### K: Tragic Hero

#### 1] We begin with the story of the tragic hero – the aff’s confession of the crimes of Wealthy nations turns the colonialists into a tragic hero which valorizes their colonial experiences as a form of Western catharsis – this legitimizes violence and obliterates historical consciousness – turns case.

**Spanos 8** [William Spanos American Exceptionalism in the Age of Globalization. 2008. 99-101]

Since the end of the Vietnam War in 1975, there have been numerous disclosures of atrocities committed by American soldiers during that war, a fact that clearly suggests that these acts were common and that the specter of Vietnam continues to haunt America long after the deputies of the dominant American culture had thought the war had come to its closure. What is of primary significance for the purpose of this chapter is that in each case the representation of these disturbing disclosures of American atrocities in Vietnam has taken the form of individualizing what was fundamentally a state project sanctioned by a national cultural code and, closely related, reducing *this* historically specific war to war-ingeneral. Such a dislocating disclosure occurred as late as May 2001 when it was revealed that the former senator from Nebraska and later president of the New School for Social Research, Bob **Kerrey**, on a raid as the commander of a U.S. Navy SEALS unit on Thanh Phong, a Vietnamese hamlet in the Mekong Delta, on February 25, 1969, had ordered and **participated in the execution of** at least **thirteen** defenseless **Vietnamese civilians**—women and children.1 Both his own representation of that event and that of the media followed this by-now predictable pattern. **Kerrey’s account focused on the** deeply felt **guilt he has borne** all these years after the war for the acts he committed on that unfortunate occasion. In the nationally televised interview with Kerrey conducted by Dan Rather for CBS’s *60 Minutes II*, Rather undeviatingly fed Kerrey questions that allowed him in his responses—even when the questions pertained to the testimony of Gerhard Klann, one of Kerrey’s men, which contradicted his undeviating assertion that the villagers had fired on them first—to remain within the framework of his individualized representation of an event that was essentially national in scope and meaning. And the coverage by the media at large followed suit.2 In the end, in fact, **this act of gratuitous mass murder**, which was the inevitable consequence of the American military policy of attrition that identified any Vietnamese in a “free fire zone” as an enemy, **was transformed into a story that** tacitly **made Kerrey the hero of** a **tragedy**—a hero who has nobly suffered the excruciating guilt of the crime he committed in Vietnam thirty years before— **that culminated in a catharsis that obliterated** the audience’s **historical consciousness.** What haunted Kerrey’s representation of this terrible event and the media’s representation of his representation was not simply the specter of the Vietnamese women and children who were brutally murdered that night, but also the question of *the role played by the military command in Saigon, by the Pentagon, by the American state, and finally, but not least, by the American national identity in this gratuitous act of terror*. By the last, I mean the image the American cultural memory has constructed of itself and naturalized ever since the Puritans identified the “clearing,” “settlement,” and “improvement” of the New World as their “errand in the wilderness,” ordained by God’s providential design. It was as if the interview with Bob Kerrey was staged for the American public precisely to deflect attention (once again) from this irrepressible public question by way of restricting the parameters of this representation to the individual himself, who is then universalized according to the humanist imperatives of the Western tragic tradition. There is nothing new about this duplicitous American strategy of remembering Vietnam in order to forget the actualities of the history of the United States’ intervention in that Third World country and its conduct of the war. It has been repeated in one form or another over and over again throughout the thirty-year aftermath of the war, even by those who, like Bob Kerrey, sometime along the way turned against the war.

#### 2] Our first link is reconciliation – the aff’s drive for reconciliation through reducing intellectual property for medicines necessitates social amnesia and an obliteration of past crimes.

**Bevernage 10** [Berber Bevernage. Research Fellow at the University of Ghent and currently (2009-2010) a Visiting Professor at the Free University of Amsterdam. “Writing the Past Out of the Present: History and the Politics of Time in Transitional Justice” History Workshop Journal. 2010. Project Muse]

However this turn to history, in the context of conflict resolution and of nation-building, is - I argue - far from a self-evident virtue. [End Page 111] While there is a long tradition which conjoins historiography with nation-building, this has most often been a history invoking an ancient and glorious past which articulates a mythic unity or common origin. **When we address** the phenomenon of **truth commissions**, on the other hand, **the past is replete with atrocities which are shameful and divisive**. The rise of truth commissions in most cases cannot be explained exclusively by their fact-revealing capacities. **Juridical and political constraints** often **prevent truth commissions from** naming perpetrators or accomplices and from **fully describing the events** in which they were involved. As a result, the revelations of the official commission reports can appear bland in comparison to the information previously recorded in the press, in books and elsewhere.9 Depending on the nature of the conflict, the narration of the past in official reports frequently takes the form of a 'procedural articulation of the known',10 which does little more than acknowledge officially what might be called public secrets. Moreover societies trying to break from violent conflict and mass atrocities often do not exhibit a lack of memory but, on the contrary, experience what Charles Maier has termed a 'surfeit of memory', which continually threatens to regenerate old hatreds.11 In South Africa, for example, the peace negotiations of the early 1990s, according to Erik Doxtader, only succeeded because, in the earliest instance, the negotiators agreed temporarily to by-pass the memories of the conflict.12 In contrast to the subsequent commitment to 'forgive but not forget', the **negotiators** originally **defined** the political concept of **reconciliation in terms of** amnesty and **amnesia**. As Doxtader notes, Nelson Mandela himself had initially defined reconciliation as a state of affairs in which the 'injustices and grievances of the past would be buried and forgotten and a fresh start made', and it took him some years to revise this belief and to reconcile himself to the idea that the past could not be left behind.13 Besides, some commentators, including many historians, argue that **truth commissions** - in contrast to their official rhetoric - in reality often **suffer from** a short**-term memory, inducing a social amnesia rather than forging** a properly **collective memory**.14 Verne Harris, for example, suggests that truth commissions provide 'a nod at remembering in the interests of a profounder forgetting',15 while Anthony Holiday supposes that they deploy an 'amnesiac rhetoric',16 and Jacques Derrida, in similar mode, wonders if they do not potentially constitute 'exercise[s] in forgetting'.17 The turn to history, therefore, can hardly be explained by referring merely to the desire to conserve the memories of the past. Neither is the methodology or epistemology of academic historiography of great interest to truth commissions. Alternative methodologies are employed most of the time, and on occasion the concept of truth has been stretched to include personal, social, healing and restorative truths which are generally alien to professional history.18

#### 3] Our second link is medicine—medicine is presently and historically used as elixir for colonialism, and the aff is using it to justify violence, all for the sake of their impact.

