the call of sociality. But the term “sacrifi ce” is misleading insofar as it suggests that the subject has given up a wholeness (with itself or with its parent) that exists prior to being lost. In the act of sacrifice, the incipient subject gives up something that it doesn’t have. The initial loss that founds subjectivity is not at all substantial; it is the ceding of nothing. Through this defining gesture, the subject sacrifices its lost object into being. But if the subject cedes nothing, this initial act of sacrifice seems profoundly unnecessary. Why can’t the subject emerge without it? Why is the experience of loss necessary for the subject to constitute itself qua subject? The answer lies in the difference between need and desire. While the needs of the human animal are not dependent on the experience of loss, the subject’s desires are. It is the initial act of sacrifice that gives birth to desire: the subject sacrifi ces nothing in order to create a lost object around which it can organize its desire. As Richard Boothby puts it in his unequaled explanation of the psychoanalytic conception of the emergence of desire, “The destruction and loss of the object . . . opens up a symbolic dimension in which what was lost might be recovered in a new form.”7 He adds: “Sacrifice serves to constitute the very matrix of desire. The essential function of sacrifice is less do ut des, I give so that you might give, than do ut desidero: I give in order that I might desire.”8 Th e subject’s desire is oriented around this lost object, but the object is nothing as a positive entity and only exists insofar as it is lost. This is why one can never attain the lost object or the object that causes one to desire.9 Th e coming-into-being of this object originates the subject of desire, but, having no substance, the object can never become an empirical object of desire. We may see an object of desire as embodying the lost object, but whenever we obtain this object, we discover its emptiness. Th e lost object is constitutively rather than empirically lost. Eating Nothing In this light, we can see the anorexic as the model for all desiring subjectivity. Most cultural critics justifiably see anorexia as the product of oppressive definitions of femininity that abound in contemporary society and force women to starve themselves in order to fit the ideals of feminine beauty. According to Naomi Wolf ’s classic popular account in Th e Beauty Myth, the ideal of thinness became a way of controlling women — disciplining their bodies — aft er the idea of natural female inferiority began to evanesce.10 Th e anorexic embodies female victimization: she has internalized a patriarchal ideal and does violence to her own body in order to live up to this ideal. But the problem with this analysis is that the anorexic doesn’t just try to embody the ideal of feminine beauty.11 She goes too far in her pursuit of thinness and comes to inhabit a body far from the ideal. Even when everyone tells her that she no longer looks good, that she is too thin, the anorexic continues to lose weight. It is for this reason that many feminists have seen her as a subversive fi gure. As Elizabeth Grosz puts it, “Neither a ‘disorder’ of the ego nor, as popular opinion has it, a ‘dieting disease’ gone out of control, anorexia can, like the phantom limb, be a kind of mourning for a pre-Oedipal (i.e., pre-castrated) body and a corporeal connection to the mother that women in patriarchy are required to abandon. Anorexia is a form of protest at the social meaning of the female body.”12 Grosz accounts for the excessiveness of anorexia by aligning it with feminist resistance to patriarchy rather than obsequious submission to it. But she aligns the anorexic with wholeness and the maternal bond rather than with the lost object. In this sense, she misses the true radicality of the anorexic, a radicality that stems from the power of the anorexic’s desire. Th e anorexic doesn’t simply refuse to eat but eats nothing, the nothing that is the lost object. While all positive forms of food fail to address the subject’s lack, nothing does speak to the subject’s desire and allows that desire to sustain itself. Th e anorexic starves not because she can’t fi nd, in the mode of Kafk a’s hunger artist, any food that would satisfy her but because she has found a satisfying food, a food that nourishes the desiring subject rather than the living being. Th e logic of anorexia lays bare the hidden workings of desire that operate within every subject. Subjects believe that they pursue various objects of desire (a new car, a new house, a new romantic partner, and so on) and that these objects have an intrinsic attraction, but the real engine for their desire resides in the nothing that the subject has given up and that every object tries and fails to represent. Objects of desire are desirable only insofar as they attempt to represent the impossible lost object, which is what the anorexic reveals. Still, the anorexic is exceptional; most nonanorexic subjects imagine that their lost object can be found in something rather than nothing. Despite its resonances with the structure of desire, anorexia cannot be dissociated from the imposition of the ideal of thinness as a mode of controlling female subjectivity. Th ough this ideal distorts the anorexic’s relationship to her own body, it also renders the nature of desire itself apparent. Th e impossible ideal of