## AC

### Part 1 – Hope

#### The subject is fundamentally unstable: being is in flux due to things such as time, I am not the same person that I was 10 years ago, which proves personal evolution.

#### Affect is constitutive: it is the capacity to experience and to be experienced. I am experiencing my laptop, my opponent, just as much as you are experiencing me.

#### Fluidity determines the subject: because affect and instability ensure that subjects always change, the only intrinsic feature of the subject is that everything remains in flux.

#### Queer violence exists in a form of near life or nothingness in which violence against queer bodies goes beyond logic or even death into an overkill of the idea of queerness itself.

Stanley 11 Eric Stanley (assistant professor in the Department of Gender and Sexuality Studies at the University of California, Riverside) “Near Life, Queer Death Overkill and Ontological Capture” *Duke University Press Vol 29 No 2* Summer 2011 p. 7 <https://queerhistory.files.wordpress.com/2011/06/near-life-queer-death-eric-stanley.pdf> DOA: 8.30.17

Among the most productive and fraught expressions of this compromised vitality is Giorgio Agamben’s offering of “bare life.” For Agamben, bare life signals a kind of stripped-down sociality, skillfully articulated via his reading of the Nuremburg Laws enabled through a legal state of exception. that placed The state of exception absolute power in the hands of Hitler, as the necessary temporal precondition for bare life, seems for some not an exception at all. The liberation of the camps that brought with it the dismantling of or at least radical change in Germany’s juridical system, including the Nuremburg Laws (but surely did not end anti-Semitism), left untouched the “Nazi version” of Paragraph 175, the clause criminalizing homosexuality. To this end, as hundreds of thousands of those who survived the camps were swept to freedom, “homosexual” survivors were forced to serve their remaining sentences in prison. Death through freedom, as it were, requires a different formulation, or at least a different way to think about proximity and vitality. 32 If for Agamben bare life expresses a kind of stripped-down sociality or a liminal space at the cusp of death, then near life names the figuration and feeling of nonexistence, as Fanon suggests, which comes before the question of life might be posed. Near life is a kind of ontocorporal (non) sociality that necessarily throws into crisis the category of life by orientation and iteration. This might better comprehend not only the incomprehensible murders of Brazell, Paige, and Weaver, but also the terror of the dark cell inhabited by the queer survivor of the Holocaust who perished under “liberation.”33 Struggling with the phenomenology of black life under colonization, Fanon opens up critical ground for understanding a kind of near life that is made through violence to exist as nonexistence. For Fanon, violence is bound to the question of recognition (which is also the im/possibility of subjectivity) that apprehends the relationship between relentless structural violence and instances of personal attacks evidenced by the traumatic afterlives left in their wake. For Fanon, the Hegelian master/slave dialectic, as theoretical instrument for thinking about recognition, must be reconsidered through the experience of blackness in the French colonies. For Fanon, Hegel positions the terms of the dialectic (master/slave) outside history and thus does not account for the work of the psyche and the historicity of domination like racialized colonization and the epidermal- 14 Stanley · Near Life, Queer Death !HUJA s Abu Zubaydah and the Caterpillar ization of that power. In other words, for Fanon, when the encounter is staged and the drama of negation unfolds, Hegel assumes a pure battle. Moreover, by understanding the dialectic singularly through the question of self-consciousness, Hegel, for Fanon, misrecognizes the battle as always and only for recognition. Informed by Alexandre Kojève and Jean-Paul Sartre, Fanon makes visible the absent figure of Enlightenment assumed by the Hegelian dialectic. For Fanon, colonization is not a system of recognition but a state of raw force and total war. The dialect cannot in the instance of colonization swing forward and offer the self-consciousness of its promise. According to Fanon, “For Hegel there is reciprocity; here the master laughs at the consciousness of the slave. What he wants from the slave is not recognition but work.”34 Hegel’s dialectic that, through labor, offers the possibility of self-consciousness, for the colonized is frozen in a state of domination and nonreciprocity. 35 What is at stake for Fanon, which is also why this articulation is helpful for thinking near life, is not only the bodily terror of force; ontological sovereignty also falls into peril under foundational violence. This state of total war, not unlike the attacks that left Brazell, Paige, and Weaver dead, is at once from without—the everyday cultural, legal, economic practices— and at the same time from within, by a consciousness that itself has been occupied by domination. For Fanon, the white imago holds captive the ontology of the colonized. The self/Other apparatus is dismantled, thus leaving the colonized as an “object in the midst of other objects,” embodied as a “feeling of nonexistence.”36 While thinking alongside Fanon on the question of racialized difference, violence, and ontology, how might we comprehend a phenomenology of antiqueer violence expressed as “nonexistence”? It is not that we can take the specific structuring of blackness in the French colonies and assume it would function the same today, under U.S. regimes of antiqueer violence. However, if both desire and antiqueer violence are embrocated by the histories of colonization, then such a reading might help to make more capacious our understanding of antiqueer violence today as well as afford a rereading of sexuality in Fanon’s texts. Indeed, Fanon’s intervention offers a space of nonexistence, neither master nor slave, written through the vicious work of epistemic force imprisoned in the cold cell of ontological capture. This space of nonexistence, or near life, forged in the territory of inescapable violence, allows us to understand the murders of queers against the logics of aberration. This structure of antiqueer violence as irreducible antagonism crystallizes the ontocorporal, discursive, and material inscriptions that render specific bodies in specific times as the place of the nothing. The figuration Social Text 107 s Summer 2011 15 of near life should be understood not as the antihuman but as that which emerges in the place of the question of humanity. In other words, this is not simply an oppositional category equally embodied by anyone or anything. This line of limitless inhabitation, phantasmatically understood outside the intersections of power, often articulated as “equality,” leads us back toward rights discourse that seeks to further extend (momentarily) the badge of personhood. The nothing, or those made to live the death of a near life, is a break whose structure is produced by, and not remedied through, legal intervention or state mobilizations. For those who are overkilled yet not quite alive, what form might redress take, if any at all?

