## 1AC

### AC – Be Prepared De-leuze 😉

#### We are dynamic – overtime, affective encounters with our surroundings through time shape subjectivity, yet representational thought ascribes to them a limited essence – our model resists the imposition of sameness onto a chaotic world.

Spangenberg **9** – Yolanda Spangenberg (Department of Philosophy, University of Pretoria). “‘Thought without an Image’: Deleuzian philosophy as an ethics of the event.” Phronimon 10:1, 2009

According to Deleuze, a general category of things is necessarily still excluded due to the particular form of recognition. In other words, due to the fact that recognition proceeds by objectifying and comparing the new with what is already known or what has already been experienced. To put this differently, recognition operates by objectifying and referring difference back to that which has already been recognised and experienced. It discounts the new and virtual qualities of pure difference. For Deleuze, the problem with recognition lies in the fact that recognition necessarily depends on representation. To be able to recognize the object of a faculty, we have to consider the object in terms of an identity that we can conceive of, an analogy that we can judge, an opposition that we can imagine and a similarity that we can perceive (Williams 2005). According to Deleuze, the representational ‘image of thought’ perpetuates a reductive and damaging illusion that hides reality seen in terms of pure difference or difference ‘in itself.’ For Deleuze, pure difference exists in the form of intensities or forces and it is the virtual condition for (the possibility of) all actual identities; it is necessary for the explanation of significance and sensation in the realm of actual things. Although pure difference is nonidentifiable and is forever eluding the present, it underlies all identities and allows us to explain their actualizations, transformations and evolutions. The sense and significance that pure difference gives rise to involve incomparable events and movements that, for Deleuze, are uniquely significant to individuals. This pure difference that underlies all actual and trivial differences is objectified and excluded by representation. Representation cuts us off from the creativity afforded by virtual and intensive multiplicities. Deleuze’s opposition to identity is directed at the falsifying power and separative nature of identity in representation. Identity is opposed to the virtual intensities of pure difference in that these intensities are nonidentifiable, unrepresentable, uncountable and not open to a reductive logical or mathematical analysis. Deleuze’s critique of identity aims at correcting the mistake we make whenever we think merely in terms of actual things. In privileging identities and extended magnitudes we tend to overlook the intensive genesis of these identities and magnitudes. Identity works against and covers up the forces and virtual intensities of pure difference that are part of processes of becoming and transformation. Rather than existing as fixed and separate beings with identifiable and limited essences or predicates, all things are, according to Deleuze, connected to uncountable, non-identifiable and dynamic processes. Deleuze does not deny that recognition occurs and that identity and representation fulfil an important and necessary function. His answer however, is that thinking as well as communication is not only, or even primarily, a matter of identifying; it is in a crucial sense also expressive. “Its expressive momentum carries a charge of potential too great to be absorbed in any particular thing or event: too much to be born(e)” (Massumi 2006: xxxii). Although we represent what we think and talk about, a series of non-identifiable processes are always at work ‘behind’ that representation. For Deleuze, neither identity nor representation would’ve been possible without pure differences standing in the background as a condition for the illusory appearance of a pure, well-determined identity. Apart from the orderly, structured and representational way of our habitual thinking, there are always the chaos of chance happenings, and the irrationality and complexity of their ever-shifting origins and outcomes. We try to deal with the chaos and contradictory nature of pure difference by imposing structures, creating hierarchies, conceiving of things as ‘the same’ from one moment to the next, using definitions to limit meanings, and ignoring new and potentially creative experiences (James Williams in Parr: 2007).

#### Our goal should not be to follow supposedly ‘objective’ moral laws, but instead to creatively push the boundaries that diffuse radical praxis – we do not seek to represent the subject but criticize its imposition.

Spangenberg – Yolanda Spangenberg (Department of Philosophy, University of Pretoria). “‘Thought without an Image’: Deleuzian philosophy as an ethics of the event.” Phronimon 10:1, 2009

Introduction “To think is to create – there is no other creation – but to create is first of all to engender ‘thinking’ in thought” (Deleuze 2004: 185). This line from Difference and Repetition expresses the aspect of Deleuze’s work that will be the focus of this essay namely, to make of thinking, and especially philosophical thinking, an endeavour that is truly creative. **Thinking, in this sense, cannot be subordinate to factors that** predetermine and confine **what thinking should be**. The objective of Deleuze’s project is to lay out a philosophy of difference that truly thinks difference without reducing it to a pre-supposed, pre-determining and ultimately restrictive identity (Bell 2006). But what are the conditions of thinking in the Deleuzian sense? What do we need to do to enable such thinking to take place? In this essay these questions will be addressed by showing, first of all, why **representation**, and its essentially moralistic view of the world, **constitutes** a particularly **restrictive** and exclusionary form of **thinking** and acting. Following Deleuze, a radically different idea of philosophy and of what it really means to think will be proposed. This new conception of thinking – and of philosophy – will be brought to bear on our understanding of ethics and its relation to difference. Deleuze **conceives of ethics as an event and as inextricably linked with the sole aim of philosophy:** to become imperceptible or, as Deleuze would also say, to become worthy of the event. The essay will conclude with a few suggestions of what such an ethics might entail. Against common sense: Deleuze’s critique of the representational ‘image of thought’ What, precisely, is an ‘ethics of the event?’ In order to give this question an appropriate consideration, we need to, first of all, establish what ethics is not. Deleuze draws a very clear distinction between ethics and morality. **Morality, as we know, implies that we judge ourselves and others on the basis of what we pre-suppose we are and should be**. In contrast to this, Deleuzian ethics implies that **we do not yet know what we might become**. In short, morality is problematic in so far as it is rooted in an objectifying, representational or dogmatic ‘image of thought.’ Distinct ‘images of thought’ may be defined by reference to the presuppositions which define the nature of thought and which, in this way, provide the plane of theoretical consistency for how life is perceived, experienced and understood. Deleuze criticises thought defined in terms of identity in recognition and representation by showing what that definition is falsely ignoring or excluding. According to Deleuze, such definitions are always already objectifying and presupposing what they seek to exclude. In chapter three of Difference and Repetition, Deleuze (2004) describes and criticises the representational image by showing how the presuppositions of such an image inevitably make us miss the ‘essence’ of difference. One of the presuppositions Deleuze severely criticises is the assumption that there are certain, common sense facts that ‘everybody knows.’ This element consists … of the presupposition that there is a natural capacity for thought endowed with a talent for truth or an affinity with the true, under the double aspect of a good will on the part of the thinker and an upright nature on the part of thought (Gilles Deleuze in Williams 2005:115). This presupposition is moral in so far as it is assumed that it is how thinkers and thought, in principle, ought to be, regardless of how they are. The point of Deleuze’s criticism here is that the representational or dogmatic ‘image of thought’ perpetuates the common sense illusion that there are moral laws, while in fact, there are only morally established habits. A possible response to Deleuze’s critique regarding presuppositions could very well be that philosophy, explicitly and out of necessity, ought to adopt these presuppositions or else it will fall into quietist despair. From a moralistic standpoint, the destruction of all presuppositions does not take account of social, political and moral values and this seems to be undeniably bad. Deleuze, although he is very much aware of this response to his critique, still insists on the ‘dangerous’ and possibly ‘immoral’ path of uncovering and destroying all presuppositions. A further response to Deleuze’s critique is: can presuppositions ever really be done away with? Should the proper and superior role of philosophy not be to select the right presuppositions, instead of seeking to do away with all of them? If presuppositions are really inevitable, Deleuze has merely missed the fact that he has ‘implicitly’ adopted pessimistic ones (Williams 2005). Deleuze’s response to all of these critical points turns on the very familiar argument that even the most obvious, unequivocal and seemingly universal moral values have, in the past, turned out to be restrictive, erroneous and divisive. Instead of presupposing and affirming any obvious or given values, the superior role of the philosopher is to criticise all emergent ‘obvious’ values or doxa. Deleuze knows that both Descartes and Kant are well aware of this since they claim that the presupposition of the good and shareable nature of thought is only by right or in principle, and not in fact. For Descartes, as for Kant the good and shareable nature of thought is only formal; it does not concern specific empirical content. According to Deleuze, however, this line of thought still misses the way in which the supposedly empty form of thought continues to establish ‘obvious’ values and a doxa with an exclusive empirical content.

#### Thus, the roll of the ballot is to embrace creative difference. Our orientation is key to pedagogy – we need to tip the scales towards a minoritarian repositioning to mobilize moments of relationality and challenge dominant epistemologies.

Carlin and Wallin – Carlin, Matthew. Wallin, Jason. “Deleuze & Guattari, Politics and Education.” Bloomsbury. 2014. Pg. 119-121

As a social machine through which ‘labour power and the socius as a whole is manufactured’, schooling figures in the production of social territories that already anticipate a certain kind of people (Guattari, 2009, p. 47). And what kind of people does orthodox schooling seek to produce but a ‘molar public’, or, rather, a public regulated in the abstract image of segmentary social categories (age, gender, ethnicity, class, rank, achievement) (Deleuze and Guattari, 1987)? Such an aspiration is intimately wed to the territorializing powers of the State, for as Deleuze and Guattari argue (1983), State power first requires a ‘representational subject’ as both an abstract and unconscious model in relation to which one is taught to desire. As Massumi (2002) writes, ‘**the subject is made to be in conformity with the systems that produces it, such that the subject reproduces the system’** (p. 6). Where **education has historically functioned to regulate institutional life according to such segmentary molar codes, its** modes of production have taken as their teleological **goal** the **production of a ‘majoritarian people’**, or, more accurately, a people circuited to their representational self-similarity according to State thought. This is, in part, the threat that Aoki (2005) identifies in the planned curriculum and its projection of an abstract essentialism upon a diversity of concrete educational assemblages (a school, a class, a curriculum, etc.). Apropos Deleuze, Aoki argues that the standardization of education has effectively reduced difference to a matter of difference in degree. That is, in reference to the stratifying power of the planned curriculum, Aoki avers that difference is always-already linked to an abstract image to which pedagogy ought to aspire and in conformity to which its operations become recognizable as ‘education’ per se. Against political action then, orthodox educational thought conceptualizes social life alongside the ‘categories of the Negative’, eschewing difference for conformity, flows for unities, mobile arrangements for totalizing systems (Foucault, 1983, p. xiii). Twisting Deleuze, might we claim that the people are missing in education? That is, where **education aspires to invest desire in the** production of a ‘**majoritarian’** or ‘molar’ **public, the prospect of thinking singularities are stayed**, not only through the paucity of enunciatory **forms and images available for thinking education** in the first place, but further, **through the organization of the school’s enunciatory machines into vehicles of representation that repeat in molarizing forms of self-reflection**, ‘majoritarian’ perspective, and dominant circuits of desiring-investment. Herein, **the impulse of standardization obliterates alternative subject formations and the modes of counter-signifying enunciation that might palpate them. Repelling the** singular, the ‘**majoritarian’** **and standardizing** **impulse of education takes as its ‘fundamental’ mode of production** **the reification of common sense**, or, rather, the territorialization of thought according to that which is given (that which everyone already knows). **Figuring in a mode ‘of identification that brings diversity in general to bear upon the form of the Same’,** common sense functions to stabilize patterns of social production by tethering them to molar orders of meaning and dominant regimes of social signification (Deleuze, 1990, p. 78). As Daignault argues, in so far as it repels the anomalous by reterritorializing it within prior systems of representation, common sense constitutes a significant and lingering problem in contemporary education (Hwu, 2004). Its function, Daignault alludes apropos Serres, is oriented to the annihilation of difference. Hence, **where the conceptualization of ‘public’ education is founded in common sense, potentials for political action through tactics of proliferation, disjunction, and singularization are radically delimited** and captured within prior territorialities of use (Foucault, 1983, p. xiii). The problem of this scenario is clear: **common sense has yet to force us to think in a manner capable of subtracting desire from majoritarian thought in lieu of alternative forms of organization and experimental expression**. In so far as it functions as a vehicle of ‘molarization’, reifying a common universe of reference for enunciation, the school fails to produce conditions for thinking in a manner that is not already anticipated by such referential ‘possibilities’. Hence, **while antithetical to the espoused purpose of schooling, the majoritarian impulse of the school has yet to produce conditions for thinking** – at least in the Deleuzian (2000) sense whereupon thought proceeds from a necessary violence to those habits of repetition with which thought becomes contracted.

#### Only affect can bridge the gap between discursive regimes and the material world – it’s cruelly optimistic to force chaotic identity into stable structures.