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If we take the word Oriental and replace it with the word patient, this quotation still rings with truth and implications that we need to address, critique and investigate for the possibilities of change. Said (1979) also described the patient as also a “body of knowledge” (p. 43). Human being no longer represents the term used in medical teachings and practice. It has become, and remains today, an object to be judged, studied, and illustrated within a context not of its own making. Medicine has a very long and intricate relationship with imperialism and colonialism historically. Medicine was a part of the ideology as well as the accountancy of empire. D. Schoute once argued that when the British occupied the Dutch East Indies early in the nineteenth century they replaced the Dutch company’s narrowly ‘commercial’ medical outlook (aimed solely at keeping its European employees alive) with an ‘idealist’ vision of medicine in the service of the entire population, Indonesian and European alike. Even before the scientific breakthroughs of the late nineteenth century, imperial powers were beginning to use medicine as a demonstration of their benevolent and paternalistic intensions, as a way of winning support from a newly subject population, of balancing out the coercive features of colonial rule, and of establishing a wider imperial hegemony than could be derived from conquest alone. (Arnold, 1988, p. 16) Over time, medicine acquired an imperialism of its own. Today, Western medicine continues to dominate and colonize not only the patients within America, but within other regions and countries, in order to explore new therapies at the risk of those deemed less than us. It is true that we utilize the poorest in other countries to perform research for medications. Our country continues beyond the times of European colonialism to use medicine and healthcare as a method of “medical counterinsurgency operations” (Levy, 1978, p. 298). Providing care to our enemies who are wounded or captured is often methods of intelligence gathering. Yet I believe that American medicine, as an institution practiced at home, is a form of colonialism, even to those of us who reside within this country’s boundaries. I offer this quote by James Paul (1978): Medicine has from the beginning functioned in the service of imperialism, supporting logically the voracious search for ever wider markets and profitable deals.…We can also see how medical sciences, rather than eliminate the social roots of ill health, promotes a commodity-based disease therapy. And finally, we can better grasp the role of the doctor, not as benevolent practitioner of universal science but as purveyor of capitalist values and as enthusiastic agent of imperial rule. (p. 272) However, the anthropologist, Clifford Geertz, reminds us that “culture is not a power, something to which social events, behaviors, institutions, or processes can be causally attributed; it is a context, something within which they can be intelligibly—that is thickly—described” (Geertz, 1973, p. 14). In his text, The Interpretation of Cultures, Geertz explains the importance and awareness of looking beyond generalization. A thin description is one that focuses our attention on the superficial meaning or explanation of an act, word, gesture, or custom. As an American woman, I may explain a nod as a gesture of agreement or affirming. However, a nod in a nomadic tribe in Africa would mean something very negative or dismissive. As Geertz stated: Although one starts any effort at thick description, beyond the obvious and superficial, from a state of general bewilderment as to what the devil is going on—trying to find one’s feet—one does not start (or ought not) intellectually empty-handed. (Geertz, 1973, p. 27) My hope is that my varied experiences of medicine – as a student, a nurse, a physician assistant, and now an educator – provide me with an ability to go beyond bewilderment and to study and describe the experiences I have seen and what these meanings and actions may tell us about the world of the patient and medicine. “Theoretical ideas are not created wholly anew in each study;…they are adopted from other, related studies, and refined in the process, applied to new interpretive problems” (Geertz, 1973, p. 27). In choosing to study medicine through the theoretical ideas of Critical theory, Critical humanism, and Postcolonialism—the hope is for new understandings and interpretations—a true thick description.

#### 4] This act of forgetting re-establishes the ontological authority that legitimizes violent interventions, turning case.

**Spanos 2K** (William, Prof of English and Comparative Literature at Binghamtom University, America’s Shadow, pg 141-144)