#### In the face of queer violence and overkill we choose to embrace moments of queer redemption affective encounters that allow for queer life to exist inside queer death. Even when bloodied and bruised queerness persists through time.

Munoz 1 [Jose; “CRUISING THE TOILET”; Duke U Press; Munoz was a Cuban American academic in the fields of performance studies, visual culture, queer theory, cultural studies, and critical theory; 2007 BP]

The play’s final moment is worth dwelling on, although I do not want to cast the gesture of tenderness as redemptive. I am not interested in cleansing the violence that saturates almost every utterance and move in the play. But I nonetheless want to consider how we might read this ending within the nexus of the histori- cal moment, relational to an author’s status as outsider among outsiders in a lost bohemia, an expired avant-garde. Baraka renounces queerness a few years later. He even shouts down the play’s set designer, Larry Rivers, the straight painter who was also Frank O’Hara’s art-boy, semi-rough-trade lover, in a public forum.14 This moment nonetheless tells a story that suggests some kind of futurity, a rela- tional potentiality worth holding on to. Battered and bruised, shattered by internal and external frenzies of homophobic violence, the combatant lovers nonetheless have this moment of wounded recognition that tells us that the moment in time and in this place, the moment of a pain-riddled youth, is not all there is, that indeed something is missing. The gestural speaks to that which is, to use Bloch’s phrase, the not-yet-here. The gesture is not the coherence or totality of movement. Gesture for Giorgio Agamben is exemplary of the politics of a “means without ends.” The gestural exists as an idealist manifestation and not as a monolithic act directed toward an “end”: “What characterizes gesture is that in it nothing is being produced or acted, but something is being endured and supported.”15 The gesture interrupts the normative flow of time and movement. The image of the lover holding/enduring/supporting the other’s battered body is poignant when we recall that Foots, who is always doing/running his mouth or his feet, is finally still, living within the queer temporality of the gestural, a temporality that sidesteps straight time’s heteronormative bent. The politics of queer utopia are similarly not based on prescriptive ends but, instead, on the significance of a critical function that resonates like the temporal interruption of the gesture. Bloch rejected what he called “abstract utopias” that, within the frame of Agamben’s writing, would indeed be a prescriptive “end.”16 The queer futurity that I am describing is not an end but an opening or horizon. Queer utopia is a modality of critique that speaks to quotidian gestures as laden with potentiality. The queerness of queer futurity, like the blackness of a black radical tradition, is a relational and collective modality of endurance and support. The gesture of cradling one’s lover’s head, a lover one has betrayed, is therefore not an act of redemption that mitigates violence; it is instead a future being within the present that is both a utopian kernel and an anticipatory illumination. It is a being in, toward, and for futurity.