**Schafer 13** – Schaefer ’13. Schaefer, D. "The Promise of Affect: The Politics of the Event in Ahmed's The Promise of Happiness and Berlant's Cruel Optimism." Theory & Event 16.2 2013. Project MUSE

At a recent talk at the University of Pennsylvania, Lauren Berlant was asked a question about the relationship between her work—she had just finished a lecture on the theme of flat affect in Gregg Araki's 2004 film Mysterious Skin—and the political. "Because I work on affect," she responded, "I think everything is realism" ([Berlant: 2012](https://muse.jhu.edu/article/509908#b3)). Like the dense introductory segments of each of her chapters—thick but fast-moving genealogical waterslides—I think that unpacking statements like this from Berlant is best repaid by taking them in a low gear. When Berlant maps her method as affect theory, she is suggesting that the works she examines in her capacity as a scholar of literature cannot be divorced from the political-material contexts out of which they emerge, but at the same time must be recognized as incarnations of aparticular embodied iteration within this field. **Texts are produced by bodies that are both enmeshed in their political worlds and trying to negotiate those worlds in their own** **distinct way. Everything we do is realism: Berlant's textual objects of study are mediations, attempts to work something out, exhibitions of tensed, embodied, affective realities**.[1](https://muse.jhu.edu/article/509908#f1) This is the promise of **affect theory, the possibility sliding together analytical tools used to pick apart both highly individuated and highly social contact zones—bodies and histories—as incarnated realities. Affect theory wants to maintain the insights of high theory, the doctrinaire approach that says "historicize everything," while** at the same time **thinking of how bodies inject their own materiality** into spaces. This means using language that enters the orbit of the biological. In the introduction to their 1995 edited volume Shame and Its Sisters: A Silvan Tomkins Reader (later reprinted in Sedgwick's Touching Feeling)—one of the earliest manifestoes of contemporary affect theory— Eve Kosofsky Sedgwick and Adam Frank acerbically catalog what theory "knows today," first and foremost that 1: The distance of [an] account from a biological basis is assumed to correlate near precisely with its potential for doing justice to difference (individual, historical, and cross-cultural), to contingency, to performative force, and to the possibility of change ([Sedgwick: 2003, 93](https://muse.jhu.edu/article/509908#b11)). And 2: Human language is assumed to offer the most productive, if not the only possible, model for understanding representation ([Sedgwick: 2003, 93](https://muse.jhu.edu/article/509908#b11)). **Affect theory in this vision is designed to explore[s] the "crucial knowledges" of bodies outside a purely theoretical determination, outside** the traditional **domains of humanist scholarship—reason, cognition, and language** ([Sedgwick: 2003, 114](https://muse.jhu.edu/article/509908#b11)). **Affect**, for Lauren Berlant, **is** thus understandable as "sensual **matter that is elsewhere to sovereign consciousness but** that **has** historical **significance in domains of subjectivity**" ([Berlant: 2011, 53](https://muse.jhu.edu/article/509908#b2)). **Affect theory is about how systems of forces circulating within bodies**—forces not necessarily subsumable or describable by language—**interface with histories**. It is about how discourses form ligatures with pulsing flesh-and-blood creatures. Two recent texts, Sara Ahmed's The Promise of Happiness ([2010](https://muse.jhu.edu/article/509908#b1)) and Berlant's Cruel Optimism ([2011](https://muse.jhu.edu/article/509908#b2)), can be seen as developing this strand, and in particular, of indicating new ways of feeling out politics through the membrane of affect theory. Both of these authors suggest that the repertoire of the analytics of power ([Foucault: 1990](https://muse.jhu.edu/article/509908#b6)) must be supplemented with resources from the affective turn. Recent critiques of affect theory[2](https://muse.jhu.edu/article/509908#f2) have focused on a branch of affect theory heavily informed by Gilles Deleuze's reading of Spinoza. In this strand, affect is rendered as a set of ontological properties, as an ensemble of mutable attributes.[3](https://muse.jhu.edu/article/509908#f3) Contemporary Deleuzians such as Brian Massumi[4](https://muse.jhu.edu/article/509908#f4) and William Connolly[5](https://muse.jhu.edu/article/509908#f5) have been targeted by these critics for their attempts at absorbing scientific research into the Spinozistic discourse of affect. But Spinoza and Deleuze are second-tier characters in Ahmed and Berlant's work—which is perhaps why Ahmed situates herself in a lineage—stretching back to Sedgwick—that she calls "feminist cultural studies of affect"[6](https://muse.jhu.edu/article/509908#f6) ([Ahmed: 2010, 13](https://muse.jhu.edu/article/509908#b1)). Where the Deleuzian strands focuses on affect as the raw material of becoming, as the play of substances, Ahmed and Berlant locate **affect theory [is]** as a **phenomenological, rather than ontological** enterprise. It is in the phenomenology of the political that Ahmed and Berlant ground their projects. For Ahmed, this comes in the form of a new attention to happiness as an object of analysis. This does not mean a circumscribed exploration of happiness as a thing, but rather programmatically asking the question "what does happiness do?" ([Ahmed: 2010, 2](https://muse.jhu.edu/article/509908#b1)). **Happiness is not autonomous,** Ahmed argues, **but a relationship of evaluation that creates the horizon of the self.** For Ahmed, the "near sphere" of **the self is constituted by a perimeter studded with "happy objects." This cluster** of objects **is what gives the field of mobile operations of the self its shape**. In this "drama of contingency," we "come to have our likes, which might even establish what we are like" ([Ahmed: 2010, 24](https://muse.jhu.edu/article/509908#b1)). But for Ahmed, happiness as an affective field settling in proximity to bodies is not necessarily transparent in its shape or its function to the self. Happiness often takes the form, she suggests, of a promise, of a deferred possibility. Taking the phenomenological tradition of Edmund Husserl as a springboard for a discussion of time-consciousness, she suggests that happiness as a promise—from the Latin verb promittere, "to let go or send forth"—is an anticipation rather than a felt presence ([Ahmed: 2010, 38](https://muse.jhu.edu/article/509908#b1)). Rather than simply an affect that circulates between bodies and objects, happiness is also a promise that is passed around. This analysis of the promise of happiness underpins the genealogy Ahmed organizes in the opening chapter of the book: an exploration of the contemporary "happiness turn" in scholarship and the "happiness industry" emerging in parallel in popular media marketplaces. This discourse, she suggests, moves happiness further away from its etymological origin point—in the Middle English hap or fortune, cognate with "perhaps" and "happenstance"— suggesting chance to a sense of happiness as a scheme, a program that, if followed, leads to ultimate good ([Ahmed: 2010, 6](https://muse.jhu.edu/article/509908#b1)). This sense of the promise of happiness is the elimination of contingency by guaranteeing the futurity of happiness: "The promise of happiness takes this form: if you have this or have that, or if you do this or do that, then happiness is what follows" ([Ahmed: 2010, 29](https://muse.jhu.edu/article/509908#b1)). Happiness as a guarantee—a promise that circulates through power-knowledge regimes—but one that defers happiness rather than making happiness present, is one of the mechanisms by which happiness is translated into the skin of a political organism, an "affective community"—such as a family or a society. Through the promise of happiness, bodies are brought together by a shared expectation of future comfort. But because this is a promise rather than immediate happiness, an interstice is formed between this promise and individual experiencing bodies— an interstice that can either be full and complete or disconnected. The family, for instance, does not share a happiness, but a happiness deferred, a promise or image of happiness to-come ([Ahmed: 2010, 46](https://muse.jhu.edu/article/509908#b1)). It is in this interstice, either blockaded or fluid, that Ahmed articulates the need for a politics of killing joy, of breaking down the promise of happiness as a regime that demands fidelity without recourse. For Ahmed, the discourse of happiness is performative: it produces a politics of promise (or nostalgia) that suffocates alternative promises and alternative explorations. Here Ahmed produces biographies of a range of "affect aliens," bodies that are called on to be silent and accept the happiness that has been promised, while their actual desires and hopes are out of joint with the world around them: feminist killjoys, unhappy queers, melancholic migrants. The promise of happiness, Ahmed suggests, must be interrupted to make room for emancipatory politics. "I am not saying that we have an obligation to be unhappy," she writes, "I am simply suggesting that we need to think about unhappiness as more than a feeling that should be overcome" ([Ahmed: 2010, 217](https://muse.jhu.edu/article/509908#b1)). In the closing passage of the book she writes that since "the desire for happiness can cover signs of its negation, a revolutionary politics has to work hard to stay proximate to unhappiness" ([Ahmed: 2010, 223](https://muse.jhu.edu/article/509908#b1)). Political change, Ahmed contends, is paralyzed by the imperative to be happy, to stay within the narrow guidelines of happiness's promise. Where Ahmed's background is in a western philosophical lineage that leads up to contemporary questions of affect, the immediate theoretical precursor of Lauren Berlant's Cruel Optimism is Kathleen Stewart's Ordinary Affects ([2007](https://muse.jhu.edu/article/509908#b12)), which develops the notion of the "ordinary" as a felt reality. "Ordinary affects," Stewart writes, "are the varied, surging capacities to affect and to be affected that give everyday life the quality of a continual motion of relations, scenes, contingencies, and emergences" ([Stewart: 2007, 1f](https://muse.jhu.edu/article/509908#b12)). Berlant is interested in particular in how the ordinary comes to take the form of a sort of affective impasse, a set of felt relationships that cannot be moved through. Cruel Optimism is a focused study of a particular category of impasse, what she calls "cruel optimism." **Cruel optimism**, she explains at the book's outset, refers to a relation that **emerges "when something you desire is actually an obstacle to your flourishing**. It might involve food, or a kind of love; **it might be a fantasy of the good life, or a political project**" ([Berlant: 2011, 1](https://muse.jhu.edu/article/509908#b2)). Berlant explores a range of situations where **these attachments emerge, as a response to trauma or out of the ongoing pressures of the ordinary**, in particular through the parameters of what she calls "genres of precarity," a range of aesthetic practices and styles—"mass media, literature, television, film, and video"—that ... emerge during the 1990s to register a shift in how the older state-liberal-capitalist fantasies shape adjustments to the structural pressures of crisis and loss that are wearing out the power of the good life's traditional fantasy bribe without wearing out the need for a good life ([Berlant: 2011, 7](https://muse.jhu.edu/article/509908#b2)). Realism: texts always reflect an affective situation, a force field of desires, a labile contact zone between bodies and intersecting historical frames. Framing literary criticism (broadly construed) as a practice of **tracing the connective tissue between bodies and situations is** what lets Berlant speak to **the political use**s **of affect**. She suggests that affect theory is a "another phase in the history of ideology theory," that it "brings us back to the encounter of what is sensed with what is known and what has impact in a new but also recognizable way" ([Berlant: 2011, 53](https://muse.jhu.edu/article/509908#b2)). **Affect**—especially ordinary affect—**is the missing link between discursive regimes and bodies, the arterial linkages through which power is disseminated. "The present" is not an assemblage of texts and knowledges, bloodless discursive inscriptions on the body, but a felt sense out of which political circumstances emerge. "We understand nothing about impasses of the political," she writes, "without having an account of the production of the present"** ([Berlant: 2011, 4](https://muse.jhu.edu/article/509908#b2)). Cruel optimism as a byproduct of political situations colliding with bodies plays out in ongoing, semistable routines, in ordinariness. This focus on the ordinary frames Berlant's conception of the political as a slow-motion reaction rather than a series of staccato punctuations. This comes out, for instance, in her exhortation to move away from trauma theory as a way of "describing what happens to persons and populations as an effect of catastrophic impacts" ([Berlant: 2011, 9](https://muse.jhu.edu/article/509908#b2)). Rather, Berlant suggests that trauma is only one facet of the ordinary, a precursory event that yields new historical trajectories lived out in slow-motion. "Trauma," she writes, ... forces its subjects not into mere stuckness but into crisis mode, where they develop some broad, enduring intuitions about the way we live in a now that's emerging without unfolding, and imagining a historicism from within a discontinuous present and ways of being that were never sovereign ([Berlant: 2011, 93](https://muse.jhu.edu/article/509908#b2)). Rather than the instantiating event, Berlant is interested in the fallout of politics, the long-running reverberations. It is in these interwoven aftermaths following in the wake of bodies that Berlant locates the tropic of cruel optimism. Optimism, she is careful to point out, can "feel" any number of different ways, can come clothed in any number of affective orientations. "Because optimism is ambitious," she writes, "at any moment it might not feel like anything, including nothing: dread, anxiety, hunger, curiosity, the whole gamut from the sly neutrality of browsing the aisles to excitement at the prospect of 'the change that's gonna come'" ([Berlant: 2011, 2](https://muse.jhu.edu/article/509908#b2)). **Rather than a singularly identifiable feeling, optimism takes the phenomenological form of a "knotty tethering to objects, scenes, and modes of life that generate so much overwhelming yet sustaining negation" (**[**Berlant: 2011, 52**](https://muse.jhu.edu/article/509908#b2)**). Optimism binds bodies to "fantasies of the good life," to horizons of possibility that may or may not be defeated by the conditions of their own emergence. Cruel optimism is the outcome of this circumstance of tethering confused by itself, of Möbius-strip cycles of ambition and frustration.** The ordinary, precisely because of its complexity, can contain the intransigent contradictions of cruel optimism ([Berlant: 2011, 53](https://muse.jhu.edu/article/509908#b2)). It is the space of the rubble, the hovering dust, the shockwaves that follow the event rather than the piercing clarity of the punctum itself. Berlant is interested in the ways that habits form out of situations of impossibility—for instance, in her reading of Gregg Bordowitz's documentary filmHabit (2001), about the body rituals that structure the daily lives of a gay man living with AIDS and his partner in New York City in the 1990s. Bordowitz's work maps a crisis that reflects Berlant's delineation of the field of the political: with the new availability of anti-retroviral drugs in the 1990s, AIDS ceased to be "a death sentence," and thus "turned fated life back into an ellipsis, a time marked by pill- and test-taking, and other things, the usual" ([Berlant: 2011, 58](https://muse.jhu.edu/article/509908#b2)). For Berlant, the event is a rarity, and is only secondarily the zone of the political, which is itself constituted by ongoing patterns of response and desire—slow-motion echoes producing new forms as they cross-cut and interfere with one another ([Berlant: 2011, 6](https://muse.jhu.edu/article/509908#b2)). In this sense, Berlant explains, her work meshes with Sedgwick's queer reading of affect as the histories that make us desire in unexpected, perverse ways. "The queer tendency of this method," Berlant writes, "is to put one's attachments back into play and into pleasure, into knowledge, into worlds. It is to admit that they matter" ([Berlant: 2011, 123](https://muse.jhu.edu/article/509908#b2)). Berlant sees the terrain of the political emerging out of this tissue of affectively-embroidered histories. Although both Ahmed and Berlant write about the uses of affect as a phenomenological bridge to the political, and the slipperiness of happiness or the good life—the way that pleasure can be wrapped up with a strain of unease— there is a distinction between their respective scopes of inquiry. Where Ahmed's book is about frustration/promise/deferral, Berlant's is about addiction. When I asked my students to come up with examples of **cruel optimism**, they brainstormed the following list: heroin, abusive relationships, candy, horcruxes. Each of these instances **suggests a vital but destructive need, an ambivalent compulsion—an addiction**, where the tectonic plates of the body's affects shift in friction with one another. **Cruel optimism indexes these moments where a body desires and needs an arrangement of the world that is also frustrating or corrosive**. Politics is one of these zones of fractious attraction. Berlant writes, for instance, that Intensely political seasons spawn reveries of a different immediacy. People imagine alternative environments where authenticity trumps ideology, truths cannot be concealed, and communication feels intimate, face-to-face" ([Berlant: 2011, 223](https://muse.jhu.edu/article/509908#b2)). **Politics produces fantasies, tethers that draw us forward to particular attachments in the form of images, narratives, bodily practices**. But **these fantasies also contain the elements of their own frustration or refusal.** President George W. Bush, for example, is able to use the affective elements of statecraft (a practice which, Berlant assures us, is decidedly non-partisan) to create a façade that diverts attention from his flailing foreign and economic policies ([Berlant: 2011, 226](https://muse.jhu.edu/article/509908#b2)). Berlant's focus in Cruel Optimism is on politics as a field of attachments, a skein of affectively pulsing tissues linking bodies together. "Pace Žižek," she writes, ... the energy that generates this sustaining commitment to the work of undoing a world while making one requires fantasy to motor programs of action, to distort the present on behalf of what the present can become. It requires a surrealistic affectsphere to counter the one that already exists, enabling a confrontation with the fact that any action of making a claim on the present involves bruising processes of detachment from anchors in the world, along with optimistic projections of a world that is worth our attachment to it ([Berlant: 2011, 263](https://muse.jhu.edu/article/509908#b2)). Berlant looks at how politics pulls on bodies using the ligaments of affect, how politics becomes irresistible, even when it is self-frustrating. Ahmed's focus is very different: she is interested in thinking through politics as the space of unhappiness and deferment. In a section of Chapter 5 entitled "The Freedom to Be Unhappy," Ahmed writes that revolutionary practices may need to follow from the willingness to suspend happiness, to dissolve the imbricated promises of happiness that produce hermetically sealed political systems. Affect aliens are forged in the pressure of unfulfilled or unfulfillable promises of happiness, sealed in a relationship of anticipation pinned to the guarantee of ultimate good. Thus Ahmed writes that "any politics of justice will involve causing unhappiness even if that is not the point of our action. So much happiness is premised on, and promised by, the concealment of suffering, the freedom to look away from what compromises one's happiness" ([Ahmed: 2010, 196](https://muse.jhu.edu/article/509908#b1)). The revolutionary politics Ahmed wants to advance is willing to put happiness at risk, to dissolve promises of happiness. Ahmed is clear, though, that this is not to make politics about unhappiness: It is not that unhappiness becomes our telos: rather, if we no longer presume happiness is our telos, unhappiness would register as more than what gets in the way. When we are no longer sure of what gets in the way, then 'the way' itself becomes a question ([Ahmed: 2010, 195](https://muse.jhu.edu/article/509908#b1)). Neither happiness nor unhappiness is the telos of revolutionary politics. Rather, Ahmed wants to connect the political back to the "hap" of happiness. Rather than a critique of happiness, I would suggest that the broader channel of her project is best understood as a critique ofpromise. Thus she ends Chapter 5 with the later work of Jacques Derrida, indicating the need to keep politics open to the event, to the unexpected possibilities to-come. She proposes a vision of happiness that "would be alive to chance, to chance arrivals, to the perhaps of a happening" ([Ahmed: 2010, 198](https://muse.jhu.edu/article/509908#b1)). Where for Berlant the event is in the past, the ancestor of our tensed bodily habits today, for Ahmed, the event is ahead, the always-anticipated but radically unknown future. There is also a complementarity to these books, a sense in which both come at the relationship between affect and the political from different sides of the problem, but are nonetheless hurtling towards a common point of impact. Is Ahmed describing scenes where cruel optimism unravels under the internal pressure of a frustrated promise? Is cruel optimism the deferral of happiness implicit in the temporal structure of the promise? These are not fully resolved or resolvable questions, in part because Ahmed and Berlant roll their theoretical lens over such a wide range of circumstances. I would suggest that deepening the conversation between these approaches will hinge in part on exploring the relationship between affect and time—a question that is surfaced by both of these texts but not resolved. Ahmed wants to play inside the deconstructive thematics of the promise that allows us to view affect as a state of deferral. But Ahmed comes closest to Berlant when she writes that "[i]f we hope for happiness, then we might be happy as long as we can retain this hope (a happiness that paradoxically allows us to be happy with unhappiness)" ([Ahmed: 2010, 181](https://muse.jhu.edu/article/509908#b1)). Is deferred happiness really divided from happiness? What if fantasies—what Silvan Tomkins calls "images"[7](https://muse.jhu.edu/article/509908#f7)—are so crucial to the production of affect that to save and savor fantasies in one's near sphere is "worth" their eventual frustration? What if a promise deferred is itself a form of happiness—even if the deferral turns out, in retrospect, to have been endless? What happens while we wait? This is in no way to acquiesce to those situations, sketched by Ahmed in the inner chapters of the book, where promises are made that produce affect aliens— investment in a community of promise that will never materialize as happiness. But it is to suggest that the economic flows of affect are more complex than a simple binary of presence/deferment. There may be a clearer divergence in Berlant and Ahmed's respective emphases on the felt temporality of politics. Ahmed suggests that political transformation happens by orienting us to the perhaps, towards an evental horizon constituted by uncertainty, rather than promise. Berlant seems more skeptical about the possibility of untethering ourselves from an orientation to future happiness. As in her response to Žižek, she emphasizes the intransigence of fantasy, especially as a conduit that can produce political energy. I wonder if Berlant's answer here points to a different way of resolving the problem of temporality hovering over Ahmed's work: what if the dissolution of promise did not leave us at the mercy of a pure politics of hap, of chance, but opened us up to new horizons of hope—neither guaranteed nor radically accidental? This dynamic interfaces with an equally provocative question lodged early on and left unresolved in Berlant's book: "I have indeed wondered," she writes in her Introduction, "whether all optimism is cruel, because the experience of loss of the conditions of its reproduction can be so breathtakingly bad, just as the threat of the loss of x in the scope of one's attachment drives can feel like a threat to living on itself" ([Berlant: 2011, 24](https://muse.jhu.edu/article/509908#b1)). In mapping affectively mediated politics, how do we assess the cruelty of hope? What are the singular psychic costs of disappointment that must be risked or countenanced in the production of a politics without promise? These books are profoundly important contributions advancing the still-new and in some ways still-tentative field of affect theory. They open up two distinct but interrelated methodological templates for thinking through issues of globalization, race, gender and sexuality, media, philosophy, and religion: the thematics of frustration and of addiction in the moving affectsphere of the political. What both Ahmed and Berlant demonstrate is that **affect theory offers a crucial set of resources for thinking through the relationship between bodies and discourses.** The enterprise of thinking politics, of mapping the enfolding of bodies by power, cannot move forward without affect.