perfect thinness allows the anorexic subject to avow, albeit unconsciously, the structural impossibility of desire itself. Unlike male subjects (or other female subjects who manage to distance themselves from the ideal), the anorexic cannot avoid confronting the impossibility of her object. Th e oppressive ideal of perfect thinness allows the anorexic to bear witness with her body to the truth of desire.13 Understanding the impossible nature of the lost object — what the anorexic makes clear — allows us to rethink the nature of the political act. Rather than being the successful achievement of some object, the accomplishment of some social good, the political act involves insisting on one’s desire in the face of its impossibility, which is precisely what occurs in the death drive. Th e key to a politics of the death drive is grasping, in the fashion of the anorexic, the nothingness of the object and thereby fi nding satisfaction in the drive itself. But the subject’s relationship to its object inherently creates an illusion that makes this possibility almost impossible. Th ough the lost object that initiates subjectivity has no substance, its status for the subject belies its nothingness. For the subject, the originary lost object is the object that seems to hold the key to the subject’s very ability to enjoy. Subjects invest the lost object with the idea of their own completion: the loss of the object retroactively causes a prior state of completion to arise — a state of completion that never actually existed — and the object itself bears the promise of inaugurating a return to this imaginary prior state.14 In short, it promises to fi ll in the subject’s lack and answer its desire. As a result of this investment on the part of the subject, the initial lost object becomes the engine for all the subject’s subsequent desiring. Without the initial act of sacrifi ce, the would-be subject neither desires nor enjoys but instead suff ocates in a world of self-presence, a self-presence in which one has no freedom whatsoever. Th rough the loss of the privileged object, one frees oneself from the complete domination of (parental or social) authority by creating a lack that no authority can fi ll. Ceding the object is thus the founding act of subjectivity and the fi rst free act. Every subsequent eff ort by authority to give the subject what it lacks will come up short — or, more correctly, will go too far, because only nothing can fi ll the gap within the subject. For this reason, dissatisfaction and disappointment are correlative with freedom: when we experience the authority’s failure to give us what we want, at that moment we also experience our distance from the authority and our radical freedom as subjects.

#### The politics of recognition require the submission of one’s own desire to a social authority that creates an endless struggle for acceptance that restricts true enjoyment.

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

When subjects enter into society, the social order confronts them with a demand. This demand for the sacrifice of enjoyment offers them social recognition in return. Recognition grounds the subjects’ identities and allows them to experience themselves as valuable. The socially recognized subject has a worth that derives solely from recognition itself. Popular kids may believe that their sense of worth is tied to an activity — playing football, obtaining good grades, being a cheerleader — but in fact it depends on the recognition that an anonymous social authority accords those who engage in these activities. Though we might imagine the football player fully enjoying himself and his popular status, the recognition that comes with this status renders enjoyment impossible insofar as popularity adheres to the social authority’s demand rather than its unarticulated desire.17 The demand that confronts the subject entering the social order is directly articulated at the level of the signifier. Social authority says to the subject, “Act in this way, and you will receive approval (or recognition).” But the demand conceals an unconscious desire that is not articulated on the level of the signifier. What the authority really wants from the subject is not equivalent to what it explicitly demands in signifiers. This desire of social authority or the Other engenders the subject’s own desire: the subject’s desire is a desire to figure out what the Other wants from it — to solve the enigma of the Other’s desire and locate itself within that desire. The subject becomes a desiring subject by paying attention not to what the social authority says (the demand) but to what remains unsaid between the lines (the desire). The path of desire offers the subject the possibility of breaking from its dependence on social authority through the realization that its secret, the enigma of the Other’s desire, does not exist — that the authority doesn’t know what it wants. Such a realization is not easy to achieve, but adopting the attitude of desire at least makes it possible. For the subject who clings to the social authority’s demand, dependence on this authority becomes irremediable and unrealizable. This is the limitation of pseudo-Hegelian political projects oriented around garnering recognition. They necessarily remain within the confines of the order that they challenge, and even success will never provide the satisfaction that the project promises. Full recognition