#### Thus, the ROTB is to vote for the debater that best engages in educated hope for queer existence, we acknowledge that queer overkill exists and choose to place our hope in political change while at the same time plotting its destruction.

Duggan and Muñoz [Lisa and Jose; 2010; “Hope and hopelessness: A dialogue”; <http://dx.doi.org/10.1080/07407700903064946>; Duggan is a prof of social and cultural analysis @ NYU, Muñoz was a Cuban American academic in the fields of performance studies, visual culture, queer theory, cultural studies, and critical theory; BP]

So there is fear attached to hope – hope understood as a risky reaching out for something else that will fail, in some if not all ways. What are the resources, then, for an educated hope that comprehends inherent risk and fear? What are the most reliable building blocks for, and the sturdiest bridges to, concrete utopias? I think these might be found in modes of expansive sociality that generate energy from shared collectivity. Expansive, innovative socialities produce energy for alternative, cooperative economies and participatory politics – because as we know, these can be exhausting even if not defined as ‘‘work.’’ Particularly as a basis for queer hope, loving, fucking and socializing otherwise constitute a practice that moves us toward Feeling Revolutionary, in our economic and political as well as (overlapping) intimate lives. Surely gay respectability politics and the sentimentality of the citizen who only wants to be ‘‘good,’’ now dominant on the US political landscape, do not lead us anywhere else, but only into the moribund institutions that deaden the body politic (marriage, the military). So bad sentiments can lead us (instead) out of dominant, alienating social forms, like alienated labor and the gendered family, and into a collectivity of the cynical, bitter, hostile, despairing and hopeless. This is how I find my people! Can these communities of the politically embittered then lead us, not necessarily down the slippery slope to entropy, but into a generatively energetic revolutionary force? Well, can they? If we cling to what Melanie Klein calls the paranoid schizoid position, perhaps not (see Klein 1975). In that infantile place, we reject the bad breast/world for frustrating us and cling to our impossible wishes for oral/political fulfillment, delivered under conditions we can control. One way of grasping the basis for embittered community is to see it as the political solidarity of the paranoid schizoid. And that’s not a bad thing. Regression to infantile intensities and demands can be vitalizing, can help us throw off the moribund maturities demanded by conventional social forms. Such regressions can operate as queer temporalities of anti-development and refusals of normative, Oedipal maturity. The paranoid schizoid pleasures can be considerable, and productive. But they can also lead to forms of anti-relationality, to anti-sociality, to queer refusals that go nowhere else in the world. Klein’s depressive position, if understood not as an achievement of developmental maturity, but as a sideways move out of an impasse (thank you to Kathryn Stockton), can lead (perhaps) to educated hope, to concrete utopia within the social realm.4 From the depressive position we accept the uncontrollable nature of political reality, we critique the social world but still engage it, we take the risk of hope with full knowledge of the possibility, even the certainty, of failure. We repair our relation to the social and political world that we have also wished to mutilate, explode, destroy. We campaign for Obama, then organize to pressure and transform the political institutions that disappoint or harm us. It hurts me to write a sentence as conventional as the previous one, as if I were an advocate of Rorty-style pragmatism, when my Facebook page describes me as an anti-normotic anarcho-socialist! This is the point at which I find the sideways move so crucial. Queer vitality, Feeling Revolutionary, may require that we straddle the Kleinian paranoid schizoid and depressive positions, escaping and re-entering the scene of educated hope in a contrapuntal dance, moving always sideways, never growing ‘‘up.’’ Can we summarize so far by simply and clearly pointing out that the neoliberal state and economy organize compulsory sociality through alienating institutions of work and politics? Noting that the related institutions of marriage and the family organize intimacy and sociality into domesticity and competitive consumption by regulating and constraining our intimate and social energies. Breaking out requires negative energetic force. That force threatens isolation, pain, poverty, prison and death, and it can also lock an embittered community into a romanticized embrace of the negative, a version of the paranoid schizoid position, producing (among other things) versions of what has been called the queer anti-social thesis.5 But that force can also lay the basis for a sideways step into political engagement in a disappointing world, via the educated hope, the concrete utopia, about which Jose ́ has been so eloquent. This all leads me to postulate that hope and hopelessness exist in a dialectical rather than oppositional relation, and that the opposite of hope is complacency – a form of happiness that will not risk the consequences of its own suppressed hostility and pain.6 And complacency is the affect of homonormativity. Engaged anti-normative left queer politics is powered by the pleasures of bitterness, cynicism and pain, as well as by ecstasy, empathy and solidarity. But it gestures always necessarily through hope to the concrete utopias forged in our experimental intimacies and social forms. Hope is the primary way we bring ourselves to take the risk of breaking out of the constraints of present conditions. Hope is the energy we use to smash, not depression (grief, sadness, despair, hostility, anger and bitterness) but complacency in all its protean disguises