#### The politics of stable subjectivity stabilizes complex features into unchanging models which dooms all radical praxis to failure.

**Rolli** – Rolli, Marc. “Immanence and Transcendence” Bulletin de la Sociite Amincaine de Philosophie de Langue Franfais Volume 14, Number 2, Fall 2004

We now arrive at the last point. I have emphasized how immanence can be considered as a profane source of experience that makes sense only in the context of temporal subjectification processes. It does not therefore suffice to posit a pure sensuality or a pure thinking of immanence. **Our self and worldly relations are always determined by relations of power**. But **only** **on** the basis of a scheme of **immanent thinking is it possible** **to** really begin to **see these determining factors**.28 **Otherwise** an **empricial state of affairs-an empirical normality-is hypostatized as a transcendental norm**, **in such a way that its** **genetic background** and conditions **can be** considered mere byproducts **and ignored**. Thus, **as long as** it is considered a foregone conclusion that **a normal human [is]** being has **white** skin, is of the **male** gender, **middle aged**, belongs to a (particular) religion, and so on, then **there is no need** **to ask about the disciplining**, sociological, political, and economical processes in recent or **past** **history[s] that have given rise to that person**. From the perspective of immanence, **what can be located within power relations**-in the sense of the conditions of actualization of immanent structures-thus **seems** naturally **legitimate**. Deleuze's philosophy o f immanence is therefore both political as weil as "absolute." Immanent perceptions, sensations, and concepts are just as much immediately determined by social conditions as are the micrological regions of the political as immanent processes of being. Against established power structures that benefit the rich to the detriment of the many, a kind of thinking emerges that relies on immanence and is thereby qualified to inquire into the implicit strategies that motivate all representative forms of life production and empowerment. **Such [immanent] a thinking does not solely** **aim at unveiling the orders of life** that are otherwise presumed to be natural, **but is** **directed towards a model of free associations** and free action. Deleuze's temporal ontology of **imn1anence** thus **reveal[ing]**s itself as excluding dejure **concentrations of power** **and** thereby **making them** **comprehensible** as facts with **regard to** **their causal conditions**. **It is** therefore **impossible** **to** tacitly **insert transcendence into** **the corresponding level of immanence**, **where its power can be played** **out**. It is impossible because the **structural characteristic of** **immanence is a constant transport of difference**, **so** that the **syntheses** **of** differential **singularities always refer to a particular actuality** of immanent structures-and according to Deleuze, it is only on this level that densities and consolidations of power relations are situated. By contrast, the postulates of **transcendence**, by relying on natural orders and homologies, **conceal the power**- drenched determination **of** forms of **thinking and action**. Although in his early lectures on Kant, Heidegger drew on the dimension of time to expand critical philosophy-and in this regard he was a source of inspiration for Deleuze-his orientation towards the origin of imagination as a medium between understanding and contemplation testifies to a certain natural accordance which in fact renders superfluous any profound analysis of conditioning power relations. Central to Heidegger's discourse is an act of transcendence which assigns the level oE temporal immanence to a self-identical Dasein which overcomes itself. The same problem can be identified in the context of the critique of onto-theology. Here the difficulty has to do with the presumed philosophical "unity" ofbeing and thinking which, according to Heidegger, pre-exists any active or spontaneous activity of thinking and is but the task of thinking to heed.29 In this regard Deleuze can be seen to playoff Nietzsche against Heidegger. For while Nietzsche, with the "will to power," presents a concept of immanence that leaves modern nihilism behind because it radically questions the value of value, Heidegger, in his criticism of Nietzsche, relies on the "proper" (eigentliche) value of a dedicated "experience of being" (5 which backs away from the escalating nihilism of the times. Insofar as Heidegger, faced with the decay of modernity, holds on to a thinking of transcendence, his diagnosis of the present thus remains stuck in resentment. For instead of taking fate (Geschick) into our own hands, we are to let fate follow its course and obey the order that comes from the highest ruler: Being itself.