would bring with it not the sense of finally penetrating into the secret enclave of the social authority but instead the disappointment of seeing that this secret does not exist. The widespread acceptance of gay marriage in the United States, for instance, would not provide a heretofore missing satisfaction, because the social authority that would provide the recognition is not a substantial entity fully consistent with itself. Even though institutional authority can grant a marriage certificate to gay couples and the majority of the popula- tion can recognize the validity of the marriage, there is no agency that can authorize such a marriage that is itself authorized. Social authority, in other words, is always unauthorized or groundless, and this is the ultimate reason why the pursuit of recognition leads to frustration. Those who seek social recognition structure their lives around the social authority’s demand, and recognition is the reward that one receives for doing one’s social duty. For instance, in order to gain popularity, one must adhere to the social rules that lead to popularity. This involves wearing the proper clothes, hanging out with the right people, playing the approved sports, and talking in the correct fashion. Too much deviation from the standard dissolves one’s popularity. Even those who disdain popularity most often align themselves with some other source of recognition and thereby invest themselves in another form of it. The outsider who completely rejects the trappings of the popular crowd but slavishly obeys the demands of fellow outsiders remains within the orbit of social recognition. This devotion to social recognition is more apparent, though not more true, among the young; the adult universe employs strictures with a similar severity.18 Fol- lowing the path of desire — going beyond the explicit demand of the social authority — has a cost in terms of social status. Those who restrict themselves to the authority’s demand do not neces- sarily evince more obedience to actual laws than others do. In fact, the social authority’s demand often conflicts with laws because it demands love, not just obedience. Criminals who flaunt the law for the sake of accumulating vast amounts of money are among those most invested in this demand. There is no inherent radicality in criminal behavior, and most criminals tend to be politically conservative.19 The object of the demand is the subject’s complete sacrifice for the sake of the social authority, not simply adherence to a set of laws. By imposing a demand that requires subjects to violate the law, the author- ity creates a bond of guilt among those who follow this demand. For instance, contemporary capitalist society demands the unrestricted accumulation of capital, even if this requires bypassing ethical or legal considerations at some point. Those who adhere to this demand to such an extent that they break the law or act against their own conscience find themselves all the more subjected to the social authority than if the demand didn’t include the dimension of transgression. The guilt that the demand engenders in them seals their allegiance. This is the logic of the hazing ritual, which always necessitates a violation of the law or common morality. The demand aims to redirect subjects away from their own enjoyment and toward social pro- ductivity. This turn is unimaginable without guilt, which is the fundamental social emotion. Subjects who sacrifice enjoyment for the sake of recognition do so with the expectation that this sacrifice will pay off on the other side, that the rewards of recognition will surpass the enjoyment that they have given up. This wager seems to have all the empirical evidence on its side: every day, images of the most recognized subjects enjoying themselves bombard us. We see them driving in the nicest cars, eating in the finest restaurants, wear- ing the most fashionable clothes, and having sex with the most attractive people, among other things. On the other side, we rarely see the enjoyment of those who remain indifferent to the appeal of recognition. By definition, they enjoy in the shadows. What’s more, the apparent misery of those who do not receive recognition is readily visible among the social outcasts we silently pass every day. To all appearances, the sacrifice of enjoyment for the sake of recognition is a bargain, as long as one ends up among the most recognized. The problem with this judgment stems from its emphasis on visibil- ity; it mistakes the display of enjoyment for the real thing. Someone who was authentically enjoying would not need to parade this enjoyment. The authentically enjoying subject does not perform its enjoyment for the Other but remains indifferent to the Other. As Joan Copjec notes, “Jouissance flourishes only there where it is not validated by the Other.”20 Enjoyment consumes the subject and directs all of the subject’s attention away from the Other’s judgment, which is why one cannot perform it and why being a social outcast doesn’t bother the enjoying subject. One immerses oneself completely in enjoyment, and the enjoyment suffices for the subject. In contrast, recognition, though it offers its own form of satisfaction, ulti- mately leaves the subject eager for something else. No matter what level of recognition subjects receive, they always find it insufficient and seek more. Unlike enjoyment, recognition is an infinite struggle.