With this symbolic denouement, **the “wound” suffered by “America” has been** utterly, if not explicitly, **healed**. To invoke an analogous metaphor, **the ghost that has haunted the collective American psyche is exorcised**. The internal divisions within the American body politic have not only been reconciled; the **reconciliation** has **rendered the res publica stronger and more dedicated to the principles of American democracy** in its struggle against radicals and communist imperialism. But what, in the context of the emergence of the end-of-the-Cold War discourse, needs to be thematized is that the metaphor of trauma has undergone a telling metamorphosis: the metaphor of the wound, which implies healing, that is, ideological reconciliation, has become – or is at the threshold of being represented as – a collective psychological illness, a national “syndrome,” which implies the imperative to blame a negative ideological cause.  The fourth and “final” phase of the American culture industry’s renarrativization of the Vietnam War was inaugurated on the concurrent occasion of the collapse of the Soviet Union and the United States’s surgically executed “victory” against Saddam Hussein in the Gulf War. What is especially telling about the official representation of this historical conjecture, especially by the television networks, is that, from beginning to end, it was this contrasting negative measure of Vietnam that utterly determined its narrative shape: the linear/circular structure of decisive victory. From the inaugural debates about the question of legitimacy of America’s intervention in the face of Iraq’s invasion of Kuwait through the brief period of the war itself to its immediate aftermath, it was the specter of the Vietnam War – the “divisive” and “self-defeating” national anxiety precipitated by its radical indeterminacy – that the narrative structure of closure, enabled by a “victory” by the United States in the Cold War, was intended to decisively efface. This transformation of a national anxiety into a productive negative image was symptomatically reflected by President Bush’s virtually unchallenged guarantee to the American public on the eve of the war that it would not be “another Vietnam” and, more strategically, by the exclusive mediation of the events of the Gulf War by the American military information agencies in a way that the events of the Vietnam War had made unthinkable. And **it was the long process of cultural forgetting**, which had ostensibly (re)constituted the actual defeat of the United States into a drastically mistaken withdrawal from Vietnam, that had **prepared the ground for this cultural transformation**. In short, the representational forgetting of the actualities of the war systematically undertaken by the ideological state apparatuses had generally arrived at a form of remembering it that attributed the defeat of America to the infectious impact of the multisituated protest movement in the United States on the American public and its intellectual deputies.  In this “final” phase, that is, **the** earlier public **need to “heal the wound” – a recuperative and conciliatory gesture of forgetting – became**, in the words of President George Bush and official Washington, **a matter of “kicking the Vietnam syndrome.”** Aided and abetted by the culture industry, this early gesture of forgetting metamorphosed at the time of the Gulf “crisis” into a virulently assured assumption that the resistance to America’s intervention and conduct of the war in Vietnam in the 1960s was a symptom of the national neurosis.  (This interpretation of the active resistance to the Vietnam War was not a sudden reactionary political initiative enabled by the circumstances of the Gulf War. Its origins can be traced back to the period of the Vietnam War itself, to the reaction against the protest movement by such influential conservative and liberal humanist intellectuals as George Kennan, Walter Jackson Bate, and Allan Bloom, among many others.  The disruptions of the traditional white Anglo-American and male-dominated cultural value system in American colleges and universities – whether in the form of the common body of shared knowledge informing the general education program [the litterae humaniores] or the canon of great books – were undertaken in the name of relevance. In the name of high seriousness, these anxious traditionalists reduced this emancipator initiative to an unhealthy or neurotic obsession with novelty and/or vulgarity and represented it – as Arnold had represented the rise of working-class consciousness in late Victorian Britain – as a symptom not simply of a “centrifugal” process precipitating a dangerous cultural “heterogeneity,” but as a collective “death wish” [Bate] on the part of the American academy.) Whatever its limitations, the protest movement in the Vietnam decade was, in fact, a symptomatic manifestation of a long-overdue and promising national self-doubt about the alleged legitimacy of America’s representation of its internal constituencies (blacks, women, gays, ethnic minorities, the poor, the young, and so on) and about the alleged benignity of its historically ordained exceptionalist mission to transform the world (the barbarous Others) in its own image. In this last phase of the amnesiac process, this healthy and potentially productive **self-examination** of the American cultural identity **came to be represented as a** collective **psychological sickness that,** in its disintegrative momentum, **threatened to undermine “America’s” promised end**. By this I mean the end providentially promised to the original Puritans and later, after the secularization of the body politic, by History: the building of “the city on the hill” in the “New World,” which is to say, the advent of the New World Order and the end of history.   In the wake of the Cold War, and especially the defeat of Saddam Hussein’s army – and the consequent representation of the shattered American consensus occasioned by the Vietnam War as a recovery of a collective mental illness – there came in rapid and virtually unchallenged succession a floodtide of “reforms,” reactionary in essence, intended to annul the multiply situated progressive legacy of the protest movement(s) of the Vietnam decade by overt abrogation or accommodation. Undertaken in the name of the “promise” of “America,” these **reforms were intended to reestablish the ontological,** cultural, and political **authority of the** enlightened, **American** “vital **center**” and its circumference **and** thus to **recontain the dark force of the insurgent differential constituencies** that had emerged at the margins in the wake of the disclosures of the Vietnam War. At the domestic site, these included the coalescence of capital (the Republican Party) and the religious and political Right into a powerful dominant neoconservative culture (a new “Holy Alliance,” as it were) committed to an indissolubly linked militantly racist, antifeminist, antigay, and anti-working class agenda; the dominant liberal humanist culture’s massive indictment of deconstructive and destructive theory as complicitous with fascist totalitarianism; the nationwide legislative assault on the post-Vietnam public university by way of programs of economic retrenchment affiliated with the representation of its multicultural initiative as a political correctness of the Left; the increasing subsumption of the various agencies of cultural production and dissemination (most significantly, the electronic information highways) under fewer and fewer parent, mostly American, corporations; the dismantling of the welfare program; and, symptomatically, the rehabilitation of the criminal president, Richard Nixon. At the international site, **this “reformist” initiative has manifested itself as the rehabilitation of the American errand in the world**, a rehabilitation **exemplified by** the United States’s virtually uncontested moral/**military interventions** in Panama, Somalia, Haiti, Bosnia, the Middle East, and Kosovo; its interference in the political processes of Russia by way of providing massive economic support for Boris Yeltsin’s democratic/capitalist agenda against the communist opposition**; its unilateral assumption of** the lead in **demanding economic/political reforms in** Southeast Asian **countries** following the collapse of their economies in 1998; **its internationalization of the “free market**”; and, not least, its globalization of the instrumentalist version of the English language.  What needs to be foregrounded is that these global post-Cold War “reformist” initiatives are not discontinuous processes, a matter of historical accident. Largely **enabled by** the “**forgetting**” of Vietnam – and of the repression or accommodation or self-immolation of the emergent decentered modes of thinking the Vietnam War precipitated – **they are**, rather, indissolubly, however unevenly, **related**. Indeed, **they are** the multisituated practical **consequences of the planetary triumph** (the “end”) **of** the logical economy of the **imperial ontological discourse that has** its origins in the founding of the idea of the Occident and **its fulfilled end in the banal** instrumental/**technological reasoning in the discourse of “America.”** In thus totally colonizing thinking, that is, this imperial “Americanism” has come to determine the comportment toward being of human beings, in all their individual and collective differences, at large – even of those postcolonials who would resist its imperial order. This state of thinking, which has come to be called the New World Order (though to render its rise to ascendancy visible requires reconstellating the Vietnam War into this history), subsumes the representative, but by no means complete, list of post-Cold War practices to which I have referred above. And it is synecdochically represented by the massive mediatization of the amnesiac end-of-history discourse and the affiliated polyvalent rhetoric of the Pax Americana.  Understood in terms of this massive effort to endow hegemonic status to the transformation of the metaphorics of the “wound” to (neurotic) “syndrome,” the forgotten of the systematic process of forgetting apparently accomplished by the renarrativization of history since the humiliatingly visible fall of Saigon in 1975 takes on a spectral resonance of epochal and planetary significance. As such, it calls on the differential community of oppositional intellectuals to undertake a genealogy of this end-of-history discourse that would retrieve (wiederholen) as precisely as possible the essence of that which the United States’s intervention in Vietnam and its conduct of the war disclosed, that which the American Cultural Memory, in the form of a “new Holy Alliance,” has feverishly attempted to bury in oblivion by way of its multisituated and long-term labor to hegemonize a demonic representation of this (self-)disclosure.