#### Static rules fail since each agent formulates their own interpretation in moments of crisis – we must orient agency towards chaos to break free from indeterminate principles.

**Smith** – Nathan Jun and Daniel W. Smith. “Deleuze and Ethics.”

As I suggested earlier, traditional ethical **philosophy** suffers from **approach[es]**ing **ethics the wrong way** round. The maneuver seems to be as follows: **The ethicist begins with well-determined situations** that have already occurred **and** then **proceeds to search for** **a rule** that would allow him or her **to evaluate** **whether the action is right or wrong**. In ethical philosophy and theorization everything seems to proceed as if the action were already accomplished and then the action gets evaluated. However, this reversal becomes unconscious in the mind of the theorist, such that the rule allowing for the evaluation of the action is treated as preceding the event to be evaluated. Part of **the problem** here **lies in** the ethical theorist implicitly asking the wrong sort of question. And by **asking the wrong sort of question,** the ethical theorist situates himself in **the wrong ethical “phenomenology**.” **Rather than** rushing to **answer** the question of what ethics is, or **how we distinguish right from wrong, we** should rst **ask the strange question of when ethical problematics arise.** In this connection, Deleuze was right to denounce the question “what is x?” As Deleuze writes: Rationalism wanted to tie the fate of [problems] to abstract and dead essence; and to the extent that the problem form of [problems were] recog- nized, it even wanted that form tied to the question of essences – in other words, to the “What is X?”. How many misunderstandings are contained in this will! . . . Once it is a question of determining the problem or the Idea as such, once it is a question of setting the dialectic in motion, the ques- tion “What is X?” gives way to other questions, otherwise powerful and ef cacious, otherwise imperative: “How much, how and in what cases?” (Deleuze 1994: 188) The question of the “when” of ethical problematics would at least possess the virtue of suspending a number of our assumptions pertaining to what ethics is about, and setting us on the track of a more accurate ethical phenomenology. **The problem with** the **traditional ethic[s]al** philosophies I discussed earlier **is that they know everything in advance**. Here **it is simply a question of applying a rule or a scheme to a particular case.** Yet when we look at **actual ethical situations** such as the one depicted at the beginning of this chapter, we notice that they **are** above all **characterized by uncertainty.** Somehow, within the framework of traditional ethical theories it is this moment of uncertainty, of crisis, that utterly disappears and is erased. To be sure, traditional ethical theory attenuates the question of what is to be done, but almost always within the framework of clearly delineated possibilities and alternatives. What is missing is precisely this moment of the uncertain that gives the ethical, whether at the level of an individual life or in relations amongst elements or actors in a collective, its particular avor. If **the moment of the ethical is characterized by** anything – and note I’ve shifted from a substantialist language to a temporal language – it is characterized by precisely **that moment where an organized and stable situation has become** **unsettled** and it is no longer clear as to how that stability is to be maintained or whether a new organization entirely should emerge. If this approach to ethics is so egre- gious it is because it restricts the ethical to the moment of reduction and normalization, to subsumption under a category or rule, failing to rec- ognize the inventiveness and creativity that ethics embodies. Indeed, the invention and creation that lies at the heart of the ethical, constituting its very being. Phenomenologically, **the moment of the ethical is** precisely **the moment of crisis**. And it is this that recourse to arch/, foundations, or principles so thoroughly obscures, for it is exactly where principles fail that we encounter the problem of the ethical. **The question of the ethical is not the question of how crisis can be ameliorated by recourse to pre- existing principles** for the simple reason that **the ethical is encountered at just that moment where “principles” governing a composition no longer hold. Rather, the question of the ethical is that of how situations must be re-composed in response to this moment of crisis.** And in this respect, **the** fetishistic **obsession of traditional ethical theory with whether** or not **lying is moral or whether or not it is just to kill another** person com- pletely **trivializes the proper theme of ethics and confuses ethics with questions of customs organizing a flourishing collective**. Did anyone ever really doubt whether we should, by and large, keep our contracts, be honest, or not murder our fellows? It is astonishing that such trite issues could justify the destruction of so many trees. Let us return to the example of the HPV vaccine and try to imagine the situation not as we see it in retrospect or from a dis-involved per- spective oating up above, but rather from the perspective of the event as it unfolds. The rst thing we notice is that this situation is composed of all sorts of heterogeneous actors: young girls, parents, insurance cor- porations, pharmaceutical companies, schools, fundamentalist religious groups, governors, gods, religious texts, legislators, but also scientists, doctors, laboratories, viruses, cancers, genital warts, sexual activities, outcomes of research indicating that a statistically signi cant number of women will contract the HPV virus at some point of their lives, and vaccines. It will be objected that viruses, vaccines, diseases, and laboratories are not actors, but mere objects, functioning as nothing more than means. Objects, it will be said, display behavior but not action, and therefore fall outside the purview of ethics which is concerned with goal-directed intentional action alone. However, following Bruno Latour, it has become increasingly dif cult to discern how nonhuman objects are not themselves genuine actors. Thus, for example, nonhuman objects act in the laboratory all the time, betraying and surprising the intentions of the scientist with their responses, and completely modifying the coordinates of the situation.6 To argue that nonhuman actors should be excluded from ethical thought or treated as mere means to an end is to fall prey to a fallacy similar to that which Marx denounced under the title of “commodity fetishism.” Just as commodity fetishism prevents us from seeing the complex networks of labor involving workers, technologies, materials, etc., ethical fetishism prevents us from seeing the complex net- works of nonhuman actors that play such a signi cant role in perturbing collectives, bringing about the moment of the ethical. Moreover, given the manner in which humans always employ other objects and are employed by other objects in their actions, the idea of humans acting alone without the intermediary of other objects at work in their action is itself a ction (Latour 2005: 43–86). For Latour, an actor is just any entity that modi es “a state of affairs by making a dif- ference” (Latour 2005: 71). In and of itself this would not be enough to call the distinction between action (of humans) and behavior (of objects) into question, were there not an issue of who and what is acting in the case of humans. In this connection Latour gives the marvelous example of television and the remote control to illustrate his point. Would I have become a couch potato, switching endlessly from channel to channel, he asks, **if I did not have a remote?** (Latour 2005: 77). The point here **is not that the remote determines me to become a couch potato, but rather the far more disturbing consequence that we cannot remotely draw the distinction between actors** (humans) and mere behaviors (objects).7 “**Our” action is a network composed of** human and nonhuman **actors, rather than** two **ontologically heterogeneous domains composed of humans and action on one side, and objects functioning as mere means and possessing only behaviors on the other**. For this reason, I include nonhuman entities among the list of actors in collectives or situations. Ethical theory has suffered tremendously as a result of treating ethics exclusively as the domain of the human divorced from all relations to the nonhuman.8 Returning to the discussion of the HPV vaccine, prior to the research linking the HPV virus to cervical cancer, genital warts, and other cancers, and prior to the invention of the HPV vaccine, we had a more or less smoothly running collective. Parents sent their kids to school. These kids grew up and had sex. Some of them got cervical cancer or genital warts, others didn’t. No one had ever heard of HPV. Doctors treated these diseases. Sometimes insurance companies covered the treatments, sometimes they didn’t. Some lived, some died. If the question of the ethical came to befall this collective composed of parents, children, doctors, diseases, and so on, then this was the result of the surprising appearance of new objects or actors within the collective: the appearance of the HPV virus, its correlation to various cancers and sexually transmitted diseases, and the HPV vaccine. One might object that the HPV virus and its link to these diseases had been there all along. This would be true. The point however is that it hadn’t been registered or counted by the collective as a member of the collective. It is with the appearance of these new actors that the prior collective becomes beset with uncertainty, and enters a state of crisis. With the appearance of these new actors within the collective, relations among the existing members of the collective are transformed and the question emerges as to how these new actors are to be integrated. Here, then, the relation between women and their bodies is transformed, the question arises of whether or not the children should take the vaccine, relations between insurance companies and their clients are modi ed, government is faced with questions of whether or not it should mandate vaccination, funda- mentalist religious groups encounter the issue of whether these vaccines con ict with established religious norms, anti-vaccination groups face the question of whether or not there will be dire unintended side-effects to these vaccines, and so on. It is here that the work of ethics begins. And here the question of **the work of ethics concerns not the application of** **a** pre-existing **rule to an existing situation, but** rather **how a collective is to be assembled or com- posed in light of the appearance of these strange new actors**, these stran- gers, **or how a new collective is to be formed**. In this regard, **rather than thinking ethics on the model of judgment, it would be more accurate to think the ethical as a sort of construction or building. The question of ethics** then **becomes: “given this event, how is our collective** to be **built**?” Alternatively, it is the question of whether the new actor knocking at the door of the collective should be inducted into the collective at all. In this respect, it does not seem that wide of the mark to draw a connection between the Greek h•qoß from whence we derive the term “ethics,” and oi•koß which is the root of terms such as “ecology” or “economy.” h•qoß originally signi ed “accustomed place” (i.e., habitat), whereas oi•koß refers to home or dwelling. Whether or not an etymological connec- tion actually exists between these two terms, what is at stake here are questions of collective composition involving humans and nonhumans, such that the ethics is essentially a question of ethical ecology or the composition of collectives in response to events that buffet collectives.

#### Restrictions of creative difference are the root cause of material violence and collapse to fascism.

Evans 10– Brad Evans, Lecturer in the School of Politics and International Studies at the University of Leeds and Programme Director for International Relations, “Foucault’s Legacy: Security, War, and Violence in the 21st Century,” Security Dialogue vol.41, no. 4, August 2010, pg. 422-424