#### Vote negative to embrace the lack, this means accepting the anxiety from the encounter with the other and exposing drives,

**McGowan 2,** McGowan, Todd. *Enjoying What We Don't Have: The Political Project of Psychoanalysis*. University of Nebraska Press, 2013. *JSTOR*, [www.jstor.org/stable/j.ctt1ddr7nv. Accessed 19 Sept. 2020](http://www.jstor.org/stable/j.ctt1ddr7nv.%20Accessed%2019%20Sept.%202020). AT

The alternative — the ethical path that psychoanalysis identifies — demands an embrace of the anxiety that stems from the encounter with the enjoying other. If there is a certain ethical dimension to anxiety, it lies in the relationship that exists between anxiety and enjoyment. Contra Heidegger, the ethics of anxiety does not stem from anxiety’s relation to absence but from its relation to presence — to the overwhelming presence of the other’s enjoyment. In some sense, the encounter with absence or nothing is easier than the encounter with presence. Even though it traumatizes us, absence allows us to constitute ourselves as desiring subjects. Rather than producing anxiety, absence leads the subject out of anxiety into desire. Confronted with the lost object as a structuring absence, the subject is able to embark on the pursuit of the enjoyment embodied by this object, and this pursuit provides the subject with a clear sense of direction and even meaning. This is precisely what the subject lacks when it does not encounter a lack in the symbolic structure. When the subject encounters enjoyment at the point where it should encounter the absence of enjoyment, anxiety overwhelms the subject. In this situation, the subject cannot constitute itself along the path of desire. It lacks the lack — the absence — that would provide the space through which desire could develop. Consequently, this subject confronts the enjoying other and experiences anxiety. Unlike the subject of desire — or the subject of Heideggerean anxiety — the subject who suffers this sort of anxiety actually experiences the other in its real dimension. The real other is the other caught up in its obscene enjoyment, caught up in this enjoyment in a way that intrudes on the subject. There is no safe distance from this enjoyment, and one cannot simply avoid it. There is nowhere in the contemporary world to hide from it. As a result, the contemporary subject is necessarily a subject haunted by anxiety triggered by the omnipresent enjoyment of the other. And yet, this enjoyment offers us an ethical possibility. As Slavoj Žižek puts it, “It is this excessive and intrusive jouissance that we should learn to tolerate.”27 When we tolerate the other’s “excessive and intrusive jouissance” and when we endure the anxiety that it produces, we acknowledge and sustain the other in its real dimension. Tolerance is the ethical watchword of our epoch. However, the problem with contemporary tolerance is its insistence on tolerating the other only insofar as the other cedes its enjoyment and accepts the prevailing symbolic structure. That is to say, we readily tolerate the other in its symbolic dimension, the other that plays by the rules of our game. This type of tolerance allows the subject to feel good about itself and to sustain its symbolic identity. The problem is that, at the same time, it destroys what is in the other more than the other — the particular way that the other enjoys. It is only the encounter with the other in its real dimension — the encounter that produces anxiety in the subject — that sustains that which defi nes the other as such. Authentic tolerance tolerates the real other, not simply the other as mediated through a symbolic structure. In this sense, it involves the experience of anxiety on the part of the subject. This is a difficult position to sustain, as it involves enduring the “whole opaque weight of alien enjoyment on your chest.”28 The obscene enjoyment of the other bombards the authentically tolerant subject, but this subject does not retreat from the anxiety that this enjoyment produces. Whose Enjoyment? If the embrace of the anxiety that accompanies the other’s proximate enjoyment represents the ethical position today, this does not necessarily provide us with an incentive for occupying it. Who wants to be ethical when it involves enduring anxiety rather than finding a way — a drug, a new authority, or something — to alleviate it? What good does it do to sustain oneself in anxiety? In fact, anxiety does the subject no good at all, which is why it offers the subject the possibility of enjoyment. When the subject encounters the other’s enjoyment, this is the form that its own enjoyment takes as well. To endure the anxiety caused by the other’s enjoyment is to experience one’s own simultaneously. As Lacan points out, when it comes to the enjoyment of the other and my own enjoyment, “nothing indicates they are distinct.”29 Thus, not only is anxiety an ethical position, it is also the key to embracing the experience of enjoyment. To reject the experience of anxiety is to flee one’s own enjoyment. The notion that the other’s enjoyment is also our own enjoyment seems at first glance difficult to accept. Few people enjoy themselves when they hear someone else screaming profanities in the workplace or when they see a couple passionately kissing in public, to take just two examples. In these instances, we tend to recoil at the inappropriateness of the activity rather than enjoy it, and this reaction seems completely justifi ed. Th e public display of enjoyment violates the social pact with its intrusiveness; it doesn’t let us alone but assaults our senses. It