#### 4] The alternative is a hauntological re-teaching of history – only this model of “teaching by the event” can produce epistemologies which can resolve the spectre of [insert historically oppressed group here]. Our methodology turns the debate space into a space of haunting – only the convergence of collective identity and memory can allow for the past to be reconstructed rather than replaced by history.  Thus, the ROJ is to be a critical educator.

**Caputo 12** – Professor of Religion Emeritus at Syracuse University and the David R. Cook Professor of Philosophy Emeritus at Villanova University (John D., “Teaching the Event: Deconstruction, Hauntology, and the Scene of Pedagogy,” Philosophy of Education, 2012, pgs. 25-28)//DD

It is the “event” that produces this spectral effect. Ghosts are neither entirely present, which is why we do not believe in them, nor entirely absent, which is why we do. So the ghost is a kind of “pres/absence,” there but then again not there, the source of a general disturbance in the present. So if we think of education on a hauntological model, as visibly present yet also visibly disturbed, it is because, on the premise of a hauntology, it is haunted by the event. The event is the ghost in the machine (computers, overhead projectors, buildings, offices, contracts, etc.), a machine for producing events, if that were possible. The spectral effect of the school is to leave students disturbed and provoked, believing in ghosts they never believed possible, never imagined were real. By the time we are done with them, they will never be the same. Their lives will be destabilized; they will have lost their equilibrium. They will see ghosts everywhere. **Everywhere questions, suspicions, longings, doubts, dreams, wonders, puzzles where peace once reigned**. Nothing will be simple anymore. They will never have any rest. We have come to bring the hauntological sword, not the peace of presence. So it is of central importance to clarify what I mean by the event and its spectral qualities. To be sure, in saying all this, I am not recommending we produce a pathological result. I mean to **invoke the spookiness of the event** as a way **to disturb the settled tranquility of thinking we have nothing new to learn**. The spirits that visit young children, who are still in the process of gaining a sense of self-confidence and security, should be cheery sprites. We mean to **fill their heads with possibilities, not with fears** in the night. By the time we see them in college, we expect students secure enough to question anything, knowing full well that it is the insecure who are afraid to question. Let us begin by saying that the event, like any ghost worthy of the name, is not what visibly happens but what is going on invisibly in what visibly happens.3 It is not what is palpably present, but a restlessness with the present, an uneasiness within the present. Something disturbs the present but we do not know what it is — that is the event. Something is “coming” (venire) to get us but we do not know what. What is that if not a ghost? The event is not what we desire but something haunting our desire.4 The event is not what we desire but what is being desired in what we desire, some deeper disturbance of our desire. When we desire this or that, we have the uneasy feeling that something else is getting itself desired in that desire, like a desire beyond desire. In this sense we can never say what we desire. We do not know what we desire. Still, this is not some fault or limitation in us, a failure on our part to know what we are doing. It is the very structure of the event, of temporality, of the openness of the future, of the ghost of the future. As you cannot see a ghost, the event is structurally unforeseeable, the coming of what we cannot see coming, not because we are shortsighted but because of spectral structure of the future, of temporality of the event. There is of course a future that we can see coming and provide for, the future of our children or our retirement, which Derrida calls the “future-present.” But the event concerns the “absolute” future, the future for which we cannot plan, a future beyond the future, that visits us like a thief in the night, that haunts us in the night. Faced with what we cannot “see coming” (voir venir) we do no more than to try to discern its indiscernible demands, as if we were Jacob wrestling through the night with an angel. Vis-à-vis an “absolute” future we are asked to take a risk, to say “Come — and let’s see what comes” (voir venir).5 Over and beyond our completely reasonable expectation of what is possible, over and beyond the sane, visible economies of the world, the event arrives like the possibility of the impossible, of the unforeseeable, of some invisible spirit in which we did not previously believe. **The** coming of the **event is the coming of the impossible**.6 When we are visited by the event it seems as if the impossible has just happened, as if the impossible were possible after all. Is this magic, a miracle? Is this place haunted? The present is made an unstable, uneasy place, shaken and disturbed by invisible forces, and this is because it contains something with which it cannot come to grips, something uncontainable. That is the event, which is contained in what happens but cannot be contained by what happens. The present contains what it cannot contain. The event is like a ghost whispering in our ear, making promises, like the visitation by some spirit that pretends to know the future. The event is not what happens but what is being promised in and by what happens, enticing us to live on promises. By the same token, if what is being promised belongs to an absolute and unforeseeable future, then this promise comes without guarantees and nothing protects the promise from the threat of the worst. Not every angel is good; not every spirit can be trusted. Every promise is a risk. But who or what is “making” this promise? If I knew that, Derrida says, I would know everything. He means he would be able to identify the ghost, make it entirely visible and present. The event is not something I do, or something we do, not anything that is being done by someone or something. Do not separate the doer from the deed, Friedrich Nietzsche says. There is no agent of the event, no active agency that brings it about, which means that the event is carried out in the middle voice. In virtue of some mysterious spectral operation, something is getting itself desired in and through and beyond our concrete and particular desires; something is getting itself promised in the particular promises that are all around us. If we could say who or what is making this promise, then the promise would not be the event, and it would not be a risk, for we would know someone real and substantive stands behind the promise, something backs it up. We would have driven out all the specters, exorcized one ghost too many. When Derrida says “give,” abruptly shifting from the aporia of the gift into the performative order, we ask, who is speaking here? Who calls for giving? Who has the authority to make such a call? This call, which is not a command or a direct order, has a certain force, but it is perforce a spectral force, a weak and unforced force, with no army to enforce it. It does not have the force of law but only the weakness of a plea for justice.7 Is this the voice of some spirit that somehow and invisibly manages to make itself felt? If we could identify the source, the call would cease to be a call. It would have the force of God or nature, of some super-presence instead of a spectral semi-presence, which we would be compelled to obey under penalty of disobeying God or defying nature. In order to protect the weak, fragile, and uncoercive character of the call, the origin of the call, s’il y en a, must be spooky, spectral, and indeterminate. “Es spükt,” it spooks, something spooks, something spooky is going on.8 All that we can say is that this call is made in the “middle voice,” without being able to identify an active agent calling. Something is getting itself said and called in a word like “gift” — and how many other words are there like that, words of an elementary but weak force? Some unknown spirit, something, je ne sais quoi, comes over us and asks something of us, asks for our faith, asks us to pledge our troth, without pretending to be a law of God or nature. Or perhaps precisely by “pretending” to be God or nature, but even so something is happening in this pretense. Like any ghost, holy or not, **the event