**Imposing liberalism has** often **come at a price**. That price has tended to be a **continuous recourse to war.** While the militarism associated with liberal internationalization has already received scholarly attention (Howard, 2008), Foucault was concerned more with the continuation of war once peace has been declared.4 Denouncing the illusion that ‘we are living in a world in which order and peace have been restored’ (Foucault, 2003: 53), he set out to disrupt the neat distinctions between times of war/military exceptionalism and times of peace/civic normality. War accordingly now appears to condition the type of peace that follows. None have been more ambitious in map-­ ping out this war–peace continuum than Michael Dillon & Julian Reid (2009). Their ‘liberal war’ thesis provides a provocative insight into the lethality of making live. **Liberalism** today, they argue, **is underwritten by the** unreserved **righteousness of its mission**. Hence, while there may still be populations that exist beyond the liberal pale, it is now taken that they should be included. With ‘Liberal peace’ therefore predicated on the pacification/**elimination of** all forms of **political difference** in order that liberalism might meet its own moral and political objectives, **The more peace is commanded, the more war is declared** in order **To achieve it**: ‘In proclaiming peace . . . **liberals are** nonetheless **committed** also **to making war.**’ This is the ‘martial face of liberal power’ that, contrary to the familiar narrative, is ‘directly fuelled by the universal and pacific ambitions for which liberalism is to be admired’ (Dillon & Reid, 2009: 2). **Liberalism thus stands accused here of universalizing war in its pursuit of peace: However much liberalism abjures war, indeed finds the instrumental use of war, especially, a scandal, war has always been as instrumental to liberal as to geopolitical thinkers. In that very attempt to instrumentalize, indeed universalize, war in the pursuit of its own global project of emancipation, the practice of liberal rule itself becomes profoundly shaped by war.** However much it may proclaim liberal peace and freedom, its own allied commitment to war subverts the very peace and freedoms it proclaims (Dillon & Reid, 2009: 7). While Dillon & Reid’s thesis only makes veiled reference to the onto-­ theological dimension, they are fully aware that its rule depends upon a certain religiosity in the sense that war has now been turned into a veritable human crusade with only two possible outcomes: ‘endless war or the transformation of other societies and cultures into liberal societies and cul-­ tures’ (Dillon & Reid, 2009: 5). Endless war is underwritten here by a new set of problems. Unlike Clausewitzean confrontations, which at least provided the strategic comforts of clear demarcations (them/us, war/peace, citizen/soldier, and so on), **These wars no longer benefit from the possibility of** scoring outright **victory**, retreating, **or** achieving a lasting negotiated **peace** by means of political compromise**.** Indeed, deprived of the prospect of defining enmity in advance, war itself becomes just as complex, dynamic, adaptive and radically interconnected as the world of which it is part. That is why ‘any such war to end war becomes a war without end. . . . **The project** of removing war from the life of the species **becomes** a lethaland, in principle, continuous and **unending** process’ (Dillon & Reid, 2009: 32). Duffield, building on from these concerns, takes this unending scenario a stage further to suggest that since wars for humanity are inextricably bound to the global life-­chance divide, it is now possible to write of a ‘Global Civil War’ into which all life is openly recruited: Each crisis of global circulation . . . marks out a terrain of global civil war, or rather a tableau of wars**,** which is **fought on and between the modalities of life itself.** . . . What is at stake in this war is the West’s ability to contain and manage international poverty while maintaining the ability of mass society to live and consume beyond its means (Duffield, 2008: 162). Setting out civil war in these terms inevitably marks an important depar-­ ture. Not only does it illustrate how **Liberalism gains its mastery by posing** fundamental **questions of life and death –** that is, who is to live and who can be killed – disrupting the narrative that ordinarily takes sovereignty to be the point of theoretical departure, civil war now appears to be driven by **a globally ambitious biopolitical imperative** (see below). Liberals have continuously made reference to humanity in order to justify their use of military force (Ignatieff, 2003). War, if there is to be one, must be **for the unification of the species.** This humanitarian caveat is by no means out of favour. More recently it underwrites the strategic rethink in contemporary zones of occupation, which has become biopolitical (‘hearts and minds’) in everything but name (Kilcullen, 2009; Smith, 2006). While criticisms of these strategies have tended to focus on the naive dangers associated with liberal idealism (see Gray, 2008), insufficient attention has been paid to the contested nature of all the tactics deployed in the will to govern illiberal populations. Foucault returns here with renewed vigour. He understood that forms of war have always been aligned with forms of life. Liberal wars are no exception. Fought in the name of endangered humanity, humanity itself finds its most meaningful expression through the battles waged in its name: At this point we can invert Clausewitz’s proposition and say that politics is the continuation of war by other means. . . . While it is true that political power puts an end to war and establishes or attempts to establish the reign of peace in civil society, it certainly does not do so in order to suspend the effects of power or to neutralize the disequilibrium revealed in the last battle of war (Foucault, 2003: 15). What in other words occurs beneath the semblance of peace is far from politically settled: political struggles, these clashes over and with power, these modifications of relations of force – the shifting balances, the reversals – in a political system, all these things must be interpreted as a continuation of war. And they are interpreted as so many episodes, fragmentations, and displacements of the war itself. We are always writing the history of the same war, even when we are writing the history of peace and its institutions (Foucault, 2003: 15). David Miliband (2009), without perhaps knowing the full political and philo-­ sophical implications, appears to subscribe to the value of this approach, albeit for an altogether more committed deployment: NATO was born in the shadow of the Cold War, but we have all had to change our thinking as our troops confront insurgents rather than military machines like our own. The mental models of 20th century mass warfare are not fit for 21st century counterinsurgency. That is why my argument today has been about the centrality of politics. People like quoting Clausewitz that warfare is the continuation of politics by other means. . . . We need politics to become the continuation of warfare by other means. Miliband’s ‘Foucauldian moment’ should not escape us. Inverting Clausewitz on a planetary scale – hence promoting the collapse of all meaningful distinctions that once held together the fixed terms of Newtonian space (i.e. inside/outside, friend/enemy, citizen/soldier, war/peace, and so forth), he firmly locates the conflict among the world of peoples. With global war there-­ fore appearing to be an internal state of affairs, vanquishing enemies can no longer be sanctioned for the mere defence of things. A new moment has arrived, in which the destiny of humanity as a whole is being wagered on the success of humanity’s own political strategies. No coincidence, then, that authors like David Kilcullen – a key architect in the formulation of counterinsurgency strategies in Iraq and Afghanistan, argue for a global insurgency paradigm without too much controversy. Viewed from the perspective of power, global insurgency is after all nothing more than the advent of a global civil war fought for the biopolitical spoils of life. Giving primacy to counter-­ insurgency, it foregrounds the problem of populations so that questions of security governance (i.e. population regulation) become central to the war effort (RAND, 2008). Placing the managed recovery of maladjusted life into the heart of military strategies, it insists upon a joined-­up response in which sovereign/militaristic forms of ordering are matched by biopolitical/devel-­ opmental forms of progress (Bell & Evans, forthcoming). Demanding in other words a planetary outlook, it collapses the local into the global so that life’s radical interconnectivity implies that absolutely nothing can be left to chance. While liberals have therefore been at pains to offer a more humane recovery to the overt failures of military excess in current theatres of operation, warfare has not in any way been removed from the species. Instead, humanized in the name of local sensitivities, doing what is necessary out of global species necessity now implies that war effectively takes place by every means. Our understanding of civil war is invariably recast. Sovereignty has been the traditional starting point for any discussion of civil war. While this is a well-established Eurocentric narrative, colonized peoples have never fully accepted the inevitability of the transfixed utopian prolificacy upon which sovereign power increasingly became dependent. Neither have they been completely passive when confronted by colonialism’s own brand of warfare by other means. Foucault was well aware of this his-­ tory. While Foucauldian scholars can therefore rightly argue that alternative histories of the subjugated alone permit us to challenge the monopolization of political terms – not least ‘civil war’ – for Foucault in particular there was something altogether more important at stake: there is no obligation whatsoever to ensure that reality matches some canonical theory. Despite what some scholars may insist, politically speaking there is nothing that is necessarily proper to the sovereign method. It holds no distinct privilege. Our task is to use theory to help make sense of reality, not vice versa. While there is not the space here to engage fully with the implications of our global civil war paradigm, it should be pointed out that since its biopolitical imperative removes the inevitability of epiphenomenal tensions, nothing and nobody is necessarily dangerous simply because location dictates. **With enmity** instead **depending upon the** complex, adaptive, dynamic **account of life** itself**, what becomes dangerous emerges from within the liberal imaginary of threat. Violence accordingly can only be sanctioned against those** newly **appointed enemies of humanity** – a phrase that, immeasurably greater than any juridical category, necessarily affords enmity an internal quality inherent to the species complete, for the sake of planetary survival**.** Vital in other words to all human existence, **Doing what is necessary** out of global species necessity **requires a new moral assay of life that**, pitting the universal against the particular, **willingly commits violence against any ontological commitment to political difference**, even though universality itself is a shallow disguise for the practice of destroying political adversaries through the contingency of particular encounters**.** Necessary Violence Having established that the principal task set for biopolitical practitioners is to sort and adjudicate between the species, modern societies reveal a distinct biopolitical aporia (an irresolvable political dilemma) in the sense that making life live – selecting out those ways of life that are fittest by design – inevitably writes into that very script those lives that are retarded, backward, degenerate, wasteful and ultimately dangerous to the social order (Bauman, 1991). **Racism** thus **appears here** to be a **thoroughly modern** phenomenon (Deleuze & Guattari, 2002)**.** This takes us to the heart of our concern with biopolitical rationalities. When ‘life itself’ becomes the principal referent for political struggles, power necessarily concerns itself with those biological threats to human existence (Palladino, 2008). That is to say, since life becomes the author of its own (un)making, the biopolitical assay of life necessarily portrays a commitment to the supremacy of certain species types: ‘a race that is portrayed as the one true race, the race that holds power and is entitled to define the norm, and against those who deviate from that norm, against those who pose a threat to the biological heritage’ (Foucault, 2003: 61). Evidently, what is at stake here is no mere sovereign affair. Epiphenomenal tensions aside, racial problems occupy a ‘permanent presence’ within the political order (Foucault, 2003: 62). Biopolitically speaking, then, since it is precisely through the internalization of threat – the constitution of **The threat** that **is now** from **the dangerous ‘Others’ that exist within –** that **societies reproduce at the level of life the ontological commitment to secure the subject, since everybody is now possibly dangerous** and nobody can be exempt, **for political modernity to function** one always has to be capable of killing in order to go on living: Wars are no longer waged in the name of a sovereign who must be defended; they are waged on behalf of the existence of everyone; entire populations are mobilized for the purpose of wholesale slaughter in the name of life necessity; massacres have become vital. . . . The principle underlying the tactics of battle – that one has to become capable of killing in order to go on living – has become the principle that defines the strategy of states (Foucault, 1990: 137). When Foucault refers to ‘Killing’, he is not simply referring to the vicious act of taking another life: ‘When I say “killing”, I obviously do not mean simply murder as such, but also every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people, or, quite simply, political death, expulsion, rejection and so on’ (Foucault, 2003: 256). Racism makes this process of elimination possible, for it is only through the discourse and practice of racial (dis)qualification that one is capable of introducing ‘a break in the domain of life that is under power’s control: the break between what must live and what must die’ (Foucault, 2003: 255)**.** While killing does not need to be physically murderous, that is not to suggest that we should lose sight of the very real forms of political violence that do take place in the name of species improvement. As Deleuze (1999: 76) duly noted, **when notions of security are invoked in order to preserve the destiny of a species, when the defence of society gives sanction to very real acts of violence that are justified in terms of species necessity, that is when the capacity to legitimate murderous political actions in all our names and for all our sakes becomes altogether more rational, calculated, utilitarian, hence altogether more frightening: When a diagram of power abandons the model of sovereignty in favour of a disciplinary model, when it becomes the ‘bio-­power’ or ‘bio-­politics’ of populations, controlling and administering life, it is indeed life that emerges as the new object of power. At that point law increasingly renounces that symbol of sovereign privilege, the right to put someone to death, but allows itself to produce all the more hecatombs and genocides: not by returning to the old law of killing, but on the contrary in the name of race, precious space, conditions of life and the survival of a population that believes itself to be better than its enemy, which it now treats not as the juridical enemy of the old sovereign but as a toxic or infectious agent, a sort of ‘biological danger’. Auschwitz arguably represents the most grotesque, shameful and hence meaningful example of necessary killing – the violence that is sanctioned in the name of species necessity (see Agamben, 1995, 2005). Indeed, for Agamben, since one of The most ‘essential characteristics’ of modern biopolitics is to constantly ‘redefine the threshold in life that distinguishes and separates what is inside from what is outside’**, it is within those sites that ‘eliminate radically the people that are excluded’ that the biopolitical racial imperative is exposed in its most brutal form (Agamben, 1995: 171)**.** The camp can therefore be seen to be the defining paradigm of the modern insomuch as it is a ‘space in which power confronts nothing other than pure biological life without any media-­ tion’ (Agamben, 1995: 179). While lacking Agamben’s intellectual sophistry, such a Schmittean-­inspired approach to violence – that is, sovereignty as the ability to declare a state of juridical exception – has certainly gained wide-­ spread academic currency in recent times. The field of international relations, for instance, has been awash with works that have tried to theorize the ‘exceptional times’ in which we live (see, in particular, Devetak, 2007; Kaldor, 2007). While some of the tactics deployed in the ‘Global War on Terror’ have undoubtedly lent credibility to these approaches, in terms of understanding violence they are limited. Violence is only rendered problematic here when it is associated with some act of unmitigated geopolitical excess (e.g. the invasion of Iraq, Guantánamo Bay, use of torture, and so forth). This is unfortunate. Precluding any critical evaluation of the contemporary forms of violence that take place within the remit of humanitarian discourses and practices, there is a categorical failure to address how necessary violence continues to be an essential feature of the liberal encounter. Hence, with post-interventionary forms of violence no longer appearing to be any cause for concern, the nature of the racial imperative that underwrites the violence of contemporary liberal occupations is removed from the analytical arena.

#### Intellectual property regimes biologically regulate affective expression and force the subject into binary, mechanical, categories.