violates the implicit agreement of the public sphere constituted as an enjoyment-free zone. And yet, recoiling from the other’s enjoyment deprives us of our own. How we comport ourselves in relation to the other’s enjoyment indicates our relationship to our own. What bothers us about the other — the disturbance that the other’s enjoyment creates in our existence — is our own mode of enjoying. If we did not derive enjoyment from the other’s enjoyment, witnessing it would not bother us psychically. We would simply be indifferent to it and focused on our own concerns. Of course, we might ask an off ending car radio listener to turn the radio down so that we wouldn’t have to hear the unwanted music, but we would not experience the mere exhibition of alien enjoyment through the playing of that music as an aff ront. Th e very fact that the other’s enjoyment captures our attention demonstrates our intimate — or extimate — relation to it.30 Th is relation becomes even clearer when we consider the epistemological status of the enjoying other. Because the real or enjoying other is irreducible to any observable identity, we have no way of knowing whether or not the other really is enjoying. A stream of profanity may be the result of someone hurting a toe. Th e person playing the car radio too loud while sitt ing at the traffi c light may have simply forgott en to turn down the radio aft er driving on the highway. Or the person may have diffi culty hearing. Th e couple’s amorous behavior in public may refl ect an absence of enjoyment in their relationship that they are trying to hide from both themselves and the public. Considering the enjoyment of the other, we never know whether it is there or not. If we experience it, we do so through the lens of our own fantasy. We fantasize that the person blasting the radio is caught up in the enjoyment of the music to the exclusion of everything else; we fantasize that the public kisses of the couple suggest an enjoyment that has no concern for the outside world. Without the fantasy frame, the enjoying other would never appear within our experience. Th e role of the fantasy frame for accessing the enjoying other becomes apparent within Fascist ideology. Fascism posits an internal enemy — the fi gure of the Jew or some analogue — that enjoys illicitly at the expense of the social body as a whole. By att empting to eliminate the enjoying other, Fascism hopes to create a pure social body bereft of any stain of enjoyment. Th is purity would allow for the ultimate enjoyment, but it would be completely licit. Th is hope for a future society free of any stain is not where Fascism’s true enjoyment lies, however. Fascists experience their own enjoyment through the enjoying other that they persecute. Th e enjoyment that the fi gure of the Jew embodies is the Fascists’ own enjoyment, though they cannot avow it as their own. More than any other social form, Fascism is founded on the disavowal of enjoyment — the att empt to enjoy while keeping enjoyment at arm’s length.31 But this eff ort is not confi ned to Fascism; it predominates everywhere, because no subjects anywhere can simply feel comfortable with their own mode of enjoying. The very structure of enjoyment is such that we cannot experience it directly: when we experience enjoyment, we don’t have it; it has us. We experience our own enjoyment as an assault coming from the outside that dominates our conscious intentions. This is why we must fantasize our own enjoyment through the enjoying other. Compelled by our enjoyment, we can’t do otherwise; we act against our self-interest and against our own good. Enjoyment overwhelms the subject, even though the subject’s mode of enjoying marks what is most singular about the subject. Even though the encounter with the enjoying other apprehends the real other through the apparatus of fantasy, this encounter is nonetheless genuine and has an ethical status. Unlike the experience of the nonexistent symbolic identity, which closes down the space in which the real other might appear, the fantasized encounter with the enjoying other leaves this space open. By allowing itself to be disturbed by the other on the level of fantasy, the subject acknowledges the singularity of the real other — its mode of enjoying — without confi ning this singularity to a prescribed identity. The implications of privileging the encounter with the disturbing enjoyment of the real other over the assimilable symbolic identity are themselves disturbing. Th e tolerant att itude that never allows itself to be jarred by the enjoying other becomes, according to this way of seeing things, further from really encountering the real other than the att itude of hate and mistrust. The liberal subject who welcomes illegal immigrants as fellow citizens completely shuts down the space for the other in the real. Th e immigrant as fellow citizen is not the real other. The xenophobic conservative, on the other hand, constructs a fantasy that envisions the illegal immigrant awash in a linguistic and cultural enjoyment that excludes natives. This fantasy, paradoxically, permits an encounter with the real other that liberal tolerance forecloses. Of course, xenophobes retreat from this encounter and from their own enjoyment, but they do have an experience of it that liberals do not. The tolerant liberal is open to the other but eliminates the otherness, while the xenophobic conservative is closed to the other but allows for the otherness. The ethical position thus involves sustaining the liberal’s tolerance within the conservative’s encounter with the real other.