does not exist; it insists**. The event is not an agent, nor an existing visible thing, neither a who nor a what to be thanked or blamed. **It is not some identifiable person or object**, not “God” or “Being” or “History,” not the “People” or the “Party” or the “Spirit,” not the “unconscious” or “economics” or the “will-to-power.” The event insists in and within what exists, prying open what exists in the name of something unnamable, unforeseeable, a promise/risk beyond our imagining. **The event** (événement) in the broadest possible sense **is the specter of the future** (avenir), **meaning what is to-come** (à venir).9 The event is the to-come itself, if there were such a thing, which there is not, since the event is not a visible palpable thing, not what happens, but what is going on invisibly in what happens. Deconstruction is situated at the point of exposure of the present to the to-come, precisely when the present feels the pressure of the “to come,” which is an infinite or infinitival pressure. The present is thereby pushed to its breaking point, where what happens bursts open under the pressure of what is coming. This burst, this deconstruction, this autodeconstruction is not destruction. **To deconstruct is to unsettle and de-sediment, to disturb and haunt, but** it is **not to smash to smithereens**. Quite the opposite, it restores to things the future from which they were blocked by the present. The event insinuates itself into and unsettles what seems settled, insists within what exists. But the force of the “to-come” is a “weak force,” like a spirit speaking in the middle voice. There is no identifiable agent behind it, no Big Other, as Slavoj Žižek would say. It has no police, no army to back it up. One of Derrida’s favorite examples of an event, which is not simply an example, but something close to its heart, is “democracy,” a spectral shape which never is what it is, is never what is present.10 At any given moment, no existing democracy can respond to what we call for when we call (for) “democracy,” even as we never adequately respond to what democracy calls for. Democracy is always and structurally coming, always to-come. Democracy is the event that is being promised in the word democracy, what insists in this word, what calls to us before we call for it, what addresses us, haunts us day and night. “Democracy” is a call, not a state of affairs, an infinitival weak imperative, not a sturdy noun or stable nominative. TEACHING THE EVENT **How can we bring about the event**? The very attempt to bring about the event would prevent the event. It breaks in upon us unforeseen, uninvited. Still, **there is a certain conjuring** of the event, a certain dark art of requesting an apparition. It is possible, Derrida says, to be inventive about the eventive, playing on the old sense of both the Latin “inventio” and the French “invention,” both to invent and to discover or come upon. We must be inventive in order to allow its in-coming (invenire). 11 **That means getting over a fear of ghosts, being willing to live with strange noises in the night, being hospitable to spooks**. It means conjuring the spirits that keep the system open to the event, that keep the system in play, embracing the spooky effects of a quasi-transcendental disequilibrium, living in an elusive state of instability, in a word, a magnificent word coined by James Joyce, “chaosmic,” meaning a state that is neither chaos nor cosmos. Either pure order or pure disorder would prevent the event. When Derrida calls this “deconstruction,” he invites the misunderstanding of radical chaos, implying that he is out to raze institutions instead of merely meaning to spook them. He is **not recommending pure anarchy or a libertarian anti-institutionalism**; he has in mind a positive idea of institutions as a scene of the event. **Deconstruction is all about** **institutions** — schools, hospitals, political bodies, courts, museums — **and how to keep them in creative disequilibrium without tipping over**, how to spook their complacency with the promise/risk of the future. What is truly destructive is the opposite of the event, which is the absolute exorcism of the event by the “program,” absolute foreseeability, deducibility, rulegoverned activity. When the “program” is in place, what happens is a function of the laws of the system, of a rigorous logic, not of the aphoristic, metaphoristic, grammatological energy of the event. The only possible program is to program the unprogrammable, the unforeseeable. Otherwise the ghost or spirit of the event will have fled the premises. All the aporias surrounding justice and democracy, education and the gift, are problems of the event. All the problems of teaching, of what Gert Biesta calls “subjectification,”12 are aporias of the event, of becoming a subject of the event, of responding to the call of the event — ever since Socrates tried to figure out a way to make students (the patients) the agent of their own instruction, to figure out how students could come to see for themselves, to be struck by the event, instead of simply being stung by Socrates; ever since Søren Kierkegaard tried to get existing individuals to assume responsibility for themselves, without being responsible to Kierkegaard. **The teacher must** somehow **allow the event to happen** without standing between the student and the event, without attempting to manipulate the event. The teacher must figure out how to be **a weak force, how** the middle voice works, how to be an agent without agency, a provocateur who is not an agent, how **to engage the** spooky dynamics of a **haunting spirit**. What is the spectral effect that takes place in teaching? According to the hauntological principle, we should say the event in education is not what happens but what is going on in what happens. What happens is teaching, the schools, but something is going on in what happens, something desired with a desire beyond desire, something unforeseeable, something impossible, uncontainable, something coming in and as an absolute future. When this or that is taught, that is what is happening, but the event is what is going in what happens, which we cannot get our hands on, cannot master or manipulate, cannot make happen, but only conjure up. The event is **a matter of “indirect” communication**, Kierkegaard would say; the teacher is only a midwife of the event, Socrates would say. Teaching does not directly handle the event. It deals directly with the various disciplines, the fields of study, more or less standard-form, academic operations. But all along, running quietly in the background, is the event. Teaching takes place under the impulse of the event, letting the event be in the teaching, letting it into the teaching, letting the event by which the teacher is touched touch the student, so that both the teacher and the student are touched by a common event. But the event belongs to an absolute future that no one sees coming, over which neither teacher nor student has disposal, what neither one knows or foresees or commands, where we do our best in an impossible situation to see what is possible, to “see what comes.” It is the invisible, unidentifiable, undetectable operations of the event that have assembled teacher and student together, placed them in the same room, both in the service of the event, me voici, in the accusative, in response to the event, in answer to the fetching call of some unknown spirit. Contrary to the received opinion, there are no masters in the school. **The teacher** then **is** variously **the effect of the event, the caretaker** of the event, its souffleur, its conjurer, but not its master. The student comes under the spell of the event, is spooked by its uncanny operations, is unaware that some spectral force is afoot in these halls. The school must be the space in which the event is possible, the scene in which every possible scenario of the event, of all the events, imaginable and unimaginable, might take place. To define teaching by the event is to situate the teacher at the point where the present is spooked by the future, trembles with the specter of the to-come. Teaching occupies the cracks and crevices in the present where the present is broken open by some coming spirit. The students are the future, the future we do not see, either because we never see them again, or because they are the future generations which outlive us, so that whatever gifts we have given are given to a future in which we will never be present, an absolutely spectral future in which we will be