#### Queer violence is constantly erased. Every moment that passes more lives are being purged from our history by heterosexual rejections of the notion of queer violence. Thus, the negative cannot contest queer theory FWs because it acts as a form of erasure on the discussions of anti queer violence.

Stanley 11 Eric Stanley (assistant professor in the Department of Gender and Sexuality Studies at the University of California, Riverside) “Near Life, Queer Death Overkill and Ontological Capture” *Duke University Press Vol 29 No 2* Summer 2011 p. 7 <https://queerhistory.files.wordpress.com/2011/06/near-life-queer-death-eric-stanley.pdf> DOA: 8.30.17 BAO

Where statistics fail, scars rise to tell other histories. From the phenomenological vault of growing up different, to the flickers of brutal details, one would not have to dig deep to uncover a corpse. Yet even with the horrific details, antiqueer violence is written as an outlaw practice, a random event, and an unexpected tragedy. Dominant culture’s necessity to disappear the enormity of antiqueer violence seems unsurprising. Yet I suggest that mainstream LGBT discourse also works in de-politicized collusion with the erasure of a structural recognition. Through this privatization the enormity of antiqueer violence is vanished. Thinking violence as individual acts versus epistemic force works to support the normative and normalizing structuring of public pain. In other words, privatizing antiqueer violence is one of the ways in which the national body and its trauma are heterosexualized, or in which the relegation of antiqueer violence, not unlike violence against women, racist violence, violence against animals (none of which are mutually exclusive), casts the national stage of violence and its ways of mourning as always human, masculinist, able-bodied, white, gender-conforming, and hetero- sexual. For national violence to have value it must be produced through the tangled exclusion of bodies whose death is valueless. To this end, as mainstream LGBT groups clambe for dominant power through attachment of a teleological narrative of progress, they too reproduce the argument that antiqueer violence is something out of the ordinary.

### Part 2 – Gender Art

#### Patent monopolies over hormone synthesis creates shortages of hormones for transgender people leading to increased costs, discontinuous treatment, or an outright complete lack of access to hormones for transgender patients.

Fragnito 20 Fragnito, Maddalena (2020). Commoning Molecules: Decolonising Biological Patents by Gender Hacking Protocols. Journal of International Women's Studies, 21(7), 153-169. Available at: https://vc.bridgew.edu/jiws/vol21/iss7/12