Wolodzko 18 – Agnieszka Anna, Bodies within affect. : on practicing contaminating matters through bioart, 2018, <https://scholarlypublications.universiteitleiden.nl/handle/1887/66889>

The particular discrepancy between the practice of affect and its control, between discovering the relations of transformation and managing these relations in order to achieve particular formations, is present in the practices of biotechnology. Take, for instance, the patenting of the human genome, which touches the very intimate and existential realm of what it means to have and be a body. Donna Dickenson reports that, according to common law, once a part of your body is separated from you, it is legally treated as waste and as not belonging to anybody [lat. res nullius].22 Dickenson believes that this disposable attitude to body parts that have been detached from the body is due to the traditional distinction between a person and raw matter. Unlike a body part, persons cannot be owned as this would undermine the notion of human dignity.23 However, as Dickenson states, recent biotechnological practices undermine the boundaries between what can be considered as a person and what is just a raw body part, which results making the body a much more fluid and hybrid phenomenon. The scale and implications of the hybridity and relationality of the body as a result of biotechnological practices can be seen, for instance, within the phenomenon of human genome patenting and genetic testing, the most lucrative applications of biotechnological innovations.24 Till 2013, it was common practice to patent the human genome once it had been isolated from the body. Even though genes are not an invention as such, their isolation from a body was considered an innovative practice and thus subject to patenting laws.25 This resulted in an enormous biomarket, where, in the 1980s-1990s, till 2005, over twenty per cent of the human genome was patented in the US.26 A patent is “a legal right granted to inventors by national governments to exclude others from making, using or selling their invention in a given country,”27 and so, in this context, its function presupposes that parts of our own body are legally owned by companies and institutions.28 Most importantly, gene patents are usually applied to all methods of their detection. This means that every test and tool involved in the management of a particular sequence are covered by patent laws. The patent thus reaches a very broad research area, and this may have consequences for future innovation and medical care. Since the main role of patents in the biotechnology that has induced genetic testing was to allow for private investment in research and development, biotechnology has transformed from a common good into a commodification and exploitation of the body. Arguably, things have changed once the US Supreme Court banned the patenting of “natural” genes in the case of the Myriad Genetics Inc., the company that discovered the sequence and location of BRCA1 and BRCA1 – a gene mutation that increases the risk of ovarian and breast cancer: “A naturally occurring DNA segment is a product of nature and not patent eligible merely because it has been isolated, but cDNA is patent eligible because it is not naturally occurring.”29 However, things become more ambiguous when we look not only at the differences, but also at the similarities between DNA and its copy, cDNA (complementary DNA). cDNA is “a type of a man-made DNA composition, which is made in a lab with an enzyme that creates DNA from RNA template.”30 Not naturally occurring, and structurally and functionally different from DNA, cDNA thus complies with the patent law. Nevertheless, some critics argue that, despite its structural and functional difference, which allows for the further research, the copy (cDNA) still holds exactly the same information as the original (DNA).31 Moreover, because cDNA is not distinct from the methods it is extracted with, there is no specification of how much intervention is actually needed in order for the gene to be legally patented, since mere simple separation from the body is no longer a boundary.32 Despite the lack of boundaries and clear definitions of what a body’s natural state is and what its manipulated state is, Myriad, (like other companies involved in human gene patenting), practices what is now called personalized medicine. Bodies are practiced as autonomous and fixed identities, independent from collective relations.33 As Dickenson argues, personalized medicine deliberately positions itself against we medicine, emphasising individual responsibility and care, rather than a collective and relational understanding of the way our bodies are. We witnessed the power of individual choice when the American actress Angelina Jolie announced that she had undergone a double mastectomy due to the presence of the BRCA gene in her body. This was in 2013, just before the Supreme Court decision in the Myriad case and the actress’s experience provoked a public debate about the necessity of testing for the cancer gene. However, the media conveniently failed to mention the patent that applied to the BRCA gene, and just how expensive the test to detect it was (in 2013, the test cost between US$3,000 and US$4,000).34 Moreover, the decision to undergo the mastectomy – which for the average woman does not end with a full breast reconstruction as it did in Jolie’s case – was portrayed as being a woman’s – a mother’s – individual choice. The discussion of the elective surgery largely ignored any discussion of the financial, political or social situation of women, or of the industry involved in performing these tests. Importantly, in order for the testing to be accurate and certain, a large database of the variation of this mutation is needed. You need “we medicine in order to perform a successful me medicine.”35 In other words, to be accurate, any medicine depends on a range of relational practices and multiple bodies from various social, political and biological states. Any distinction, therefore, between “me” and “we” medicine is an artificial one. Medical practice has exposed how “me” medicine has already been “we” medicine. The tangible danger, however, is that these relational practices become veiled by the abstract categories of individuality and autonomy. In other words, while we are already living within affect, and are already practicing affect’s contaminations and its multiple relations and implications for various spheres of living bodies, we have never really changed our logic with regard to affect. In the case of Myriad, while, in principle, researchers, share their genome database in order to provide an exchange of information for the common good and to promote innovation and accurate medical care, fear of competition led the company to stop contributing to the data already in 2004. It has also stopped publicising new information about variations. As a major performer of tests for the BRCA gene, Myriad has thus significantly restricted research on breast cancer. The company’s self-interest, clothed in a policy of personalized medicine has stopped the flow of data and, therefore, causing less accurate medical care.36 What is worse, after the US Supreme Court decision of 15 April 2013, Myriad filed a number of lawsuits against laboratories that had started to offer the BRCA test more cheaply.37 What we learn from the BRCA case, is that by failing to change the logic of thinking about the bodies and as a result of its perpetuation of the belief in the autonomy of bodies, despite their obvious dependence on bodies’ relationality, the gene patenting industry has created even stronger hierarchies among bodies. The industry’s policies have enacted a strong belief in determinism, ascribed to DNA within the practices of biotechnological, economic and political application. The idea of the autonomous body is stronger than the actual matters of practice and relations that construct the body. Such practice of the body has preserved the nature/culture divide in a bizarrely paradoxical way. The US Supreme Court’s decision perpetuates a belief in the exclusion of nature from any economic-political spheres. As long as something does not occur in “nature”, it can be patented. However, as shown in the case of Myriad, the copy (cDNA) of DNA that is to be patented holds exactly the same information as the original (DNA). The border between what occurs naturally and culturally, what is original and what is a copy, is thus blurred. Without the “original” DNA there would be no cDNA in the first place. Moreover, what is considered as artificial and therefore ready for manipulation and commodification, materially influences and transforms what we consider to be “natural”. The promise of cure and treatment that has justified the privatization and monopolization of research, ultimately influences our own bodies and lives. Patented genes sequences do not regard a particular body, but “the body”. Patents have a universal function, which, in turn, incorporates all our bodies under its law. Once you have a breast cancer, part of you, what you think of as the “natural” you, belongs, in practice, to the corporation. The artificial divide between the “state of nature” and man-made practice does not respond to our bodies, which are an entanglement of living matter and practices. Furthermore, the Myriad case is also a striking example because it shows the consequences of our lack of understanding that biotechnology has a real material impact on our social and political life. Here, the idea of personhood and human dignity cannot do justice to the scale of novelty and unpredictability of the biotechnological world. Biobanks, which are the modern equivalent of surveillance and property, have resulted in: commodified cell lines, such as those in the Henrietta Lacks legal case,38 promises of regenerative medicine via new methods that transform a cell from an adult body into any other type of a cell, and CRISPR genome editing, which makes the idea of designer babies not just futuristic speculation, but a scientific possibly.39 Indeed, these new biotechnological inventions have undermined any doubt about the influence that biotechnology already has in shaping our lives. These phenomena are not just the concern of bioethical committees and economic policies, they directly touch the multiple political, social and cultural realms of our existence. Ingeborg Reichle called the unprecedented power inherent to the use of biotechnology “bottom-up eugenics”, which is not based directly on a socio-cultural idea and narration, but rather the market and profit.40 As Robert Zwijnenberg argues, biotechnology inevitably correlates with such problems as, for instance, human enhancement, posing not only ethical and legal problems, but forcing more philosophically and culturally varied questions and attitudes, i.e. “who and what do we want to be as humans, and who and what do we want to become?”41 Biotechnological innovations that allow us to manipulate our bodies construct economicsocial realities that do not respond to disciplinary divisions. Economic and political demands are strongly entangled with scientific findings, technologies and their agencies, which, in turn, inevitably influence social and cultural, individual and the population’s practices, as well as our lives and bodies. However, as the Myriad case shows, once these multiple entanglements are applied according to the traditional beliefs in autonomy, individuation and personalization, which do not respond to the relational nature of phenomena, we enter into the realm of utopian beliefs in purity and clear-cut boundaries between species and disciplines. For instance, transhumanists’ desire for designer babies and perfect humans,42 fuelled by an unquestioning use of technology, is just one among many examples of using relationality not as an ontological way of being, but as a means for strengthening the fixed ideas about our bodies. We already live and practice affect, that is why, if we do not think and act according to its dynamic nature, we create even sharper dualisms, polarizations and hierarchies. It is therefore time to map these material and relational ways of understanding. It is time to map bodies within affect, in order to meet the challenges of the biotechnological future. The question is, how to do that? How can we relationally practice the relational nature of our bodies? In other words, how do we make matters of affect matter?

#### Medical intellectual property protections proliferate the Empire’s parasitic control of subjects by restricting affective communication, eliminating creative potentialities.

**Lemmens** – Lemmens, P. (n.d.). The conditions of the Common. A Stieglerian critique ON Hardt AND Negri's thesis on Cognitive capitalism as a prefiguration of communism. The\_Conditions\_of\_the\_Common\_A\_Stieglerian\_Critique\_on\_Hardt\_and\_Negri\_s\_Thesis\_on\_Cognitive\_Capitalism\_as\_a\_Prefiguration\_of\_Communism

Capital is compelled to remain increasingly external to the process of production and its functional role is constantly diminishing. Whereas material, industrial labour functioned heteronomously as an organ contained within the body of capital, Immaterial labour is becoming increasingly free and autonomous and capital ever more dependent and parasitic, forced to block the movements of knowledge, communication and cooperation (e.g. through intellectual property rights) in order to survive **(Hardt & Negri, 2009: 142). Whereas the multitude ‘is the real productive force of our social world’, therefore, ‘Empire is a mere apparatus of capture that lives off the vitality of the multitude** – as Marx would say, a vampire regime of accumulated dead labor that survives only by sucking off the blood of the living’; it is nothing but ‘an empty machine, a spectacular machine, a parasitical machine’ (Hardt & Negri, 2000: 62). **Capital thereby loses its historically progressive force and can continue to exist only through direct expropriation of externally produced value** – that is, through expropriation of the common (Negri, 2008d: 64–7). Immaterial production is structurally ‘incompatible’ with the logic of capital and therefore cognitive capitalism will ultimately destroy itself through its inherent contradictions. Capitalism’s traditional **mechanisms of exploitation and control, both the intensive and extensive, increasingly contradict and fetter the productivity of biopolitical labour and frustrate the creation of value.** Biopolitical labour in all its forms – cognitive, intellectual, affective, etc. – cannot be contained by the forms of discipline and command that were developed during the era of Fordism. Therefore, the **integration of labour within the ruling structures of capital becomes increasingly difficult** (Hardt & Negri, 2009: 264, 291). Capital’s **strategies of privatisation and control destroy the common that is at the base of biopolitical production**, so biopolitical productivity is hampered every time the common is destroyed. A good example is the impediment of innovation Perspectives on Commoning 1st proof.indd 178 04/05/2017 16:16 The conditions of the common 179 in agriculture and biotechnology and the **blocking of creativity in cultural production due to excessive intellectual property regimes** in the form of patents and copyrights (see Drahos & Braithwaite, 2002; Lessig, 2004; Aigrain, 2005; Jefferson, 2006; Boyle, 2008; Hope, 2008; Kloppenburg, 2010). The **disciplinary strategies of precarisation of work and flexibilisation of the labour market are also counterproductive, depriving cognitive and affective workers of precisely the time and freedom on which the creativity** and productivity of cognitive and affective labour depends (Hardt & Negri, 2009: 145–7). All attempts of capital to intervene in the production process and to appropriate the common frustrate that which it tries to capture: the productivity of the common. And the more the capitalist economy becomes a knowledge economy, the more it embarks on the path of value creation through knowledge production, the more that knowledge escapes its control and the more it produces and nourishes that which ultimately undermines its own existence: the common. Of course, as Hardt and Negri admit, ever since Marx uncovered the logic of capital, the critique of political economy has pointed to the contradiction within capitalism of the social nature of production and the private nature of accumulation. However, in the context of today’s cognitive capitalism, this contradiction is becoming ever more extreme and consequently ever more destructive for the capitalist endeavour, reaching a point of rupture: ‘This is how capital creates its own gravediggers: pursuing its own interests and trying to preserve its own survival, it must foster the increasing power and autonomy of the productive multitude’, Hardt and Negri (2009: 311) contend. ‘And when that accumulation of power crosses a certain threshold, the Perspectives on Commoning 1st proof.indd 179 04/05/2017 16:16 180 PERSPECTIVES ON COMMONING multitude will emerge with the ability to rule common wealth.’ Indeed, capital today is ‘facing increasingly autonomous, antagonistic, and unmanageable forms of social labor-power’ which embody an inherent potential for autonomy and have the capacity to ‘destroy capital and create something entirely new’ (Hardt & Negri, 2009: 136, 288, 311).