but shades. But if education is what happens, what is the event that is going on? If it is a spook, does the spook have a name? Which spook do I have in mind? Education is one of the openings of the event, one of its thresholds, one of the places the event take place. But what is the event of education (if there is one)? There is of course no one event, no event of all events, for that would lead to terror. Events disseminate, spread rhizomatically, by contamination, intimation, indirection, association, suggestion, by chance. Otherwise we would reinstate the old theology of sovereignty, the old top down onto-theological order, the metaphysics of the program, of mastery, of which the omnipotence of the good old God would be the paradigm — the old order of the king, of the father, of the master, to which the “school-master” belongs. Were we to allow a theology into this scene, it would not turn on the sovereignty of God but on the chance for grace, for the event of grace, for the grace of the event, for which the classroom attempts to provide the scene. Still, what is the distinctive call or address that takes place in the school, the spirit that haunts the halls of the school? To think the event that takes place in the schools — which is, I am proposing, to undertake what this association calls the “philosophy of education” — is to ask what is promising, what is being promised in the middle voice by the “school,” where the school joins the list of words of elementary promise, words that tremble with the quiet power of the promise, the quiet power of the possible. What is getting itself promised in “education,” the “university,” the “school?” What spirit is calling to us in what we call a “school,” a “university,” a “teacher,” a “professor?” Whoever enters the spectral space of the school is answering a call, responding to some spirit calling us together here in common cause. What calls? What does it call for? Who is being called upon? To what future does it call us forth? If I were throw all caution to the winds, to attempt in an act of sheer folly to condense the event of which the school provides the scene, to name this spook, I would say **the school is the place where**, in an effort to let the event happen, **we reserve the right** to ask any question. The school is mobilized by a spirit calling — give, ask, question, open up, risk — **to put anything and everything in question**, even and **especially** very **sacrosanct things like** “God” or “**democracy**,” or what we mean by “reason,”13 “knowledge,” “truth,” which are among our most intimidating, risky, and promising words. It may well be the case, for example, that what is being promised in the word “democracy” will come at the cost of the word democracy, which may finally prove itself to be an obstacle, a way to prevent the event. For after all, if the “democracy to come” is unforeseeable, how do we know it will still be a “democracy?” When he was once asked this very question, Derrida responded that, in the expression “the democracy to come,” the “to-come” is more important than the “democracy.”14 So then the school will be the place that puts democracy into question, in the very name of what democracy promises. The school is the assembly of those who answer the imperative or the call of the school — dare to ask, to question, to think, dare to know, dare to teach and dare to learn, dare to put what we think we know at risk, dare the event to happen. **The right to ask** any question **does not mean that any question is a good question; this right includes the right put the question in question,** to sort out good questions from bad. What I am saying at this point is conjuring up the old and venerable spirit that inspired the Enlightenment, sapere aude, dare to know, but I am saying it in the spirit of a new enlightenment, which is enlightened about any (capitalized) Enlightenment, which understands that there are many lights and that enlightenments come in many versions. This new enlightenment is not afraid of the dark; indeed it begins with the recognition that the absolute future is in the dark. This new enlightenment is not afraid of the ghosts that the old Enlightenment tried to exorcise. It understands that there are other things than light, that the event is not only a matter of light. So in saying “the right to ask any question” I am not proposing a one-sidedly cognitive ideal, emphasizing the light of the idea. The event is not only cognitive light and not primarily something cognitive. I have said the event is something that I desire with a desire beyond desire, so that the event has an erotic force; and I have said that it calls and solicits me, so that it has a “vocational” force, provoking me, evoking my response, transforming my life. The general effect of specters is to inspire, for better or for worse. The teacher has to play the delicate role of conjurer, of indirectly calling up an elusive spirit, of letting the event be, and that is because to learn is to be struck by the event. **To teach is to teach by way of the event, to let the event touch the student. Teaching is haunting**, subtly intimating that there are spectral forces afoot. That involves conceding the common exposure of the teacher and the student to the event, that there are unknown specters all around, and that we share a common situation of non-knowing and mortality and open-endedness. To teach is to ask a question to which one truly does not know the answer, because no one knows, and to make the answers we all think we know questionable. To teach is to expose our common exposure to the specter of the secret. To learn is to unlearn what we think we know and to expose ourselves to the unknowable. Teaching and learning alike are a matter of allowing ourselves to be spooked. The aporia of the school is to have administrators who do not produce administered institutions and to conduct “programs” that do not program the school, that do not bind and coerce the event. That means the program must be in-ventive, which means that it let something break in, so that in the end no one, neither the planners nor the implementers of the program, can know exactly where it will lead. It means no one is afraid of the risk. The program is not meant to program. It must be inventive in the double sense: as carefully planned as possible, but also designed to inject the system with chance, to allow entry to the aleatory spirits and the spooks that haunt the system, to “see what comes,” so that the “program” is “designed” to deal with a future that we cannot design. The school is a place of uncanny and unnerving instability, preserving a space of openness, a readiness for the future, pushing forward into an unknown future. All its ideas and ideals are all spooks, both shadowy specters of the past and faint images of an unforeseeable future. In the school, things are placed and displaced, posed and deposed, venerated but also innovated, respected but also subjected to the infinite, infinitival pressure of the tocome. Whatever has been constructed is deconstructible, and whatever is deconstructible is deconstructible in the name of what is not deconstructible, and what is not deconstructible is a spook, a specter, neither present nor absent, a promise, still to come, the to-come itself, the absolute future — of the school, of the teacher, of the student, of us all, of the earth. All of the aphoristic and even anarchic energies of deconstruction, all its impishness and seeming impudence, which seem mistakenly to some as sheer relativism, are like angels tending to the arrival of some unknown event while displacing the forces that would prevent the event. **This does not pit deconstruction against systems, institutions, orders**, in short, against **economies of one kind or another,** which are after all the only thing that exists. But we are here today because we are not satisfied with what exists and because we are haunted by what insists. Deconstruction is a style of displacement, a way of haunting these systems by inhabiting them from within, keeping all the inhabitants slightly off balance, in a state of optimal unease and disquiet, which lets events happen. **The event is what allows invention, inventiveness, and reinventability, effecting a well-tempered dis/ order**. The event is the resistance offered to a closed system, to a program, meaning everything run by rules so that nothing is unruly and there are no surprises. The love of order in the end is too powerful, too overwhelming, and it must be resisted by the order of love.