Since both the production pathways of extraction and hormone synthesis are patentable subjects, nowadays, pharmaceutical companies retain all power over hormone molecules. This route to patenting creates basic rights shortages making transgender people reliant on global drug markets that may exclude them from accessing the drugs they need. This is the case during summer 2019 when testosterone disappeared from Italian pharmacies. In one of their latest bulletins (January 2020), the Italian Drug Agency (AIFA) confirms the temporary unavailability of most hormonal drugs, such as Nebid (Bayer), Testoviron (Bayer) and Sustanol (Aspen). When the supply of a drug is restricted, a country m ay lose access if the limited supplies are diverted by parallel trade, a practice that takes advantage of the price differences between different markets. Under WTO public health regulations, in fact, if there is a public health emergency, countries can use parallel trade flexibilities to import drugs. The problem arises when the drug is in short supply. By making less supply than is needed globally, monopolies can drive up the price by selling the whole supply to the country offering the highest price. This phenomenon forces the latter to buy the product – under “Emergency Conditions” and at an increased cost. The phenomenon, which generates discontinuous hormones intake for transgender people who need it, occurs in Italy alongside most parts of the world (Smiley et al. 2017). A disrupted hormone intake causes higher risks of thrombosis and chronic osteoporosis – not to mention depression and suicide rate due to the impossibility of bodily self-determination. Another aspect to take into account is that, because of the restrictions on importing, countries can only import the drug for essential and emergency treatments (Class A drugs, listed as life-saving) and not for those considered to be less urgent and essential, such as the sextransitioning medical pathway which is not among the authorised conditions for the use of any medicinal product. This invisibility produces as an effect the fact that hormones are difficult to catalogue in Class A (life-saving drugs). On the contrary, the present hormones’ classification (Class C), which is authorised for – non life-saving drugs for – cisgender14 people’s hormonal therapies, do not protect transgender people from the consequences that discontinuous hormone intake can generate. Moreover, another factor that further complicates this classificatory void is related to the lack of data. For instance, in Italy, under the current legislation, AIFA can consider the introduction of a new therapeutic indication for a drug only if the pharmaceutical company that holds the marketing authorisation (in Italy, AIC) submits a request for an extension of therapeutic indications supported by related scientific evidence. However, there are no systematically collected datasets because gender transition does not follow a specific medical procedure: a perfect vicious circle. As a consequence, medical research and access to medication and care are affected, as well as increased risk to transgender people during emergencies. In summary, what emerges from this phenomenon is that the so-called “gender dysphoria”15 is considered to not require an essential treatment. Thus, in the context of hormone patent monopolies, the institutional classification of what is essential and what is an emergency – and to whom – threatens to put the needs of transgender people for hormone treatment into an invisible place. Thus, two issues have arisen so far. On the one hand, the question of consent around the contradiction of being all exposed – although at different levels – to hormonal pollution, while at the same time encountering serious difficulties when desiring sex hormonal therapy. On the other hand, the question of how this same contradiction, and its related problems, entwines with the strict regulative system of hormones’ patents. This is the main context in which DIWO biohacking workshops dealing with hormone knowledge, awareness, production are rising and, by proposing a more inclusive definition on what is essential and to whom, are spreading

#### Do it with others (DIWO) gender hacking is a form of extracting, and synthesizing hormones for use by gender queer people. Patents produce biopolitical fictions that divide bodies on lines of gender and through gender hacking we utilize hormones as a means of self-expression and gender becoming.

Fragnito 20 Fragnito, Maddalena (2020). Commoning Molecules: Decolonising Biological Patents by Gender Hacking Protocols. Journal of International Women's Studies, 21(7), 153-169. Available at: https://vc.bridgew.edu/jiws/vol21/iss7/12

Sexual life, as we know it, is changing through the transformation of toxicity and biochemical materiality, by “metabolising pollutants” (Ah-King and Hayward 2013:7) which, together with cultural movements, are testing the cultural supremacy of dualistic models of sexual difference. In this section I will look at two bio-art practices dealing with hormones, Mary Maggic’s and Power Make us Sick’s participatory workshops, both connected with a wider international network of communities and hackerspaces dealing with open-source biohacking and autonomous healthcare practices, such as hackteria4 . Questioning the mode of production of molecules and the ways they promote awareness and knowledge on the topic, I will point out how the creation and sharing of open-source protocols and the organisation of DIWO biohacking workshops can be understood as a practice of commoning science, meaning a way for everyday citizens to make decisions and take action to answer the healthcare needs of their communities, rather than being locked into the profit-driven mechanics of the market, or being merely dependent on governments’ prescriptions. The work of artist Mary Maggic aims both at reformulating the concept of toxicity and challenging the hormone market’s rules and politics. Maggic’s non-profit hands-on workshops are characterised by creating and redistributing scientific and chemical knowledge among participants. By doing so, radical access and inclusive approaches are needed, as well as the use of participatory methods. The result is a collective re-appropriation of means of production, of knowledge and awareness about scientific healthcare practices and dynamics. “Open Source Estrogen”5 , one of the several art collaborative workshops led by the artist, has the ambition to develop DIWO protocols for the domestic extraction and synthesis of hormones from urine, as a response to the restrictive control by governments and institutions over our bodies. The project hacks estrogens present in the human body creating non-commercial access to them, which is arguably a collaborative, decolonial intervention through DIWO protocols to “openly” extract and synthesise hormones

#### Thus, we affirm Resolved: The World Trade organization ought to abolish all hormone patents. The aff acts as a method to create a space of gender hacking were gender queer bodies become sites of self-expression through the use of hormones outside the corporate bubble of pharmaceutical companies.