### Contact Shell

#### Interpretation: All debaters must provide some method of contacting them before the round or contact the other debater before the round – this could include messaging me on Facebook, or the LD Wiki.

#### Violation: They don’t – screenshots below:

Graphical user interface, text, application

Description automatically generated

#### Standards:

#### 1] Safety – contact info’s the only way to check trigger warnings before the round for what debaters are comfortable reading, anything else creates a hostile environment – for example, checking about scenes of violence authors may mention. Safety is a voting issue – we can’t debate unless we feel safe to do so.

#### 2] Small schools – schools like Scripps Ranch need to be able to contact debaters to reach out in the community especially given its elitist nature – the interp evens the playing field by allowing debaters to check each other’s arguments.

#### Drop the debater to deter future abuse. Use competing interps on 1AC theory – the negative has 7 minutes to answer the shell, and you can’t reasonably not contact someone. No RVIs – you’d read a counter-interp for 7 minutes of the NC and the debate would end right there.

### Advantage

#### To clarify – this is offense if you read a framework in which extinction is a relevant moral consideration.

#### Only the plan can solve covid access – inequalities heighten the risk of mutations and uneven development – neg objections miss the boat.

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According to Duke Global Health Innovation Center, which monitors COVID-19 vaccine purchases, rich nations representing just 14 per cent of the world population have bought up to 53 per cent of the most promising vaccines so far. As of 4 July 2021, the high-income countries (HICs) purchased more than half (6.16 billion) vaccine doses sold globally. At the same time, the low-income countries (LICs) received only 0.3 per cent of the vaccines produced. The low and middle-income countries (LMICs), which account for 81 per cent of the global adult population, purchased 33 per cent, and COVAX (COVID-19 Vaccines Global Access) has received 13 per cent.10 Many HICs bought enough doses to vaccinate their populations several times over. For instance, Canada procured 10.45 doses per person, while the UK, EU and the US procured 8.18, 6.89, and 4.60 doses per inhabitant, respectively.11

Consequently, there is a significant disparity between HICs and LICs in vaccine administration as well. As of 8 July 2021, 3.32 billion vaccine doses had been administered globally.12 Nonetheless, only one per cent of people in LICs have been given at least one dose. While in HICs almost one in four people have received the vaccine, in LICs, it is one in more than 500. The World Health Organization (WHO) notes that about 90 per cent of African countries will miss the September target to vaccinate at least 10 per cent of their populations as a third wave looms on the continent.13 South Africa, the most affected African country, for instance, has vaccinated less than two per cent of its population of about 59 million. This is in contrast with the US where almost 47.5 per cent of the population of more than 330 million has been fully vaccinated. In Sub-Saharan Africa, vaccine rollout remains the slowest in the world. According to the International Monetary Fund (IMF), at current rates, by the end of 2021, a massive global inequity will continue to exist, with Africa still experiencing meagre vaccination rates while other parts of the world move much closer to complete vaccination.14

This vaccine inequity is not only morally indefensible but also clinically counter-productive. If this situation prevails, LICs could be waiting until 2025 for vaccinating half of their people. Allowing most of the world’s population to go unvaccinated will also spawn new virus mutations, more contagious viruses leading to a steep rise in COVID-19 cases. Such a scenario could cause twice as many deaths as against distributing them globally, on a priority basis. Preventing this humanitarian catastrophe requires removing all barriers to the production and distribution of vaccines. TRIPS is one such barrier that prevents vaccine production in LMICs and hence its equitable distribution.

TRIPS: Barrier to Equitable Health Care Access

The opponents of the waiver proposal argue that IPR are not a significant barrier to equitable access to health care, and existing TRIPS flexibilities are sufficient to address the COVID-19 pandemic. However, history suggests the contrary. For instance, when South Africa passed the Medicines and Related Substances Act of 1997 to address the HIV/AIDS public health crisis, nearly 40 of world’s largest and influential pharma companies took the South African government to court over the violation of TRIPS. The Act, which invoked the compulsory licensing provision, allowed South Africa to produce affordable generic drugs.15 The Big Pharma also lobbied developed countries, particularly the US, to put bilateral trade sanctions against South Africa.16

Similarly, when Indian company Cipla decided to provide generic antiretrovirals (ARVs) to the African market at a lower cost, Big Pharma retaliated through patent litigations in Indian and international trade courts and branded Indian drug companies as thieves.17 Another instance was when Swiss company Roche initiated patent infringement proceedings against Cipla’s decision to launch a generic version of cancer drug, “erlotinib”. Though the Delhi High Court initially dismissed Roche's appeal by citing “public interest” and “affordability of medicines,” the continued to pressure the generic pharma companies over IPR. 18 Likewise, Pfizer’s aggressive patenting strategy prevented South Korea in developing pneumonia vaccines for children.19

A recent document by Médecins Sans Frontières (MSF), or Doctors Without Borders, highlights various instances of how IP hinders manufacturing and supply of diagnostics, medical equipment, treatments and vaccines during the COVID-19 pandemic. For instance, during the peak of the COVID-19 first wave in Europe, Roche rejected a request from the Netherlands to release the recipe of key chemical reagents needed to increase the production of diagnostic kits. Another example was patent holders threatening producers of 3D printing ventilators with patent infringement lawsuits in Italy.20 The MSF also found that patents pose a severe threat to access to affordable versions of newer vaccines.21

The opponents of the TRIPS waiver also argue that IP is the incentive for innovation and if it is undermined, future innovation will suffer. However, most of the COVID-19 medical innovations, particularly vaccines, are developed with public financing assistance. Governments spent billions of dollars for COVID-19 vaccine research. Notably, out of $6.1 billion in investment tracked up to July 2021, 98.12 per cent was public funding.22 The US and Germany are the largest investors in vaccine R&D with $2.2 billion and $1.5 billion funding.

Private companies received 94.6 per cent of this funding; Moderna received the highest $956.3 million and Janssen $910.6 million. Moreover, governments also invested $50.9 billion for advance purchase agreements (APAs) as an incentive for vaccine development. A recent IMF working paper also notes that public research institutions were a key driver of the COVID-19 R&D effort—accounting for 70 per cent of all COVID-19 clinical trials globally.23 The argument is that vaccines are developed with the support of substantial public financing, hence there is a public right to the scientific achievements. Moreover, private companies reaped billions in profits from COVID-19 vaccines.

One could argue that since the US, Germany and other HICs are spending money, their citizens are entitled to get vaccines first, hence vaccine nationalism is morally defensible. Nonetheless, it is not the case. The TRIPS Agreement includes several provisions which mandates promotion of technology transfer from developed countries to LDCs. For instance, Article 7 states that "the protection and enforcement of IP rights should contribute to the promotion of technological innovation and the transfer and dissemination of technology, to the mutual advantage of producers and users of technical knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations."24 Similarly, Article 66.2 also mandates the developed countries to transfer technologies to LDCs to enable them to create a sound and viable technological base. The LMICs opened their markets and amended domestic patent laws favouring developing countries’ products against this promise of technology transfer.

Another argument against the proposed TRIPS waiver is that a waiver would not increase the manufacturing of COVID-19 vaccines. Indeed, one of the significant factors contributing to vaccine inequity is the lack of manufacturing capacity in the global south. Further, a TRIPS waiver will not automatically translate into improved manufacturing capacity. However, a waiver would be the first but essential step to increase manufacturing capacity worldwide. For instance, to export COVID-19 vaccine-related products, countries need to ensure that there are no IP restrictions at both ends – exporting and importing. The market for vaccine materials includes consumables, single-use reactors bags, filters, culture media, and vaccine ingredients. Export blockages on raw materials, equipment and finished products harm the overall output of the vaccine supply chain. If there is no TRIPS restriction, more governments and companies will invest in repurposing their facilities.

Similarly, the arguments such as that no other manufacturers can carry out the complex manufacturing process of COVID-19 vaccines and generic manufacturing as that would jeopardise quality, have also been proven wrong in the past. For instance, in the early 1990s, when Indian company Shantha Biotechnics approached a Western firm for a technology transfer of Hepatitis B vaccine, the firm responded that “India cannot afford such high technology vaccines… And even if you can afford to buy the technology, your scientists cannot understand recombinant technology in the least.”25 Later, Shantha Biotechnics developed its own vaccine at $1 per dose, and the UNICEF (United Nations Children’s Emergency Fund) mass inoculation programme uses this vaccine against Hepatitis B. In 2009, Shantha sold over 120 million doses of vaccines globally.

India also produces high-quality generic drugs for HIV/AIDS and cancer treatment and markets them across the globe. Now, a couple of Indian companies are in the last stage of producing mRNA (Messenger RNA) vaccines.26 Similarly, Bangladesh and Indonesia claimed that they could manufacture millions of COVID-19 vaccine doses a year if pharmaceutical companies share the know-how.27 Recently, Vietnam also said that the country could satisfy COVID-19 vaccine production requirements once it obtains vaccine patents.28 Countries like the United Arab Emirates (UAE), Turkey, Cuba, Brazil, Argentina and South Korea have the capacity to produce high-quality vaccines but lack technologies and know-how. However, Africa, Egypt, Morocco, Senegal, South Africa and Tunisia have limited manufacturing capacities, which could also produce COVID-19 vaccines after repurposing.

Moreover, COVID-19 vaccine IPR runs across the entire value chain – vaccine development, production, use, etc. A mere patent waiver may not be enough to address the issues related to its production and distribution. What is more important here is to share the technical know-how and information such as trade secrets. Therefore, the existing TRIPS flexibilities, such as compulsory and voluntary licensing, are insufficient to address this crisis. Further, compulsory licensing and the domestic legal procedures it requires is cumbersome and not expedient in a public health crisis like the COVID-19 pandemic.

India’s Role in Ensuring Vaccine Equity India's response to COVID-19 at the global level was primarily two-fold. First, its proactive engagements in the regional and international platforms. Second, its policies and programmes to provide therapeutics and vaccines to the world. Since the beginning of the COVID-19 pandemic, India has been advocating international cooperation and policy coordination in fighting it. For instance, in April 2020, India co-sponsored a UN resolution that called for fair and equitable access to essential medical supplies and future vaccines to COVID-19. Later, in October 2020, India also put pressure on developed countries with a joint WTO proposal for TRIPS waiver. India’s Vaccine Maitri initiative also aims vaccine equity. As of 29 May 2021, India has supplied 663.698 lakh doses of COVID-19 vaccines to 95 countries. It includes 107.15 lakh doses as a gift to more than 45 countries, 357.92 lakh doses by commercial sales, and 198.628 lakh doses to the COVAX facility.29 The COVAX initiative aims to ensure rapid and equitable access to COVID-19 vaccines for all countries, regardless of their income level. India has decided to supply 10 million doses of the vaccine to Africa and one million to the UN health workers under the COVAX facility. India has also removed the IPR of Covaxin that would help platforms like C-TAP once WHO and developed countries’ regulatory bodies approve the vaccine. If agreed, the waiver would benefit India in many ways. First, more vaccines will help the country to control the pandemic and its recurring waves. Second, it will be a boost to India's pharma industry, particularly the generic medicine industry. According to the Biotechnology Innovation Organization, 834 unique active compounds are involved in the current R&D of COVID-19 therapeutics, vaccines, and diagnostics. It means that thousands of new patents are awaited, and that will hinder India's ability to produce COVID-19 related medical products. Only through a waiver, this challenge can be addressed. Similarly, scientists note that mRNA is the future of vaccine technology. However, manufacturing mRNA vaccines involves complex processes and procedures. Only a very few Indian manufacturers have access to this technology; however, that too is limited. Once Indian companies have access to mRNA technology, it will help country’s generic medicine industry and boost India’s economy. Therefore, even if the WTO agrees on a waiver for a period shorter than proposed, India should accept it. In addition, mRNA vaccines can be produced in lesser time compared to the traditional vaccines. While traditional vaccines’ production takes four to five months, mRNA needs only six to eight weeks. Access to this technology will be vital for India in expediting the fight against COVID-19 and future pandemics. Finally, a waiver may strengthen India's diplomatic soft power. At present, what hinders India's Vaccine Maitri initiative is the scarcity of vaccines at home. On the other hand, China is increasing its standing in Africa, South America and the Pacific through vaccine diplomacy. The WHO approval of the Chinese vaccines and lack of access to vaccines by most developing countries, opens up huge space for China to do its vaccine diplomacy. Here, India should convince its Quad partners, particularly Australia and Japan, who oppose the waiver that vaccine production in developing countries through TRIPS waiver will enable the grouping to deliver its pledged billion doses of COVID-19 vaccine in the Indo-Pacific region. In short, the proposed waiver, if agreed, will help India in addressing the public health crisis by producing more vaccines and distributing them at home; economically, by boosting its generic pharmaceutical industry, and diplomatically, providing vaccines to the developing and least-developed countries. Therefore, India should use all available means and methods, from trade-offs to pressurising, to make the waiver happen.