### CP: Without Consent Shell

#### CP Text: The plan involves 3 parts: vaccine export restrictions should be limited/reduced, vaccine producers should help distribute vaccines to the countries in need at production cost, and countries should be able to grant access to vaccine producers to produce vaccines in their home country without consent from the WTO. This solves better than the aff as it is faster to implement and provides free access to countries to produce medicines.

#### Waving IP not enough, but we can solve by working with the law but without consent better

Philip Blenkinsop Vaccine patent waiver will not be enough -WTO chief https://www.reuters.com/business/healthcare-pharmaceuticals/vaccine-patent-waiver-will-not-be-enough-wto-chief-2021-05-20/

BRUSSELS, May 20 (Reuters) - Waiving intellectual property rights for COVID-19 vaccines will not be enough to narrow the huge supply gap between rich and poor countries, the head of the World Trade Organization said on Thursday. South Africa and India have urged fellow WTO members to waive IP rights on vaccines to boost production. Poorer countries that make up half the world's population have received just 17% of doses, a situation the World Health Organization head has labelled "vaccine apartheid". U.S. President Joe Biden said last week he supported the waiver idea, but the European Union and other developed country opponents said it will not increase output. Speaking to the European Parliament on Thursday, WTO director-general Ngozi Okonjo-Iweala said it was clear that an IP waiver alone would not be enough. "To have solved the unacceptable problem of inequity of access to vaccines, we have to be holistic. It's not one or the other," she said, adding this could not drag out for years. The European Commission outlined a plan on Wednesday it sees as a more effective way of boosting output, using existing WTO rules, rather than a waiver. It notes countries can grant licences to manufacturers to produce with or without the patent-holder's consent. Bolivia signed a deal last week with a Canadian company Biolyse Pharma Corp to produce the Johnson & Johnson vaccine, which would require Biolyse to secure authorisation from Johnson & Johnson or a "compulsory licence" from Canada. Okonjo-Iweala said developing countries had complained the licencing process was cumbersome and should be improved. Manufacturers should work to expand production, she said, pointing to idle capacity in Pakistan, Bangladesh, Indonesia, Thailand, Senegal, South Africa. There also needed to be a transfer of technology and know-how, with vaccines often harder to produce than drugs. "I'm convinced that we can agree a text that gives developing countries that kind of access and flexibility, whilst protecting research and innovation," she said.

#### EU plan is faster and more effective than waiving patents

Philip Blenkinsop Under pressure EU presents WTO plan to boost vaccine output https://www.reuters.com/world/europe/eu-present-wto-plan-boost-vaccine-production-2021-05-19/

The European Union put forward a plan on Wednesday it believes will help boost the production and availability of COVID-19 vaccines more effectively than a proposed waiver of patent rights now backed by the United States. Under pressure from developing countries demanding a waiver of intellectual property (IP) rights for vaccines and treatments, the EU presented an alternative focused on export restrictions, pledges from vaccine developers and the flexibility of existing World Trade Organization rules. World Health Organization chief Tedros Adhanom Ghebreyesus said on Monday the world has reached a situation of "vaccine apartheid", with poorer countries that make up half the population receiving just 17% of vaccines. EU Trade Commissioner Valdis Dombrovskis told the European Parliament that universal and fair access was the global community's number one priority. In a debate on global vaccine access, Dombrovskis told lawmakers the European Union was ready to engage in examining the extent to which temporarily waiving the WTO's TRIPS agreement contributed to making vaccines more available. India and South Africa have urged fellow WTO members since October to lift IP rights to vaccines as a way of ensuring the world is supplied. Debate around the issue erupted anew last week when U.S. President Joe Biden supported the idea. The EU and other opponents have said this will not increase vaccine output. The European Commission vice-president said the single most effective way to achieve universal access was to ramp up production, share more vaccines and make them affordable. Dombrovskis said the EU plan had three elements. Export restrictions should be kept to a minimum, he said, highlighting that half of vaccines produced in EU countries had been exported. French President Emmanuel Macron urged Washington on Saturday to drop restrictions on exports of vaccines and vaccine components. Vaccine producers and developers should also make concrete pledges to increase supply to vulnerable developing countries at production cost, Dombrovskis said. Finally, Dombrovskis highlighted existing WTO rules allowing countries to grant licences to manufacturers even without the consent of the patent-holder. If such a manufacturer provided vaccines at cost price, the rights holder should not make a profit out of any payment due. The Commission, which will present the plan to WTO members in early June, said it could be implemented far quicker than a waiver, which would require a change of WTO rules and could take many months to hammer out. The European Parliament will vote on an IP waiver resolution in June, although Wednesday's debate showed a clear split between left-leaning and Green groups in favour and right-leaning ones against.