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Parallel trade markets affect transgender people's access to medication and care as a direct consequence of a monopoly-based system. To strengthen this monopoly, there is the fact that every new drug, when patented, cannot be manufactured or sold by others for at least 20 years. Without competition, pharmaceutical companies can decide the price they want by claiming that the high costs are caused by research and development costs. However, as there is no transparency about how these companies invest their capital (or benefit from the appropriation of public research), no one can verify the plausibility of these claims. Although several civil society groups, projects and organisations such as “Fix the Patent Laws”16, “Fair Pricing of Medicines”17, “Treatment Action Campaign”18 and “Knowledge Ecology International”19, have been working for years on accessibility to medical treatments, governments have not done much to defend themselves against pharmaceutical monopolies, or to strengthen the discourse in favour of greater access to care. That said, sticking to the current system will never bring universal access to drugs: some will always be able gain access while others cannot. This is what “Open Source Pharma”20, a mixed community who seeks new ways to discover drugs, states when promoting to: “create a movement that includes existing initiatives and develop an alternative, comprehensive, opensource pharmaceutical system driven by principles of openness, patient needs, and affordability”. In the context of sex hormone therapies, to abolish patents would help to alleviate hormonal shortage and its effects on the transgender community. Also, it would allow companies’ patent monopolies to be bypassed by engaging in more crucial research on the synthesis of hormonesfor-transition. Thus, the abolition of all hormone patents would mean to invest in practices of commoning science, involving the spread of DIWO biohacking workshops such as those described above, and strengthening their relationship with the public healthcare systems. Overall, these are the main reasons why DIWO biohacking workshops, by self-producing and administering hormones, align to the “open-source pharmaceutical system” promoted by the Open Source Pharma network – besides trying to regulate and modify the margins of a monopoly-based system

#### **The impact is gender euphoria affects of joy indescribable to cis people where trans folk are able to actualize their gender congruency.**

Lubinsky 21 B Camminga & Noam Lubinsky (2021): “Your boy is a boiii”: capturing the consumption of trans joy in the form of synthetic testosterone, Consumption Markets & Culture, DOI: 10.1080/10253866.2021.195348

Happy objects, as theorised by Ahmed (2010) are objects that hold within them the promise of happiness to subjects that attach themselves to them. They “contribute to the preservation of our being” 2 B. CAMMINGA AND N. LUBINSKY (23), and as such are the objects we orientate ourselves towards in hopes of producing happiness. This production of happiness, when put in relation to the vial, is reformulated as the production of gender euphoria. Gender euphoria, in its broadest construction, is “the enjoyment of one’s gender identity, expression, or affiliation” (Squires and Brouwer in Tacit 2020). However, as Tacit (2020) suggests for many trans people this definition fails to capture the ineffable affect of gender congruency that the term gender euphoria encapsulates. In this paper, we understand the vial as a vehicle towards gender euphoria for a sector of the trans community who use it with the aim of actualising gender congruency. As such, in its’ promise of providing gender euphoria, it is arguable that, the vial, in its promise to “transform and alter” is not simply a technical object but a happy object.1 One which for many trans people is often life-saving. Embedded within this promise of gender euphoria is also the promise of the “trans ordinary”. Aultman (2019) defines the trans ordinary as “feeling ‘happy’ within the rhythms of day-to-day gender non-normative life” (1). For many, the very act of touching the vial, skin to glass, is one which elicits joy. Here, joy can be understood as the momentary emotion linked to the affect of happiness. As such, in gaining a script for synthetic testosterone, there is joy in also obtaining, what we might think of in terms of Ahmed (2010) as a script for gendered becoming or a “happiness script” (59). This gendered becoming, this moment of touch and joy, is rooted in the future temporality of transition (Aultman 2019, 7).

### UV

#### ROTB > T and theory

#### a. Jurisdiction- the ROB speaks specifically to this round and how the ballot should be signed, while theory is about norm-setting which is out of the judge’s jurisdiction bc that is out of round

#### b. Pedagogy- the ROB proves my pedagogy is good in debate space which means it should come before theory since there’s no guarantee of norm-setting but there is guarantee of pedagogical value