#### Corona escalates security threats that cause extinction – cooperation thesis is wrong.

Recna 21 [Research Center for Nuclear Weapon Abolition; Nagasaki, Japan; “Pandemic Futures and Nuclear Weapon Risks: The Nagasaki 75th Anniversary pandemic-nuclear nexus scenarios final report,” Journal for Peace and Nuclear Disarmament; 5/28/21; <https://www.tandfonline.com/doi/full/10.1080/25751654.2021.1890867>] Justin

The Challenge: Multiple Existential Threats

The relationship between pandemics and war is as long as human history. Past pandemics have set the scene for wars by weakening societies, undermining resilience, and exacerbating civil and inter-state conflict. Other disease outbreaks have erupted during wars, in part due to the appalling public health and battlefield conditions resulting from war, in turn sowing the seeds for new conflicts. In the post-Cold War era, pandemics have spread with unprecedented speed due to increased mobility created by globalization, especially between urbanized areas. Although there are positive signs that scientific advances and rapid innovation can help us manage pandemics, it is likely that deadly infectious viruses will be a challenge for years to come.

The COVID-19 is the most demonic pandemic threat in modern history. It has erupted at a juncture of other existential global threats, most importantly, accelerating climate change and resurgent nuclear threat-making. The most important issue, therefore, is how the coronavirus (and future pandemics) will increase or decrease the risks associated with these twin threats, climate change effects, and the next use of nuclear weapons in war.5

Today, the nine nuclear weapons arsenals not only can annihilate hundreds of cities, but also cause nuclear winter and mass starvation of a billion or more people, if not the entire human species. Concurrently, climate change is enveloping the planet with more frequent and intense storms, accelerating sea level rise, and advancing rapid ecological change, expressed in unprecedented forest fires across the world. Already stretched to a breaking point in many countries, the current pandemic may overcome resilience to the point of near or actual collapse of social, economic, and political order.

In this extraordinary moment, it is timely to reflect on the existence and possible uses of weapons of mass destruction under pandemic conditions – most importantly, nuclear weapons, but also chemical and biological weapons. Moments of extreme crisis and vulnerability can prompt aggressive and counterintuitive actions that in turn may destabilize already precariously balanced threat systems, underpinned by conventional and nuclear weapons, as well as the threat of weaponized chemical and biological technologies. Consequently, the risk of the use of weapons of mass destruction (WMD), especially nuclear weapons, increases at such times, possibly sharply.

The COVID-19 pandemic is clearly driving massive, rapid, and unpredictable changes that will redefine every aspect of the human condition, including WMD – just as the world wars of the first half of the 20th century led to a revolution in international affairs and entirely new ways of organizing societies, economies, and international relations, in part based on nuclear weapons and their threatened use. In a world reshaped by pandemics, nuclear weapons – as well as correlated non-nuclear WMD, nuclear alliances, “deterrence” doctrines, operational and declaratory policies, nuclear extended deterrence, organizational practices, and the **existential risks** posed by retaining these capabilities – are all up for redefinition.

A pandemic has potential to destabilize a nuclear-prone conflict by incapacitating the supreme nuclear commander or commanders who have to issue nuclear strike orders, creating uncertainty as to who is in charge, how to handle nuclear mistakes (such as errors, accidents, technological failures, and entanglement with conventional operations gone awry), and opening a brief opportunity for a first strike at a time when the COVID-infected state may not be able to retaliate efficiently – or at all – due to leadership confusion. In some nuclear-laden conflicts, a state might use a pandemic as a cover for political or military provocations in the belief that the adversary is distracted and partly disabled by the pandemic, increasing the risk of war in a nuclear-prone conflict. At the same time, a pandemic may lead nuclear armed states to increase the isolation and sanctions against a nuclear adversary, making it even harder to stop the spread of the disease, in turn creating a pandemic reservoir and transmission risk back to the nuclear armed state or its allies.

In principle, the common threat of the pandemic might induce nuclear-armed states to reduce the tension in a nuclear-prone conflict and thereby the risk of nuclear war. It may cause nuclear adversaries or their umbrella states to seek to resolve conflicts in a cooperative and collaborative manner by creating habits of communication, engagement, and mutual learning that come into play in the nuclear-military sphere. For example, militaries may cooperate to control pandemic transmission, including by working together against criminal-terrorist non-state actors that are trafficking people or by joining forces to ensure that a new pathogen is not developed as a bioweapon.

To date, however, the COVID-19 pandemic has increased the isolation of some nuclear-armed states and provided a textbook case of the failure of states to cooperate to overcome the pandemic. Borders have slammed shut, trade shut down, and budgets blown out, creating enormous pressure to focus on immediate domestic priorities. Foreign policies have become markedly more nationalistic. Dependence on nuclear weapons may increase as states seek to buttress a global re-spatialization6 of all dimensions of human interaction at all levels to manage pandemics. The effect of nuclear threats on leaders may make it less likely – or even impossible – to achieve the kind of concert at a global level needed to respond to and administer an effective vaccine, making it harder and even impossible to revert to pre-pandemic international relations. The result is that some states may proliferate their own nuclear weapons, further reinforcing the spiral of conflicts contained by nuclear threat, with cascading effects on the risk of nuclear war.

### Underview

#### 1 – Yes 1AR theory – anything else means infinite abuse – drop the debater, competing interps, and the highest layer – the 1AR is too short to make up for the time trade-off – no RVIs – 6 min 2NR means they can brute force me every time.

#### 2 – Utilitarianism fails – multiple warrants.

**Cleveland** [Cleveland, Paul A. “The Failure of Utilitarian Ethics in Political Economy.” Independent Institute. <https://www.independent.org/publications/article.asp?id=1602>. Published 1 September 2002]

The Problem of Making Interpersonal Comparisons Among the many difficulties encountered in Bentham?s approach, the first is that **it is impossible to make interpersonal comparisons**. It is a well-known fact that different **people have different tastes**. In addition, there are differences in personalities and talents that different people possess **and these differences give rise to differences in** their **goals** and ambitions. All these variations in turn give rise to a fundamental fact of human existence. Namely, that **it is impossible** for us **to** know or **measure the extent of either pleasure or pain for any specific person** in any particular situation. Such measures are beyond the capacity of our ability to know. **While human beings can** most certainly **empathize** with someone who is experiencing extreme hardship or enjoying great success, such **efforts are only accomplished by projecting one’s own inward feelings to someone else’s** circumstance. One person simply cannot accurately know the depth of another person’s pain nor the height of his joy. While Bentham at least recognized this problem, it did not discourage him from his ultimate pursuit. Instead, he continued to promote his new ethical philosophy and argued that it was the only way that we could go. Therefore, he pressed for a way to measure happiness. While he was never able to arrive at such a measure, he remained confident that one would soon be developed and even used the term utils as the units in which it would be measured. Economists have long since given up on the search for a cardinal measure of utility. Strangely enough however, welfare economists continue to act as if we can actually accomplish the impossible task by attempting to measure deadweight losses within the context of modern price theory. It is the rise in the prominence of welfare analysis that has given **utilitarianism** a standing in modern policy debates. However, such efforts **cannot escape the reality that** such **measures cannot be made**. With no adequate way to measure utility in order to make the necessary interpersonal comparisons, all such policy arguments are reduced to contests where each side claims that the rewards to be received by them would greatly outweigh whatever pain might be incurred by those who are forced to bear the costs. B. An Inadequate Conception of Human Nature Another problem with **utilitarianism** is that it **has a very narrow conception of what it means to be a human being**. Within Bentham’s view, human beings are essentially understood to be passive creatures who respond to the environment in a purely mechanical fashion. As such, **there are no “bad” motives, only “bad” calculations**. In these terms, **no person is responsible for his or her own behavior.** In effect, the idea being promoted is that human action is essentially the same as that of a machine in operation. **This** notion **reduces a human thought to** nothing more **than a series of bio-chemical reactions**. Yet, if this is true, **then there is no meaning to human thought or human action and all human reason is reduced to the point of being meaningless**.[[6]](https://www.independent.org/publications/article.asp?id=1602" \l "_ftn6" \o ") Beyond this problem, it also seems a little absurd to argue that since all human beings seek pleasure and avoid pain, that we can conclude that such a fact ought then be used as the foundation upon which an ethical theory ought to be constructed. As Opitz points out, **Words like pleasure** happiness, or satisfaction **are** what might be called “**container words**.” **They are words needing a content,** like the word “assistant.” When someone tells you he is an assistant, you are told nothing about his actual job. All you know is that he is not an executive. To make it specific, the job of being an assistant needs some entity to hook up with. Similarly, happiness or pleasure. **There is no such entity as pleasure or happiness**; these are mental states which may be associated with many different things.[[7]](https://www.independent.org/publications/article.asp?id=1602" \l "_ftn7" \o ") Since this is true, **pleasure cannot be the goal of human action in and of itself**. **It is simply the by-product** of human action which is actually aimed at the attainment of some specific goal or end. To be sure, people rarely seek to refine their tastes by considering such qualitative issues until they are well fed, clothed, and housed, but that fact does not mean that such issues are unimportant. Even that great proponent of utilitarianism, J. S. Mill, came to understand this point. As a result, he too began to recognize that happiness was not something that could be had directly and tried to introduce qualitative factors into his utilitarianism. Regrettably, Mill did not press the implication of this insight to its final conclusion. If he had, he would have abandoned his utilitarianism in favor of some other ethical philosophy. The reason why this is so is that **an effort to include qualitative factors into one’s ethical thinking** necessarily **requires an appeal to some ideal**. That is, Mill must have in mind some concept or idea of what human beings ought to be, rather than what they in fact are, if he is going to include qualitative factors in his analysis. When this is done, one is forced back into the mode of the traditional ethical philosophies that existed prior to the utilitarian project. If one has an ideal of what men should be, then that ideal establishes a standard of moral behavior apart from the pursuit of pleasure itself. As Copleston comments on the matter: Hence **there must be a standard of excellence**; and this is not fully worked out. The relevant point in the present context, however, is not Mill’s failure to elaborate a theory of human nature. Rather is it the fact that he grafts on to Benthamism a moral theory which has little or nothing to do with balancing of pleasures and pains according to the hedonistic calculus of Bentham, and that he does not see the necessity of subjecting his original starting-point to a thorough criticism and revision.[[8]](https://www.independent.org/publications/article.asp?id=1602" \l "_ftn8" \o ") C. The Fallacy of Composition A final problem with **utilitarianism** that ought to be mentioned is that it **is subject to** being criticized because of **a** potential **fallacy of composition**. **The common good is not** necessarily **the sum of the interests of individuals**. In their book, A History of Economic Theory and Method, Ekelund and Hebert provide a well-conceived example to demonstrate this problem. They write: **It is** presumably **in the** general **interest of American society to have every automobile** in the United States **equipped with** all **possible safety devices**. **However**, a majority of **individual car buyers may not be willing to pay the cost** of such equipment in the form of higher auto prices. **In this case, the collective interest does not coincide with the sum of the individual interests.** The result is a legislative and economic dilemma. [[9]](https://www.independent.org/publications/article.asp?id=1602" \l "_ftn9" \o ") Indeed, individuals prone to political action, and held under the sway of utilitarian ethics, will likely be willing to decide in favor of the supposed collective interest over and against that of the individual. But then, **what happens to individual human rights**? Are they not sacrificed and set aside as unimportant? In fact, this is precisely what has happened. In democratic countries the destruction of human liberty that has taken place in the past hundred years has occurred primarily for this reason. In addition, **such thinking largely** **served as** the **justification for the mass murders of millions** **of innocent people in communist countries** where the leaders sought to establish the “workers’ paradise.” To put the matter simply, utilitarianism offers no cohesive way to discern between the various factions competing against one another in political debates and thus fails to provide an adequate guide for ethical human action. The failure of utilitarianism at this point is extremely important for a whole host of policy issues. Among them, the issue of the government’s provision of public goods is worth our consideration.