### DA: Innovation

#### Link Story

#### Innovation key to improving health outcomes – highly qualified studies establish specific statistical reductions specific to neglected diseases

George A. Chressanthis is Principal Scientist at Axtria, USA. This article was co-published with Axtria, a big data and analytics company, November 2016, <https://themedicinemaker.com/issues/1016/the-potential-pitfalls-of-price-controls/> The Potential Pitfalls of Price Controls

What about the more complicated relationship of price controls and pharmaceutical R&D? This is a more indirect relationship and involves a chain of effects. The first link in the chain is the relationship between drug pricing and pharma R&D investment – and a long line of research has shown that drug pricing does impact R&D. The second link is the relationship between R&D and patient health outcomes. **Pharma companies are increasingly focusing on high-cost, specialty medicines – especially those classified as orphan drug**s (19) – **which require higher incentives to compensate for the added cost and risk involved in development** (20). Evidence of the impact of the US’s Orphan Drug Act of 1983 suggests that the incentives enacted through this legislation have boosted the number of drugs for rare diseases. More than 500 drugs for orphan diseases have been developed since the act passed in the US alone, with other countries adopting similar orphan drug programs (21). **Numerous empirical studies show a strong connection between the enactment of** price **controls and reductions in pharmaceutical R&D investment – leading to decreases in new drug innovation** (22, 23). Another study estimated that a 10 percent decrease in the growth of real drug prices caused an approximate six percent decrease in the growth of R&D intensity (24). A more recent study concluded that enactment of patents and exclusivity provisions, while having pros and cons as a policy approach (e.g., the establishment of monopoly drug pricing), still play a dominant role in incentivizing biopharmaceutical R&D (25). **Overall, there is an established body of academic literature that establishes the relationship between** drug pricing and price **controls, and pharma R&D investment and drug innovation. But what of the second link in the chain** – the relationship between the adverse effects of R&D development and drug innovation, and patient health outcomes? Here too, the literature can guide us**. The most direct study is one that estimated the effect of real** (inflation-adjusted) price declines from price controls **on reductions in R&D investment, and then in turn, on life-years lost** (in millions) (26). Model estimates determined that a 10 percent, 30 percent, and 50 percent decrease in real drug prices from price controls, decreased R&D investment by 5.8 percent, 17.5 percent, and 29.2 percent, and led to life years lost (in millions) of 40.1, 113.5, and 178.8, respectively. This connection to reductions in life-years lost depends on the relationship between the diffusion and utilization of new drug innovation, and patient health. Pharmaceutical innovation was estimated to increase life expectancy by 1.27 years during the period 2000–2009 for 30 developing and high-income countries (27).

#### Impact Story

#### Patents are key to global South pharmaceutical industries that stop neglected diseases

Soyeju and Wabwire 18 [Olufemi Soyeju, Lecturer at Lagos State University, and Joshua Wabwire, educator at the Catholic University of Eastern Africa, 01-2018, “The WTO-TRIPS Flexibilities on Public Health: A Critical Appraisal of the East African Community Regional Framework,” World Trade Review; Cambridge <https://www-proquest-com.ezproxy.library.unlv.edu/docview/1994279823?accountid=3611&pq-origsite=primo>

Conclusions The problem that this research has highlighted is the already too familiar tension between patent protection and access to medicines. The legal framework for patents and access to medicines in the EAC region consists of the Policy and the accompanying Protocol. What has emerged from the analysis is that the policy tools are aimed at enhancing access to medicines mainly through price reduction. This is done at the direct expense of promoting research and development of medicines, which, in line with the utilitarian justification, is achievable through patent protection. This policy position that weakens patent protection is not appropriate for developing African countries. This is because African countries are faced with peculiar, region-specific diseases. Currently, these diseases are largely neglected by the profit-driven pharmaceutical companies, which do not have economic incentives to invest in developing medicines for populations that cannot afford to pay for them. Most of these pharmaceutical companies are foreign, largely based in the Global North. Since these companies do not have economic incentives to invest in the research and development of medicines for developing countries' diseases, even patent protection has not necessarily been an attractive incentive.194The focus of these companies is now on developed countries' diseases. In these circumstances, the only standing incentive, especially for spurring domestic innovation from within developing countries, is patent protection. Consequently, any strategy that eliminates this last straw will only worsen the already bad situation. The situation described above underscores the urgent need to develop local pharmaceutical industries and to create alternative incentives for investment in research and development of medicines for neglected diseases, for example through Public-Private Partnerships (PPPs). Both of these can be attained through an appropriate patent protection regime that does not weaken patent protection. Such a regime must, for instance, be omniscient of domestic innovators' limited capacity and, consequently, avoid strict patentability criteria, which cannot be met by the small-scale, underfunded domestic innovators. Strict patentability criteria may also discourage disclosure of certain important discoveries, for fear of not attaining the criteria and losing out by disclosure. In developing local pharmaceutical industries, it is also necessary to find ways of affording patent protection to indigenous medicines and practices, which, for centuries, have been as useful to the populations as western medicine now is. It is the failure to protect these medicines and practices in the first place that has resulted in foreign pharmaceuticals appropriating the knowledge and patenting it, only to return with expensive medicines.195 It is the argument here that a patent protection policy would only achieve the greatest good for the greatest number of people, in line with utilitarianism, if it balances the goal of price reduction with the need to encourage further research and development of medicines by ensuring that inventors are able to recoup their investments in research and development. It is only through research and development that the medicines will be made available.